

UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS  
CENTRE FOR HUMAN RIGHTS



International  
Human Rights Standards  
for Law Enforcement

*A Pocket Book on Human Rights for the Police*



**Geneva**

### **Introductory Note**

The United Nations Centre for Human Rights has been engaged for years in the training of national law enforcement officials and civilian police components of United Nations peacekeeping operations, with the objective of broadening understanding of international standards for human rights and policing. Most recently, the Centre has prepared both a comprehensive training manual for police, and a complementary trainer's guide, based upon the police training experience and methodology of the Centre.

This "pocket book" is the third global contribution of the Centre's police training programme, and is designed to provide a readily accessible and portable reference for police committed to the lawful and humane performance of their vital functions in a democratic society. It contains hundreds of relevant standards, reduced to common language and point-form, and drawn from over thirty international sources. Rather than directly reproducing the often complex provisions of international treaties and declarations, this publication has adopted a more "user friendly" format, with subjects arranged according to police duties, functions and topics. For users interested in referencing the original sources themselves, each standard is accompanied by a complete endnote, identifying the particular international provisions from which it is derived.

Readers are encouraged to contact the Centre for Human Rights for additional copies, or to obtain the complementary Manual and Trainer's Guide produced by the Centre as a part of its police programme.

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# **Human Rights Standards for Police<sup>i</sup>**

## **General Principles**

International human rights law is binding on all States and their agents, including law enforcement officials<sup>ii</sup>

Human Rights is a legitimate subject for international law, and international scrutiny<sup>iii</sup>

Law enforcement officials are obliged to know, and to apply, international standards for human rights<sup>iv</sup>

## **Ethical and Legal Conduct**

Human rights derive from the inherent dignity of the human person<sup>v</sup>

Law enforcement officials shall at all times respect and obey the law<sup>vi</sup>

Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession<sup>vii</sup>

Law enforcement officials shall not commit any act of corruption. They shall rigorously oppose and combat all such acts<sup>viii</sup>

Law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons<sup>ix</sup>

Law enforcement officials shall report violations of those laws, codes and sets of principles which protect and promote human rights<sup>x</sup>

All police action shall respect the principles of legality, necessity, non-discrimination, proportionality and humanity<sup>xi</sup>

## **Policing in Democracies**

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law<sup>xii</sup>

Limitations on the exercise of rights and freedoms shall be only those necessary to secure recognition and respect for the rights of others, and for meeting the just requirements of morality, public order and the general welfare in a democratic society<sup>xiii</sup>

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives<sup>xiv</sup>

The will of the people is the basis of the authority of government<sup>xv</sup>

The will of the people shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage<sup>xvi</sup>

Every law enforcement agency shall be representative of and responsive and accountable to the community as a whole<sup>xvii</sup>

Everyone has the rights to freedom of opinion, expression, assembly and association<sup>xviii</sup>

All police officials are part of, and have a duty to serve the community<sup>xix</sup>

## **Non-Discrimination in Law Enforcement**

All human beings are born free and equal in dignity and rights<sup>xx</sup>

Human rights derive from the inherent dignity of the human person<sup>xxi</sup>

Law enforcement officials shall at all times fulfil the duty imposed on them by law, by serving the community and by protecting all persons against illegal acts<sup>xxii</sup>

Law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons<sup>xxiii</sup>

All persons are equal before the law, and are entitled, without discrimination, to equal protection of the law<sup>xxiv</sup>

In protecting and serving the community, police shall not unlawfully discriminate on the basis of race, gender, religion, language, colour, political opinion, national origin, property, birth, or other status<sup>xxv</sup>

It shall not be considered unlawfully discriminatory for the police to enforce certain special measures designed to address the special status and needs of women (including pregnant women and new mothers), juveniles, the sick, the elderly, and others requiring special treatment in accordance with international human rights standards<sup>xxvi</sup>

The recruitment, hiring, assignment and promotions policies of police agencies shall be free from any form of unlawful discrimination<sup>xxvii</sup>

## **Police Investigations**

In investigations, the interviewing of witnesses, victims and suspects, personal searches, searches of vehicles and premises, and the interception of correspondence and communications:

Everyone has the right to security of the person<sup>xxviii</sup>

Everyone has the right to a fair trial<sup>xxix</sup>

Everyone is to be presumed innocent until proven guilty in a fair trial<sup>xxx</sup>

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence<sup>xxxi</sup>

No one shall be subjected to unlawful attacks on his honour or reputation<sup>xxxii</sup>

No pressure, physical or mental, shall be exerted on suspects, witnesses, or victims in attempting to obtain information<sup>xxxiii</sup>

Torture and other inhuman or degrading treatment is absolutely prohibited<sup>xxxiv</sup>

Victims and witnesses are to be treated with compassion and consideration<sup>xxxv</sup>

Confidentiality, and care in the handling of sensitive information are to be exercised at all times<sup>xxxvi</sup>

No one shall be compelled to confess or to testify against themselves<sup>xxxvii</sup>

Investigatory activities shall be conducted only lawfully and with due cause<sup>xxxviii</sup>

Neither arbitrary, nor unduly intrusive investigatory activities shall be permitted<sup>xxxix</sup>

Investigations shall be competent, thorough, prompt, and impartial<sup>xl</sup>

Investigations shall serve to identify victims; recover evidence; discover witnesses; discover cause, manner, location, and time of crime; identify and apprehend perpetrators<sup>xli</sup>

Crime scenes shall be carefully processed, and evidence carefully collected and preserved<sup>xlii</sup>

## **Arrest**

Everyone has the right to liberty and security of the person and to freedom of movement<sup>xliii</sup>

No one shall be subjected to arbitrary arrest or detention<sup>xliv</sup>

No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law<sup>xlv</sup>

Anyone who is arrested shall be informed, at the time of the arrest, of the reasons for his arrest<sup>xlvi</sup>

Anyone who is arrested shall be promptly informed of any charges against him<sup>xlvii</sup>

Anyone who is arrested shall be brought promptly before a judicial authority<sup>xlviii</sup>

Anyone who is arrested shall have the right to appear before a judicial authority for the purpose of having the legality of his arrest or detention reviewed without delay, and shall be released if the detention is found to be unlawful<sup>xlix</sup>

Anyone who is arrested has the right to trial within a reasonable time, or to release<sup>l</sup>

Detention pending trial shall be the exception rather than the rule<sup>li</sup>

All arrested or detained persons shall have access to a lawyer or other legal representative, and adequate opportunity to communicate with that representative<sup>lii</sup>

A record of every arrest must be made, and shall include: the reason for the arrest; the time of the arrest; the time transferred to a place of custody; the time of appearance before a judicial authority; the identity of involved officers; precise information on the place of custody; and details of interrogation.<sup>liii</sup>

The arrest record shall be communicated to the detainee, or to his legal counsel<sup>liiv</sup>

The family of the arrested person shall be notified promptly of his arrest and place of detention<sup>liv</sup>

No one shall be compelled to confess or to testify against himself<sup>lv</sup>

Where necessary, an interpreter shall be provided during interrogation<sup>lvii</sup>

## **Detention**

Pre-trial detention shall be the exception, rather than the rule<sup>lviii</sup>

All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person<sup>lix</sup>

Everyone charged with a penal offence shall be presumed innocent until proven guilty in a fair trial<sup>lx</sup>

No detainee shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, or to any form of violence or threats<sup>lxi</sup>

Detained persons shall be held only in officially recognized places of detention, and their family and legal representatives are to receive full information<sup>lxii</sup>

Juveniles are to be separated from adults; women from men; and unconvicted persons from convicted persons<sup>lxiii</sup>

Decisions about the duration and legality of detention are to be made by a judicial or equivalent authority<sup>lxiv</sup>

The detainee shall have the right to be informed of the reason for detention and any charges against him<sup>lxv</sup>

Detainees have the right to contact with the outside world, and to visits from family members, and to communicate privately and in person with a legal representative<sup>lxvi</sup>

Detainees shall be kept in humane facilities, designed to preserve health, and shall be provided with adequate food, water, shelter, clothing, medical services, exercise and items of personal hygiene<sup>lxvii</sup>

The religious and moral beliefs of detainees shall be respected<sup>lxviii</sup>

Every detainee shall have the right to appear before a judicial authority, and to have the legality of his detention reviewed<sup>lxix</sup>

The rights and special status of women and juvenile detainees are to be respected<sup>lxx</sup>

No one shall take advantage of the situation of a detained person to compel him to confess, or to otherwise incriminate himself or another person<sup>lxxi</sup>

Measures for discipline and order shall only be those as set out in law and regulations, shall not exceed those necessary for safe custody, and shall be not inhumane<sup>lxxii</sup>

## **The use of force**

Everyone has the right to life, security of the person, and freedom from torture, cruel, inhuman or degrading treatment and punishment<sup>lxxiii</sup>

Non-violent means are to be attempted first<sup>lxxiv</sup>

Force is to be used only when strictly necessary<sup>lxxv</sup>

Force is to be used only for lawful law enforcement purposes<sup>lxxvi</sup>

No exceptions or excuses shall be allowed for unlawful use of force<sup>lxxvii</sup>

Use of force is to be always proportional to lawful objectives<sup>lxxviii</sup>

Restraint is to be exercised in the use of force<sup>lxxix</sup>

Damage and injury are to be minimized<sup>lxxx</sup>

A range of means for differentiated use of force is to be made available<sup>lxxxi</sup>

All officers are to be trained in the use of the various means for differentiated use of force<sup>lxxxii</sup>

All officers are to be trained in use of non-violent means<sup>lxxxiii</sup>

## **Accountability for the use of force and firearms**

All incidents of the use of force or firearms shall be followed by reporting and review by superior officials<sup>lxxxiv</sup>

Superior officials shall be held responsible for the actions of police under their command if the superior official knew or should have known of abuses but failed to take concrete action<sup>lxxxv</sup>

Officials who refuse unlawful superior orders shall be given immunity<sup>lxxxvi</sup>

Officials who commit abuses of these rules shall not be excused on the grounds that they were following superior orders<sup>lxxxvii</sup>

## **Permissible circumstances for the use of firearms**

Firearms are to be used only in extreme circumstances.<sup>lxxxviii</sup>

Firearms are to be used only in self-defense or defense of others against imminent threat of death or serious injury<sup>lxxxix</sup>

-or-

To prevent a particularly serious crime that involves a grave threat to life<sup>xc</sup>

-or-

To arrest or prevent the escape of a person posing such a threat and who is resisting efforts to stop the threat<sup>xc<sup>i</sup></sup>

-and-

In every case, only when less extreme measures are insufficient.<sup>xc<sup>ii</sup></sup>

Intentional lethal use of force and firearms shall be permitted only when strictly unavoidable in order to protect human life.<sup>xc<sup>iii</sup></sup>

## **Procedures for the use of firearms**

The officer is to identify self as police official<sup>xciv</sup>

-and-

The officer is to give a clear warning<sup>xcv</sup>

-and-

The officer is to allow adequate time for warning to be obeyed<sup>xcvi</sup>

-but-

This shall not be required if the delay would result in death or serious injury to the officer or others<sup>xcvii</sup>

-or-

It is clearly pointless or inappropriate in the circumstances to do so<sup>xcviii</sup>

## **After the use of firearms**

Medical aid is to be rendered to all injured persons<sup>xcix</sup>

The relatives or friends of those affected are to be notified<sup>c</sup>

Investigation are to be allowed for where requested or required<sup>ci</sup>

A full and detailed report of the incident is to be provided<sup>cii</sup>

## **Civil Disorder**

All measures for the restoration of order to respect human rights<sup>ciii</sup>

Restoration of order to be achieved without discrimination<sup>civ</sup>

Any limitations on rights shall be only those determined by law<sup>cv</sup>

Any action taken, and any limitations on rights shall be solely for the purpose of securing respect for the rights and freedoms of others, and for meeting the just requirements of morality, public order and the general welfare<sup>cvi</sup>

Any action taken, and any limitations on rights shall be only those consistent with the requirements

of a democratic society<sup>cvii</sup>

No exceptions shall be allowed with regard to the right to life; to freedom from torture; the prohibition of slavery; the prohibition of imprisonment for failure to fulfil a contractual obligation; the prohibition on ex post facto laws; the recognition of all as persons before the law; or the freedom of thought, conscience and religion.<sup>cviii</sup>

Non-violent means shall be attempted before the use of force<sup>cix</sup>

Force shall be used only when strictly necessary<sup>cx</sup>

Force shall be used only for lawful law enforcement purposes<sup>cxii</sup>

Force applied shall be proportional to the lawful law enforcement objectives<sup>cxiii</sup>

Every effort shall be made to limit damage and injury<sup>cxiv</sup>

A range of means for the differentiated use of force shall be available<sup>cxv</sup>

No unnecessary limitations on the rights to free speech, assembly, association, or movement shall be imposed<sup>cxvi</sup>

No limitations shall be imposed on freedom of opinion<sup>cxvii</sup>

The independent functioning of the judiciary shall be maintained<sup>cxviii</sup>

All wounded and traumatized to be immediately cared for<sup>cxviiii</sup>

## **States of Emergency**

States of emergency may only be declared in conformity with the law<sup>cxix</sup>

States of emergency may only be declared where a public emergency threatens the life of the nation, and where ordinary measures are plainly inadequate to address the situation<sup>cxx</sup>

States of emergency must be officially declared before exceptional measures may be taken<sup>cxxi</sup>

Any exceptional measures must be strictly required by the exigencies of the situation<sup>cxxii</sup>

Any exceptional measures must not be inconsistent with other requirements under international law<sup>cxxiii</sup>

Any exceptional measures must not discriminate solely on the basis of race, colour, gender, language, religion or social origin<sup>cxxiv</sup>

No exceptions are permitted with regard to the right to life; the prohibition of torture or cruel, inhuman and degrading treatment; the prohibition of slavery; the prohibition of imprisonment for failure to fulfil a contractual obligation; the prohibition on ex post facto laws; the recognition of everyone as persons before the law; or the freedom of thought, conscience and religion.<sup>cxxxv</sup>

No one may be held guilty of any criminal offence which was not an offence at the time it was committed<sup>cxxxvi</sup>

No one may be subjected to a heavier penalty than that which was applicable at the time the offense was committed<sup>cxxxvii</sup>

If the penalty for an offence is reduced by law subsequent to a commission of the offence, the offender must benefit from the lighter penalty<sup>cxxxviii</sup>

## **Armed Conflict**

During armed conflicts and occupation, police are to be considered non-combatants, unless formally incorporated into the armed forces<sup>cxxxix</sup>

Police have a right to abstain from fulfilling their functions under occupation, by reason of conscience, and this shall not result in an alteration of their status<sup>cxxx</sup>

Humanitarian law applies in all situations of armed conflict<sup>cxxxxi</sup>

Principles of humanity must be safeguarded in all situations<sup>cxxxii</sup>

Non-Combatants and persons put out of action by injury, sickness, capture, or other cause must be respected and protected<sup>cxxxiii</sup>

Persons suffering from the effects of war must be aided and cared for without discrimination<sup>cxxxiv</sup>

Acts prohibited in all circumstances include:

- murder
- torture
- corporal punishment
- mutilation
- outrages upon personal dignity
- hostage taking
- collective punishment
- executions without regular trial
- cruel and degrading treatment<sup>cxxxv</sup>

Reprisals against the wounded, sick and shipwrecked, medical personnel and services, prisoners of war, civilians, civilian and cultural objects, the natural environment, and works containing

dangerous forces are prohibited.<sup>cxxxvi</sup>

No one may renounce or be forced to renounce protection under humanitarian law<sup>cxxxvii</sup>

Protected persons must at all times have resort to a protecting power (a neutral State safeguarding their interests) or to the ICRC, or any other impartial humanitarian organization.<sup>cxxxviii</sup>

## **Protection of Juveniles**

Children are to benefit from all of the human rights guarantees available to adults. In addition, the following rules shall be applied to children:<sup>cxxxix</sup>

Children shall be treated in a manner which promotes their sense of dignity and worth; which facilitates their reintegration into society; which reflects the best interests of the child; and which takes into account the needs of a person of that age<sup>cxl</sup>

Children shall not be subjected to torture; to cruel, inhuman or degrading treatment or punishment; to corporal punishment; or to life imprisonment without chance of release<sup>cxli</sup>

Detention or imprisonment of children shall be an extreme measure of last resort, and detention shall be for the shortest possible time<sup>cxlii</sup>

Children shall be separated from adult detainees<sup>cxliii</sup>

Detained children shall receive visits and correspondence from family members<sup>cxliv</sup>

A minimum age for criminal responsibility shall be established<sup>cxlv</sup>

Non-judicial proceedings and alternatives to institutional care shall be provided for<sup>cxlvi</sup>

The child's privacy shall be respected, and complete and secure records are to be maintained and kept confidential<sup>cxlvii</sup>

The use of physical restraints and force on children are to be exceptional, and only employed when all other control measures have been exhausted and failed, and shall be employed for the shortest possible time<sup>cxlviii</sup>

Weapons shall not be carried in juvenile institutions<sup>cxlix</sup>

Discipline shall respect the child's dignity, and shall instill a sense of justice, self-respect and respect for human rights in the child<sup>cl</sup>

Officials dealing with juveniles shall be specially trained, and personally suited for that purpose<sup>cli</sup>

Periodic, as well as unannounced visits of inspectors to juvenile facilities shall be provided<sup>clii</sup>

Parents are to be notified of any arrest, detention, transfer, sickness, injury or death<sup>cliii</sup>

## **The Human Rights of Women**

Women are entitled to the equal enjoyment and protection of all human rights in the political, economic, social, cultural civil and all other fields<sup>cliv</sup>

These rights include, inter alia, the rights to life; equality; liberty and security of the person; equal protection under the law; freedom from discrimination; the highest attainable standard of mental and physical health; just and favourable conditions of work; and freedom from torture or other cruel, inhuman or degrading treatment or punishment<sup>clv</sup>

Violence against women may be physical, sexual or psychological, and includes battering, sexual abuse, dowry violence, marital rape, harmful traditional practices, non-spousal rape and violence, sexual harassment, forced prostitution, trafficking in women, and exploitation-related violence<sup>clvi</sup>

Violence against women, in all its forms, violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms<sup>clvii</sup>

Police shall exercise due diligence to prevent, investigate and make arrests for all acts of violence against women, whether perpetrated by public officials or private persons, in the home, the community, and in official institutions<sup>clviii</sup>

Police shall take rigorous official action to prevent the victimization of women, and shall ensure that revictimization does not occur as a result of the omissions of police, or gender-insensitive enforcement practices<sup>clix</sup>

Violence against women is a crime, and must be treated as such, including when occurring within the family<sup>clx</sup>

Arrested or detained women shall not suffer discrimination, and shall be protected from all forms of violence or exploitation<sup>clxi</sup>

Women detainees shall be supervised and searched by female officers and staff<sup>clxii</sup>

Women shall be detained separately from male detainees<sup>clxiii</sup>

Pregnant women and nursing mothers shall be provided with special facilities in detention<sup>clxiv</sup>

Law enforcement agencies shall not discriminate against women in recruitment; hiring; training; assignment; promotion; salary; or other career and administrative matters<sup>clxv</sup>

Law enforcement agencies shall recruit sufficient numbers of women to ensure fair community representation, and the protection of the rights of female suspects, arrestees and detainees<sup>clxvi</sup>

## Refugees

Everyone has the right to seek, and to enjoy, in another country, asylum from persecution<sup>clxvii</sup>

A refugee is a person who, owing to a well-founded fear of persecution on the grounds of race, religion, nationality, membership in a particular social group, or political opinion, is unable or unwilling to return to his or her country of origin (or, if stateless, to his or her country of habitual residence)<sup>clxviii</sup>

Refugees are entitled to all basic human rights, with the exception of certain political rights, but, if unlawfully within the territory, certain limitations on movement may be applied in the interest of public order and health<sup>clxix</sup>

Refugees shall be granted treatment which is at least as favourable as that granted to nationals in the exercise of basic rights, such as free association; religion; elementary education; public relief; access to courts; property; and housing<sup>clxx</sup>

No one shall be returned to a country where his or her life or freedom would be threatened, or where he or she would be persecuted, nor to a third country likely to return the refugee to such a country<sup>clxxi</sup>

Refugees unlawfully within the territory of a state, who have come directly from a country of persecution, and who present themselves without delay to the authorities, shall not be penalized<sup>clxxii</sup>

Refugees coming directly from a country of persecution shall not be refused at least temporary entry<sup>clxxiii</sup>

Refugees lawfully in the territory of a state have the right to freedom of movement and residency<sup>clxxiv</sup>

Refugees lawfully within the territory shall be granted travel documents and identity papers<sup>clxxv</sup>

Persons seeking asylum should be informed of the necessary procedures, shall be provided with the necessary facilities to do so, and shall be allowed to remain pending a final decision<sup>clxxvi</sup>

No refugee shall be expelled except on grounds of national security or public order, and only on the basis of a decision reached in accordance with due process of law<sup>clxxvii</sup>

Before expulsion, a refugee shall be given an opportunity to offer evidence, to be represented, and to appeal to a higher authority<sup>clxxviii</sup>

## **Non-Nationals**

Non-nationals include foreigners and stateless persons<sup>clxxxix</sup>

Non-nationals are lawfully within the territory if they have entered in accordance with the legal system, or if they possess a valid residency permit<sup>clxxx</sup>

Non-nationals lawfully within the territory are entitled to all human rights, except certain political rights<sup>clxxxi</sup>

Non-nationals have the same right to leave and to emigrate as nationals<sup>clxxxii</sup>

Non-nationals lawfully within the territory, who have close attachments to the state and view it as their own, (who have set up a home, who were born in the state, or who have resided in the state for a long time), shall not be expelled<sup>clxxxiii</sup>

Other non-nationals lawfully within the territory may be expelled only if decided by law, if the decision is not arbitrary, not discriminatory, and if procedural guarantees have been afforded<sup>clxxxiv</sup>

Procedural guarantees for expulsion include the right to be heard, the right to review by a competent authority, the right to representation, the right to appeal to a higher authority, enjoyment of full facilities to pursue a remedy, the right to remain pending an appeal, and the right to be informed of available remedies<sup>clxxxv</sup>

Exceptions for some procedural guarantee may be allowed, but only for compelling reasons of national security, such as political or military threats to the whole nation<sup>clxxxvi</sup>

Collective or mass expulsions are prohibited<sup>clxxxvii</sup>

The spouse and minor dependent children of a non-national lawfully in the territory must be admitted to join the non-national<sup>clxxxviii</sup>

All non-nationals must be free to communicate with their consulate or diplomatic mission<sup>clxxxix</sup>

Non-nationals who are expelled should be permitted to depart to any country which accepts them, and may not be sent to a country where their human rights would be violated<sup>cxc</sup>

## **Victims**

All victims of crime, abuse of power or human rights violations shall be treated with compassion and respect<sup>cxci</sup>

Victims shall have access to mechanisms of justice and prompt redress<sup>cxcii</sup>

Redress procedures shall be expeditious, fair, inexpensive and accessible<sup>cxci</sup>

Victims shall be informed of their rights in seeking redress and protection<sup>cxci</sup>

Victims shall be informed of their role in formal proceedings, the scope, timing and progress of proceedings, and the disposition of their cases<sup>cxv</sup>

Victims shall be allowed to present their views and feelings on all matters where their personal interests are affected<sup>cxvi</sup>

Victims shall receive all necessary legal, material, medical, psychological and social assistance, and shall be informed of their availability<sup>cxvii</sup>

Inconvenience to victims shall be minimized in the handling of their cases<sup>cxviii</sup>

The privacy and safety of victims shall be protected<sup>cxix</sup>

Unnecessary delay in the handling of victim's cases shall be avoided<sup>cc</sup>

Offenders should, where appropriate, make restitution<sup>cci</sup>

Governments should make restitution where public officials are at fault<sup>ccii</sup>

Financial compensation should be made available from the offender, or, if not available, from the State<sup>cciii</sup>

Police shall be trained in the needs of victims, and should be provided with guidelines to ensure proper and prompt aid<sup>cciv</sup>

## **Police Command and Management**

Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession<sup>ccv</sup>

Law enforcement officials shall not commit any act of corruption. They shall rigorously oppose and combat all such acts<sup>ccvi</sup>

Law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons<sup>ccvii</sup>

Every law enforcement agency shall be representative of and responsive and accountable to the community as a whole<sup>ccviii</sup>

The recruitment, hiring, assignment and promotions policies of police agencies shall be free from any form of unlawful discrimination<sup>ccix</sup>

Clear, complete and accurate records shall be maintained on matters of investigations, arrests,

detention, the use of force and firearms, victim assistance, and all matters of police activity<sup>ccx</sup>

Training and clear guidelines shall be made available on all matters of police activities affecting human rights<sup>ccxi</sup>

Police agencies shall make available a range of means for the differentiated use of force, and shall train officers in their use<sup>ccxii</sup>

All incidents of the use of force or firearms shall be followed by reporting and review by superior officials<sup>ccxiii</sup>

Superior officials shall be held responsible for the actions of police under their command if the superior knew or should have known of abuses but failed to take action<sup>ccxiv</sup>

Officials who refuse unlawful superior orders shall be given immunity<sup>ccxv</sup>

Confidential information is to be handled securely<sup>ccxvi</sup>

All police candidates shall be of appropriate mental and physical character<sup>ccxvii</sup>

All police are to be subject to continuous and effective report and review procedures<sup>ccxviii</sup>

Police shall develop strategies for law enforcement which are effective, lawful and respectful of human rights<sup>ccxix</sup>

## **Community Policing<sup>ccxx</sup>**

Establish a partnership between police and law abiding members of the community

Adopt a community relations policy and plan of action

Recruit from all sectors of the community

Train officers to deal with diversity

Establish community outreach and public information programmes

Liaise regularly with all groups in the community

Build contacts with the community through non-enforcement activities

Assign officers to a permanent neighbourhood beat

Increase community participation in policing activities and community-based public safety programmes

Involve the community in identifying problems and concerns

Use a creative problem-solving approach to develop responses to specific community problems, including non-traditional tactics and strategies

Coordinate policies, strategies and activities with other government agencies, and with non-governmental organizations

## **Police Violations of Human Rights**

Law enforcement officials shall respect and protect human dignity, and shall maintain and uphold the human rights of all persons<sup>ccxxi</sup>

Law enforcement agencies shall be accountable to the community as a whole<sup>ccxxii</sup>

Effective mechanisms shall be established to ensure internal discipline and external control as well as the effective supervision of law enforcement officials<sup>ccxxiii</sup>

Law enforcement officials who have reason to believe that a violation has occurred, or is about to occur, shall report the matter<sup>ccxxiv</sup>

Provisions shall be made for the receipt and processing of complaints against law enforcement officials made by members of the public, and the existence of those provisions shall be publicized<sup>ccxxv</sup>

Investigations into violations shall be prompt, competent, thorough, and impartial<sup>ccxxvi</sup>

Investigations shall seek to identify victims, recover and preserve evidence, discover witnesses, discover cause, manner, location and time of the violation, and to identify and apprehend perpetrators<sup>ccxxvii</sup>

Crime scenes shall be carefully processed<sup>ccxxviii</sup>

Superior officers shall be held responsible for abuses if they knew, or should have known of their occurrence, and did not take action<sup>ccxxix</sup>

Police are to receive immunity from prosecution or discipline for refusing unlawful superior orders<sup>ccxxx</sup>

Obedience to superior orders shall not be a defense for violations committed by police<sup>ccxxxi</sup>

## Endnotes

- i. The notes referenced to each standard are provided in point form, and drawn from the sources cited. For precise language of the provisions as contained in the international instruments, those instruments should be directly consulted, as indicated.
- ii. International Covenant on Civil and Political Rights [hereinafter "ICCPR"], article 2(3).
- iii. Charter of the United Nations [hereinafter "Charter"], preamble, article 1 and article 55(c).
- iv. ICCPR, article 2(3); United Nations Code of Conduct for Law Enforcement Officials [hereinafter "Code of Conduct"], article 2.
- v. Universal Declaration of Human Rights [hereinafter "UDHR"], preamble and article 1.
- vi. Code of Conduct, article 1 and article 8.
- vii. Code of Conduct, article 1.
- viii. Code of Conduct, article 7.
- ix. Code of Conduct, article 2.
- x. Code of Conduct, article 8; Basic Principles on the Use of Force and Firearms [hereinafter "Principles on Force & Firearms"], principles 6, 11(f), 22, 24, and 25.
- xi. Code of Conduct, articles 2, 3, 5, 7 and 8; Principles on Force & Firearms, preamble and principles 2, 4, 5, 9, 11, 13, 14, 15, 16, 24, 25 and 26.
- xii. UDHR, article 29(2).
- xiii. UDHR, article 29(2).
- xiv. UDHR, article 21(1); ICCPR, article 25(a)-(b).
- xv. UDHR, article 21(3); ICCPR, article 25(b).
- xvi. UDHR, article 21(3); ICCPR, article 25(b).
- xvii. Code of Conduct, preambular paragraph 8(a).
- xviii. UDHR, articles 19 and 20; ICCPR, articles 19, 21 and 22; Principles on Force & Firearms, principle 12.
- xix. Code of Conduct, article 1.
- xx. UDHR, article 1; ICCPR, preamble.
- xxi. UDHR, article 1; ICCPR, preamble.
- xxii. Code of Conduct, article 1.
- xxiii. Code of Conduct, article 2.

xxiv. UDHR, article 7; ICCPR, article 26; International Convention on the Elimination of All Forms of Racial Discrimination [hereinafter "CERD"], articles 2 and 5.

xxv. UDHR, article 2; ICCPR, articles 2 and 3; CERD, articles 2 and 5; Code of Conduct, articles 1 and 2.

xxvi. ICCPR, article 10; Convention on the Elimination of All Forms of Discrimination Against Women [hereinafter "CEDAW"], articles 4(2) and 12(2); Convention on the Rights of the Child [hereinafter "CRC"], articles 37 and 40; Standard Minimum Rules for the Treatment of Prisoners [hereinafter "SMR"], rules 5, 8, 53, 82 and 85(2); Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment [hereinafter "Principles of Detention or Imprisonment"], principle 5(2); and Standard Minimum Rules for the Administration of Juvenile Justice [hereinafter "The Beijing Rules"], see generally, Part 1, rules 1-8.

xxvii. ICCPR, articles 2, 3, and 26; CERD, preambular paragraphs 5, 8, 9 and 10, and articles 2(1)(e), 2(2), and 5(e); CEDAW, preambular paragraphs 3, 9, and 14, and articles 2(d)-(f), 3, 5(a), and 7(b); and Code of Conduct, preambular paragraph 8(a).

xxviii. UDHR, article 3; ICCPR, article 9(1).

xxix. UDHR, article 10; ICCPR, article 14.

xxx. UDHR, article 11(1); ICCPR, article 14(2).

xxxi. UDHR, article 12; ICCPR, article 17(1).

xxxii. UDHR, article 12; ICCPR, article 17(1).

xxxiii. Declaration on the Protection of All Persons from Enforced Disappearance [hereinafter "Declaration on Enforced Disappearance"], article 13(3); Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions [hereinafter "Principles on Summary Executions"], principle 15. On the basic duties of law enforcement officials with regard to all persons (including victims, witnesses and suspects) whether conducting investigations or otherwise, see Code of Conduct, article 2. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [hereinafter "Torture Convention"] includes a special provision, in article 13, that in cases of allegation of torture witnesses be protected against ill-treatment or intimidation. For more specific information regarding the rights of victims to appropriate treatment and sensitivity, see Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power [hereinafter "Victims Declaration"], principles 4, 5 and 6(d). On the rights of suspects and other detained persons during investigation and interrogation, see generally Principles of Detention or Imprisonment, principles 1, 17, 18, 21, 23 and 36.

xxxiv. UDHR, article 5; ICCPR, article 7; Torture Convention, preamble and article 2; Code of Conduct, article 5.

xxxv. Victims Declaration, principle 4; Principles on Summary Execution, principle 15

xxxvi. Code of Conduct, article 4.

xxxvii. UDHR, article 11(1); ICCPR, article 14(3)(g); Principles of Detention or Imprisonment, principle 21(1).

xxxviii. Code of Conduct, article 4; Principles of Detention or Imprisonment, principles 21, 23, 36; Principles

- on Summary Execution, principles 9, 10 and 11.
- xxxix. UDHR, article 12; ICCPR, article 17(1); Principles on Summary Execution, principles 9, 10 and 11.
- xl. Principles on Summary Execution, principle 9.
- xli. Principles on Summary Execution, principle 9.
- xlii. Principles on Summary Execution, principles 9, 12, and 13.
- xliii. UDHR, articles 3 and 13; ICCPR, articles 9 and 12.
- xliv. UDHR, article 9; ICCPR, article 9.
- xlv. UDHR, article 29(2); ICCPR, article 9.
- xlvi. ICCPR, article 9(2); Principles of Detention or Imprisonment, principle 10.
- xlvii. ICCPR, article 9(2); Principles of Detention or Imprisonment, principle 10.
- xlviii. ICCPR, article 9(3); Principles of Detention or Imprisonment, principle 11.
- lix. ICCPR, article 9(4); Principles of Detention or Imprisonment, principle 32.
- l. ICCPR, article 9(3); Principles of Detention or Imprisonment, principle 38.
- li. ICCPR, article 9(3); Principles of Detention or Imprisonment, principle 37.
- lii. UDHR, article 11; ICCPR, article 14; Principles of Detention or Imprisonment, principles 17 and 18; SMR, rule 93.
- liii. Principles of Detention or Imprisonment, principle 12; SMR, rule 7; Declaration on Enforced Disappearance, article 10(2); Principles on Summary Execution, principle 6.
- liv. Principles of Detention or Imprisonment, principle 12(1); Declaration on Enforced Disappearance, article 10(3).
- lv. Principles of Detention or Imprisonment, principle 16(1); SMR, rules 44(3) and 92; Declaration on Enforced Disappearance, article 10(2); Principles on Summary Execution, principle 6.
- lvi. UDHR, article 11(1); ICCPR, article 14(3)(g); Principles of Detention or Imprisonment, principle 21(1).
- lvii. Principles of Detention or Imprisonment, principle 14. On the right to an interpreter in court, see ICCPR, article 14(f).
- lviii. ICCPR, article 9(3); Principles of Detention or Imprisonment, principle 37.
- lix. ICCPR, article 10; Principles of Detention or Imprisonment, principle 1.
- lx. UDHR, article 11; ICCPR, article 14(2); SMR, rule 84(2); Principles of Detention or Imprisonment, principle 36.

- lxi. UDHR, article 5; ICCPR, article 7; Torture Convention, preamble and article 2; SMR, rule 31; Principles of Detention or Imprisonment, principle 6.
- lxii. Principles of Detention or Imprisonment, principles 12 and 16(1); SMR, rules 7, 44(3) and 92; Declaration on Enforced Disappearance, article 10; Principles on Summary Execution, principle 6.
- lxiii. ICCPR, article 10; CRC, article 37; SMR, rules 5, 8, 53, 85(1) and 85(2); Principles of Detention or Imprisonment, principles 5(2) and 8; The Beijing Rules, see generally, Part 1, rules 1-8.
- lxiv. ICCPR, article 9(4); Principles of Detention or Imprisonment, principles 32 and 37; Declaration on Enforced Disappearance, article 10(1).
- lxv. ICCPR, article 9(2); Principles of Detention or Imprisonment, principles 10, 11, 12(2) and 14.
- lxvi. UDHR, article 11; ICCPR, article 14; Principles of Detention or Imprisonment, principles 15, 17, 18 and 19; SMR, rules 92 and 93
- lxvii. ICCPR, article 10(1); Principles of Detention or Imprisonment, principles 1, 22, 24, 25, and 26; SMR, rules 9-14, 15-16, 17-19, 20, 21, 22-26, 66, 82-83, 86-88, and 91.
- lxviii. Basic Principles for the Treatment of Prisoners [hereinafter "BPT"], principle 3; SMR, rules 6(2), 41, 42.
- lxix. ICCPR, article 9(4); Principles of Detention or Imprisonment, principle 32.
- lxx. ICCPR, article 10(2); CRC, articles 37 and 40; Principles of Detention or Imprisonment, principle 5(2); SMR, rule 8, 21(2), 23, 53, 71(5), 77, and 85(2); The Beijing Rules, Part I, rules 1-8.
- lxxi. UDHR, article 11(1); ICCPR, article 14(3)(g); Principles of Detention or Imprisonment, principle 21(1).
- lxxii. ICCPR, article 10(1); Principles of Detention or Imprisonment, principle 30; SMR, rules 27, 29, 30 and 31.
- lxxiii. UDHR, articles 3 and 5; ICCPR, articles 6, 7 and 9; Torture Convention, preambular paragraphs 4 and 6, and articles 1, 2, and 4.
- lxxiv. Principles on Force & Firearms, principle 4.
- lxxv. Principles on Force & Firearms, principles 4 and 5.
- lxxvi. Principles on Force & Firearms, principles 5 and 7.
- lxxvii. Principles on Force & Firearms, principle 8.
- lxxviii. Principles on Force & Firearms, principles 2 and 5(a).
- lxxix. Principles on Force & Firearms, principles 2, 5(a) and 9.
- lxxx. Principles on Force & Firearms, principle 5(b).
- lxxxi. Principles on Force & Firearms, principle 2.

lxxxii. Principles on Force & Firearms, principles 4, 19, and 20.

lxxxiii. Principles on Force & Firearms, principles 4 and 20.

lxxxiv. Principles on Force & Firearms, principles 6, 11(f), and 22.

lxxxv. Principles on Force & Firearms, principle 24.

lxxxvi. Principles on Force & Firearms, principle 25.

lxxxvii. Principles on Force & Firearms, principle 26.

lxxxviii. Principles on Force & Firearms, principle 4.

lxxxix. Principles on Force & Firearms, principle 9.

xc. Principles on Force & Firearms, principle 9.

xc. Principles on Force & Firearms, principle 9.

xcii. Principles on Force & Firearms, principle 9.

xciii. Principles on Force & Firearms, principle 9.

xciv. Principles on Force & Firearms, principle 10.

xcv. Principles on Force & Firearms, principle 10.

xcvi. Principles on Force & Firearms, principle 10.

xcvii. Principles on Force & Firearms, principle 10.

xcviii. Principles on Force & Firearms, principle 10.

xcix. Principles on Force & Firearms, principle 5(c).

c. Principles on Force & Firearms, principle 5(d).

ci. Principles on Force & Firearms, principles 6, 11(f), 22 and 23.

cii. Principles on Force & Firearms, principle 22.

ciii. UDHR, article 29(2); ICCPR, article 4.

civ. UDHR, article 29(2); ICCPR, article 4.

cv. UDHR, article 29(2); ICCPR, articles 4 and 9.

cvi. UDHR, article 29(2); ICCPR, article 4.

cvi. UDHR, article 29(2); ICCPR, article 4.

- cviii. UDHR, article 29(2); ICCPR, article 4(2).
- cix. Principles on Force & Firearms, principle 4.
- cx. Principles on Force & Firearms, principle 4.
- cxii. Principles on Force & Firearms, principles 5 and 7.
- cxiii. Principles on Force & Firearms, principles 2 and 5(a).
- cxiiii. Principles on Force & Firearms, principle 5(b).
- cxv. Principles on Force & Firearms, principle 2.
- cxvi. UDHR, articles 13, 18, 19, 20 and 29(2); ICCPR, articles 4, 12, 18, 19, 21, and 22; Principles on Force & Firearms, principles 12-14.
- cxvii. UDHR, articles 19 and 29(2); ICCPR, articles 4 and 19.
- cxviii. Basic Principles on the Independence of the Judiciary, principles 1-7; United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, "Guidelines for the Development of Legislation on States of Emergency," The Administration of Justice and the Human Rights of Detainees: Question of Human Rights and States of Emergency, U.N. Doc. E/CN.4/sub.2/1991/28..
- cxix. Principles on Force & Firearms, principle 5(c).
- cxix. ICCPR, article 4.
- cxx. ICCPR, article 4.
- cxxi. ICCPR, article 4.
- cxxii. ICCPR, article 4.
- cxxiii. ICCPR, article 4.
- cxxiv. ICCPR, article 4.
- cxxv. ICCPR, article 4.
- cxxvi. ICCPR, articles 4 and 15(1).
- cxxvii. ICCPR, articles 4 and 15(1).
- cxxviii. ICCPR, articles 4 and 15(1).
- cxxix. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field [hereinafter, "First Geneva Convention"], Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea [hereinafter, "Second Geneva Convention"], Geneva Convention relative to the Treatment of Prisoners of War [hereinafter, "Third Geneva Convention"], Geneva Convention relative to the Protection of Civilian Persons in Time of War

[hereinafter, "Fourth Geneva Convention"], common article 3, [hereinafter, the four Conventions taken together shall be designated "The Geneva Conventions"]; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflict (Protocol I) [hereinafter "Protocol I"], articles 43(3), 50(1,2).

cxxx. Fourth Geneva Convention, articles 27 and 54.

cxix. The Geneva Conventions, article 3; Protocol I, article 1; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflict (Protocol II) [hereinafter "Protocol II"], article 1.

cxlii. The Geneva Conventions, common article 3; First Geneva Convention, article 63; Second Geneva Convention, article 62; Third Geneva Convention, article 142; Fourth Geneva Convention, article 158; Protocol I, article 1; Protocol II, article 4.

cxliiii. The Geneva Conventions, common article 3; First Geneva Convention, article 12; Second Geneva Convention, article 12; Third Geneva Convention, articles 13 and 16; Fourth Geneva Convention, article 4; Protocol I, articles 10 and 75; Protocol II, articles 4, 7, and 8.

cxliiv. The Geneva Conventions, common article 3; First Geneva Convention, article 12; Second Geneva Convention, article 12; Third Geneva Convention, articles 13-15; Fourth Geneva Convention, articles 13 and 14; Protocol I, article 10; Protocol II, article 7.

cxlii. The Geneva Conventions, common article 3; First Geneva Convention, article 50; Second Geneva Convention, article 51; Third Geneva Convention, articles 13 and 130; Fourth Geneva Convention, article 147; Protocol I, article 85; Protocol II, article 4.

cxlii. First Geneva Convention, article 46; Second Geneva Convention, article 47; Third Geneva Convention, article 13; Fourth Geneva Convention, article 33; Protocol I, articles 20 and 51-56; Protocol II, articles 13-17.

cxlii. First Geneva Convention, article 7; Second Geneva Convention, article 7; Third Geneva Convention, article 7; Fourth Geneva Convention, article 8; Protocol I, article 1.

cxlii. First Geneva Convention, articles 8, 9 and 10; Second Geneva Convention, articles 8, 9 and 10; Third Geneva Convention, articles 8, 9, 10, 78 and 126; Fourth Geneva Convention, articles 9, 10, 11 and 143; Protocol I, article 81; Protocol II, article 18.

cxlii. UDHR, articles 1 and 25(2); CRC, preamble.

cxli. CRC, articles 3 and 37; The Beijing Rules, rules 1, 5, and 6; United Nations Rules for the Protection of Juveniles Deprived of their Liberty [hereinafter "UN Rules for Juveniles"], rules 1, 4, 14, 31, 79, and 80.

cxli. CRC, article 37(a); The Beijing Rules, rule 27; UN Rules for Juveniles, rules 64, 66, and 67.

cxlii. CRC, article 37(b); The Beijing Rules, rules 13.1, 17.1(b), 18.1, and 19.1; UN Rules for Juveniles, rules 2, and 17.

cxliii. CRC, article 37(c); The Beijing Rules, rules 13.4 and 26.3; UN Rules for Juveniles, rule 29.

cxlii. CRC, articles 9 and 37(c); The Beijing Rules, rules 13.3 and 27.2; SMR, rule 37; UN Rules for

Juveniles, rule 59.

cxlv. CRC, article 40(3)(a); The Beijing Rules, rule 4; UN Rules for Juveniles, rule 11(a).

cxlvi. CRC, articles 37(b), 40(3)(b), and 40(4); The Beijing Rules, rules 11, 13, 17.1, 18, and 19; UN Rules for Juveniles, rules 2, 17, and 30.

cxlvii. CRC, article 40(2)(b)(vii); The Beijing Rules, rule 27; UN Rules for Juveniles, rule 8.

cxlviii. CRC, article 19; The Beijing Rules, rules 13.3 and 17.2; SMR, rules 27-34; UN Rules for Juveniles, rules 63 and 64.

cxlix. UN Rules for Juveniles, rule 65.

cli. UN Rules for Juveniles, rule 66.

cli. The Beijing Rules, rules 6 and 22; UN Rules for Juveniles, rules 81-88.

clii. UN Rules for Juveniles, rule 72.

cliii. CRC, articles 37(c) and 40(2)(b)(ii); The Beijing Rules, rules 10.1 and 26.5; SMR, rules 37 and 44; UN Rules for Juveniles, rules 56-58.

cliv. UDHR, article 2; ICCPR, article 3; Declaration on the Elimination of All Forms of Discrimination against Women [hereinafter "Declaration on Discrimination against Women"], preambular paragraphs 2 and 4; CEDAW, preambular paragraph 3 and articles 1, 2, and 3; Declaration on the Elimination of Violence Against Women [hereinafter "Declaration on Violence against Women"], article 3.

clv. CEDAW, articles 1 and 7-15; Declaration on Discrimination against Women, articles 2, 4, 5, 6, 9 and 10; Declaration on Violence against Women, article 3.

clvi. Declaration on Violence against Women, article 2.

clvii. Declaration on Violence against Women, preambular paragraph 5.

clviii. Declaration on Violence against Women, article 4(c) and 4(i).

clix. Declaration on Violence against Women, article 4(f).

clx. Declaration on Violence against Women, preambular paragraph 8 and articles 1, 2(a) and 4(c).

clxi. UDHR, article 2; ICCPR, articles 2 and 3; Code of Conduct, articles 1 and 2; CEDAW, article 15; Declaration on Discrimination against Women, articles 1 and 6; Principles on Detention or Imprisonment, principle 5.

clxii. SMR, rule 53.

clxiii. SMR, rule 53.

clxiv. SMR, rule 23.

clxv. UDHR, article 2; ICCPR, articles 2, 3, and 26; CEDAW, preambular paragraphs 3, 9, and 14, and articles 2(d)-(f), 3, 5(a), and 7(b); Declaration on Discrimination against Women, article 1; and Code of Conduct, preambular paragraph 8(a).

clxvi. Code of Conduct, preambular paragraph 8(a); SMR, rule 53.

clxvii. UDHR, article 14; Convention Relating to the Status of Refugees (1951 Convention) [hereinafter "Refugee Convention"], article 32.

clxviii. Refugee Convention, article 1(a)(2).

clxix. Declaration on the Human Rights of Individuals Who are not Nationals of the Country in Which they Live [hereinafter "Declaration on Non-Nationals"], articles 5 and 6. See also General Comment 15/27 of the UN Human Rights Committee [hereinafter "General Comment 15/27"].

clxx. Refugee Convention, articles 4, 15, 16, 21, 22, and 23.

clxxi. Refugee Convention, article 33.

clxxii. Refugee Convention, article 31.

clxxiii. Refugee Convention, articles 31 and 33; General Comment 15/27; Declaration on Territorial Asylum, article 3.

clxxiv. Refugee Convention, article 26.

clxxv. Refugee Convention, articles 27 and 28.

clxxvi. General Comment 15/27; UN High Commissioner of Refugees (UNHCR), "Conclusions on the International Protection of Refugees" adopted by the Executive Committee of the UNHCR Programme, Geneva, 1980, HCR/1P/2/ENG/Rev. 1989 (clarifying the basic minimum standards of treatment for refugees whose status in receiving country is not yet normalized).

clxxvii. Refugee Convention, article 32(1).

clxxviii. Declaration on Non-Nationals, article 7. On the right of appeal, see Decision No. 155/1983 of the UN Human Rights Committee. See also ICCPR, article 13 (prohibiting arbitrary expulsion of aliens).

clxxix. Declaration on Non-Nationals, article 1.

clxxx. General Comment 15/27, section 9 (stating that domestic national law, consistent with the ICCPR, determines the conditions for the lawfulness of the entry of an alien); Decision of the Human Rights Committee in *Marafidou v. Sweden*, No. 58/1979, at section 9.2 (finding that lawfulness of entry for woman holding valid residency permit is undisputed). For a general discussion of the "lawfulness" requirement regarding entry of aliens in articles 12 and 13 of the ICCPR, see Nowak, M., U.N. Covenant on Civil and Political Rights: CCPR Commentary, Strasbourg, 1993 [hereinafter "Nowak's CCPR Commentary"], at pages 201 and 224.

clxxxii. Declaration on Non-Nationals, articles 5 and 6. See also General Comment 15/27.

clxxxii. ICCPR, article 12(2); Declaration on Non-Nationals, article 5(2)(a).

clxxxiii. This principle is drawn from ICCPR, article 12(4) (right to enter one's own country), and interpretations thereof by the Human Rights Committee. The language "his own country" in article 12(4) indicates that the protection is not expressly limited to nationals. The "travaux préparatoires" to the ICCPR confirm that the term was meant to extend to aliens and stateless persons who have such a strong attachment to a State that they view it as "their own country." See, E/CN.4/L.189/Rev.1 and E/CN.4/SR.316,5. For a discussion of this issue see Nowak's CCCPR Commentary at 219 (and particularly his notes on *A.S. v. Canada*, Decision No. 68/1980 of the Human Rights Committee).

clxxxiv. ICCPR, articles 2, 3, 13 and 26; Declaration on Non-Nationals, article 7; *Marafidou v. Sweden*, Decision No. 58/1979 of the Human Rights Committee.

clxxxv. ICCPR, articles 12 and 13; Declaration on Non-Nationals, article 7. On the right of appeal, see Decision No. 155/1983 of the UN Human Rights Committee. See also General Comment 15/27.

clxxxvi. See Decisions No. 155/1983 and 193/1985 of the Human Rights Committee.

clxxxvii. Declaration on Non-Nationals, article 7. See also General Comment 15/27.

clxxxviii. Declaration on Non-Nationals, article 7.

clxxxix. Declaration on Non-Nationals, article 10.

cxc. See General Comment 15/27.

cxci. Victims Declaration, principle 4; Principles on Summary Execution, principle 15.

cxcii. Victims Declaration, principles 4 and 8.

cxciii. Victims Declaration, principle 5.

cxciv. Victims Declaration, principle 5.

cxcv. Victims Declaration, principle 6(a).

cxcvi. Victims Declaration, principle 6(b).

cxcvii. Victims Declaration, principles 6(c), 14 and 15.

cxcviii. Victims Declaration, principle 6(d).

cxcix. Victims Declaration, principle 6(d).

cc. Victims Declaration, principle 6(e).

cci. Victims Declaration, principle 8.

ccii. Victims Declaration, principle 11.

cciii. Victims Declaration, principle 12.

cciv. Victims Declaration, principle 16.

ccv. Code of Conduct, article 1.

ccvi. Code of Conduct, article 7.

ccvii. Code of Conduct, article 2.

ccviii. Code of Conduct, preambular paragraph 8(a).

ccix. ICCPR, articles 2, 3, and 26; CERD, preambular paragraphs 5, 8, 9 and 10, and articles 2(1)(e), 2(2), and 5(e); CEDAW, preambular paragraphs 3, 9, and 14, and articles 2(d)-(f), 3, 5(a), and 7(b); and Code of Conduct, preambular paragraph 8(a).

ccx. Principles of Detention or Imprisonment, principle 12; SMR, rule 7; Declaration on Enforced Disappearance, article 10(2); Principles on Summary Execution, principle 6; Principles on Force & Firearms, principles 6, 11(f) and 22.

ccxi. Principles of Detention or Imprisonment, principle 3; SMR, rules 46 and 47; Declaration on Enforced Disappearance, article 6(3); Principles on Force & Firearms, principles 1, 11, and 19.

ccxii. Principles on Force & Firearms, principle 2.

ccxiii. Principles on Force & Firearms, principles 6, 11(f) and 22.

ccxiv. Principles on Force & Firearms, principle 24.

ccxv. Principles on Force & Firearms, principle 25.

ccxvi. Code of Conduct, article 4.

ccxvii. Principles on Force & Firearms, principle 18; SMR, rule 46.

ccxviii. Code of Conduct, article 8; Principles on Force & Firearms, principles 22-26.

ccxix. Code of Conduct, articles 1 and 2.

ccxx. UDHR, article 29(1); Code of Conduct, preambular paragraph 8(a); United Nations Standard Minimum Rules for Non-custodial Measures [hereinafter "The Tokyo Rules"], preambular paragraphs 7 and 11(4), and rule 1.2. The following principles for community policing have been developed by the United Nations Centre for Human Rights based on the principles cited from the UDHR, the Code of Conduct and the Tokyo Rules, and the experience of police experts and several Member States. They have been designed to help promote greater cooperation and coordination between the police and the communities they serve.

ccxxi. Code of Conduct, article 2.

ccxxii. Code of Conduct, preambular paragraph 8(a).

ccxxiii. Code of Conduct, preambular paragraph 8(d) and articles 7 and 8; Principles on Force & Firearms, principles 22-26.

ccxxiv. Code of Conduct, article 8.

ccxxv. Declaration on Enforced Disappearance, articles 9 and 13; Principles on Summary Execution, principle 9; Principles on Force & Firearms, principle 23; Principles of Detention or Imprisonment, principle 33; SMR, rule 36.

ccxxvi. Victims Declaration, principle 6; Principles on Summary Execution, principle 9; Declaration on Enforced Disappearance, article 13.

ccxxvii. Principles on Summary Execution, principle 9.

ccxxviii. Principles on Summary Execution, principles 9, 12 and 13.

ccxxix. Principles on Force & Firearms, principle 24.

ccxxx. Principles on Force & Firearms, principle 25.

ccxxxi. Principles on Force & Firearms, principle 26.