



ICRC

## OVERVIEW

On the basis of its mandate to protect and assist people affected by armed conflict and other situations of violence, the International Committee of the Red Cross (ICRC) undertakes a dialogue with police forces (i.e. forces whose primary mandate is law enforcement) in almost 100 countries around the world.

The ICRC seeks, through this dialogue, to enhance knowledge, understanding and acceptance, both, of its mandate and work, and of international rules and standards applicable to law enforcement.

It may also provide institutional support to law enforcement agencies, with a view to translating the law into concrete measures, means and mechanisms conducive to compliance.

The ICRC also addresses, confidentially and bilaterally, issues of concern in order to improve the fate of those affected by armed conflict or other situations of violence.

# ICRC DIALOGUE WITH POLICE FORCES

## WHEN DOES THE ICRC WORK WITH POLICE FORCES?

The ICRC is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of armed conflict and other situations of violence and to provide them with assistance. To this end, the ICRC carries on a dialogue with police forces in many countries affected by such situations. Increasingly, this dialogue takes place in situations of violence that do not reach the level of armed conflict.

Today, these situations, very similar in nature to armed conflict, are often more injurious to human beings than are armed conflicts. Death and injury, displacement, people disappearing or going missing, lack of access to basic conditions for survival, violations of fundamental rights, and deprivation of personal liberty: all these issues traditionally associated with armed conflict are today aspects of other situations of violence as well. Law enforcement officials in a number of countries are having to deal with unprecedented levels of criminality, which cause widespread suffering among the population and pose a serious threat to public security and, thus, to the law enforcement officials in charge of maintaining or restoring that security.

Very often, the levels of polarization and violence are such that the usual social mechanisms for dealing with the pressing needs of those who are affected, are unable to do so. In these situations, the ICRC steps in to alleviate human suffering in accordance with the principle that guides all its actions: humanity.

## WHY ARE POLICE FORCES IMPORTANT CONTACTS FOR THE ICRC?

Law enforcement officials have an important role in such situations of violence because of their responsibilities: maintenance of public order and security,

prevention and detection of crime and provision of help and assistance. They can significantly influence the fate of those affected; and how they do so will depend, to a great degree, on the way they exercise the powers they have been granted:

- arrest and detention;
- search and seizure;
- the use of force and firearms.

In its dialogue with them, the ICRC discusses their responsibilities and the exercise of their powers. It does this in almost 100 countries around the world.

## TO WHAT LEGAL FRAMEWORK DOES THE ICRC REFER WHEN ADDRESSING LAW ENFORCEMENT ISSUES?

The ICRC refers to the legal framework internationally applicable to law enforcement operations, i.e. international human rights law. The ICRC is mandated to promote international humanitarian law, but not international human rights law. Moreover, the ICRC does not refer to international human rights law as a whole. It refers to a set of fundamental rules that protect human beings in situations of violence. The following are of particular relevance in its dialogue with law enforcement officials:

- the right to life, liberty and security as enshrined in particular in Article 3 of the Universal Declaration of Human Rights of 1948; Articles 6.1, 9.1 and 10.1 of the International Covenant on Civil and Political Rights of 1966, as well as in regional human rights treaties;
- the guidance provided by both the United Nations Code of Conduct for Law Enforcement Officials of 1979 and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990;
- the prohibition of torture as provided, mainly, by the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment of 1984;

## ICRC PUBLICATIONS RELATED TO LAW ENFORCEMENT

### Violence and the Use of Force

This leaflet provides a summary of three different legal situations: armed conflict, situations other than armed conflict, and peace support operations. It also examines their definitions, the law applicable, practical implications and the role of the ICRC.



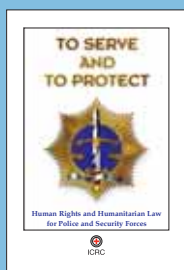
### Integrating the Law

This booklet draws together the lessons learned by the ICRC over the past few decades and aims to provide authorities and the most senior personnel among arms carriers with an overview of what we have come to call the "integration" process.



### To Serve And To Protect (1997 – under revision)

This manual describes the rules of human rights relevant to professional law enforcement practice in situations ranging from peace to international armed conflict. It is a useful reference work that aims to prepare instructors for theoretical training and helps them to incorporate these rules in their programmes.



- all standards regarding imprisonment or detention conditions as well as judicial guarantees; and
- all standards for victim protection and assistance.

In situations of armed conflict, when police forces are involved in the conduct of hostilities, the ICRC refers to *international humanitarian law*.

## WHAT ACTIVITIES DOES THE ICRC CARRY OUT WITH POLICE FORCES?

In its dialogue with police forces, the ICRC seeks, above all, to enhance knowledge, understanding and acceptance, both, of its mandate and work, and of the human rights law applicable to law enforcement. In concrete terms, this may take the following forms:

- organizing seminars, courses or workshops to enhance knowledge and understanding of the international rules and standards governing law enforcement;
- arranging meetings or events at which the ICRC explains its role, activities and working procedures in that context;
- participating in or organizing regional or international conferences or other events where law enforcement issues are addressed.



MOUNEYI, Guy/Fernand/ICRC

The ICRC may also provide institutional support to law enforcement agencies, with a view to incorporating these rules in doctrine, education, training, and sanctions.

### WHAT DOES "INCORPORATING THE LAW" MEAN?

The behaviour of law enforcement officials is shaped by four main factors: (1) doctrine (2) education (3) training and equipment, and (4) sanctions.

In order for operations to be conducted lawfully, the law – shaped into concrete measures, means and mechanisms conducive to compliance – must become an integral part of all four levels.

This may take the following forms:

- Capacity building for those in charge of developing operational documents
- Providing expert advice on developing or revising guidance documents, such as manuals, and on operational procedures (e.g. on maintenance of public order)

In 2008, the ICRC provided support for the Bolivian national police in the production and publication of an operational police manual related to human rights law.

- Teaching instructors how to incorporate international rules and standards in the education and training of law enforcement officials
- Producing instructional materials (e.g. DVDs and manuals for teaching and training)

In 2005, the ICRC provided support for the Indonesian mobile brigade in producing a DVD that illustrated various dilemmas that police officers may encounter in their work; the DVD plays an important role in their training courses.

- Organizing regional, national or international events to enable law enforcement officials to have discussions among themselves and with experts in related fields

In 2008, the ICRC organized a regional conference for police and military forces from Peru, Bolivia and Ecuador on the maintenance of public order and on the use of force and firearms.

Finally, in its confidential bilateral dialogue, the ICRC addresses the specific issues and situations of concern in that context. During this dialogue the ICRC may recommend to law enforcement authorities that they take concrete measures to improve the lives of those affected by a situation of violence, to enhance respect for their rights and to prevent the recurrence of violations of their rights.



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