



GUIDE FOR POLICE CONDUCT AND BEHAVIOUR

TO SERVE AND TO PROTECT



ICRC



ICRC

International Committee of the Red Cross
Unit for Relations with Armed and Security Forces
19 Avenue de la Paix
1202 Geneva, Switzerland
T +41 22 734 6001 F +41 22 733 2057
E-mail: icrc.gva@icrc.org www.icrc.org

© ICRC, November 2004
Illustrations Cédric Marendaz 04

POLICE CONDUCT AND BEHAVIOUR

**International Human Rights Law
and Humanitarian Principles
for Professional Policing**

**To serve and to protect
the people in your community**



Key points

- Article 1:** Always fulfil the duty imposed on you by law, by serving the community and protecting all persons against illegal acts.
- Article 2:** Respect and protect human dignity and maintain and uphold the human rights of all.
- Article 3:** Only use force when strictly necessary and to the extent required.
- Article 4:** Keep matters of a confidential nature confidential, unless the performance of duty or the needs of justice strictly require otherwise.
- Article 5:** Never torture or inflict cruel, inhuman or degrading treatment.
- Article 6:** Ensure full protection of the health of all persons in your custody.
- Article 7:** Do not commit any acts of corruption.
- Article 8:** Respect the law and the present code of conduct and prevent and oppose any violations thereof.

RIGHTS THAT CAN NEVER BE TAKEN AWAY

Right to life

No one shall be arbitrarily deprived of his/her life.



Prohibition of torture

Torture, cruel, inhuman or degrading treatment or punishment is never permitted under any circumstances.



RIGHTS THAT CAN NEVER BE TAKEN AWAY

Prohibition of retroactive criminal laws

No one can be held guilty of a criminal offence under national or international law if it was not an offence at the time when it was committed.



Enforce national law

You have a duty to:

- protect life and property;
- provide an environment of security;
- restore and maintain peace and public order;
- respect the human rights of all persons.



Prevent and detect crime

You are a part of the community.

You must promote cooperation between the police and the community.

You must behave in a way that encourages and promotes mutual trust and respect between the police and the community.



Maintain and restore peace and public order

People have the right to hold opinions, to express themselves, to associate and assemble peacefully.



You have a duty to maintain and restore peace and public order within the law.

Assist the community in times of emergency

You must provide aid and assistance in times of need.

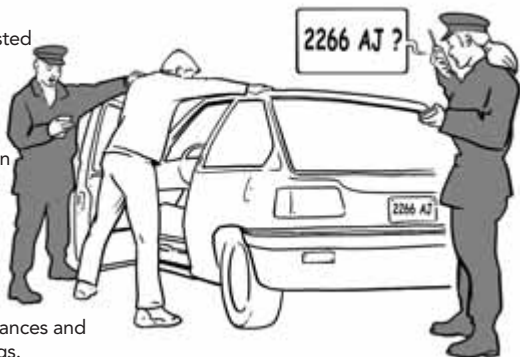


NO ONE SHALL BE SUBJECTED TO ARBITRARY ARREST OR DETENTION

Arrest

You must:

- treat persons arrested with dignity and humanity;
- inform them of their rights when arrested;
- presume their innocence at the time of arrest;
- prevent disappearances and extra-judicial killings.



Detain

Detainees have the right to:

- see a lawyer;
- challenge the lawfulness of their detention;
- appear before a judicial body to respond to the charges against them;
- have a fair trial within a reasonable period of time.



Search and seize

Persons being searched must be treated with dignity and their property respected.

Searches must be conducted legally.



Use of force and firearms

Any force required must be proportionate to the seriousness of the offense and your legitimate objective.

Deadly force is an extreme measure to be used only:

- when strictly unavoidable;
- when there is an imminent threat of death or serious injury to yourself or others;
- to prevent crime involving grave threat to life, and as a last resort.



VULNERABLE GROUPS

Women

You should recognize that they are more vulnerable to gender crimes.

Body searches should only be conducted by female officers.

Women must be detained separately from men. In cases where this is not possible, they should be isolated from men.



Juveniles

They require additional protection because of their youth and vulnerability.

They should be treated very sensitively as most are not hardened criminals.

They should be detained separately from adults.



Victims of crime

Treat them as you would wish yourself and members of your family to be treated.

You must treat them with compassion and respect.



Refugees and internally displaced persons

You should recognize that they are more vulnerable.

They enjoy the same fundamental rights as all persons.





The purpose of ICRC visits is to assess the material and psychological conditions of detention and the treatment of people deprived of their freedom.

Whether dealing with a situation covered by the Geneva Conventions or not, the ICRC applies the same criteria in its work on behalf of those deprived of their freedom. When conducting their visits delegates must:

- be able to see all persons deprived of their freedom who fall within the ICRC's mandate;
- have access to all places in which they are held;
- be able to talk to them in private;
- receive from the authorities a list of persons deprived of their freedom who fall within the ICRC's mandate, or they must be able to draw up such lists themselves;
- be allowed to repeat the visits as often as they wish.

The ICRC works to:

- prevent or put an end to disappearances and summary executions, torture and ill-treatment;
- make recommendations to the relevant authorities on the conditions of detention and treatment of persons deprived of their freedom, where improvements are necessary;
- restore family links wherever they have been disrupted.



You must:

- uphold and comply with the law;
- report any instances of unethical or illegal conduct by your colleagues to your superiors;
- be responsible and accountable both towards yourself and your community.

**YOU WILL ULTIMATELY HAVE
TO ACCOUNT FOR
YOUR ACTIONS AND BEHAVIOUR**



As a member of the police and security forces, you will strengthen your integrity and your credibility if you comprehensively document your actions and answer the following key questions:

WHO witnessed or was responsible for the act?

WHAT happened exactly?

WHEN did the event take place (date, time, conditions)?

WHERE did the event take place (describe in detail)?

WHY might the event have occurred (motive)?

HOW might it have happened?

Your law-enforcement responsibility is to comprehensively gather all the material facts during an investigation. It is **NOT** to determine the guilt or innocence of an individual. That remains the task of the courts.

Your testimony in court is crucial, and an accurate presentation of the evidence will enhance not only your own professionalism but also that of the police or security service you represent.

MISSION

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.



ICRC