



GUIDELINES ON HUMAN RIGHTS EDUCATION

FOR LAW ENFORCEMENT OFFICIALS

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HUMAN RIGHTS
EDUCATION**

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OFFICIALS**

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LAW ENFORCEMENT OFFICIALS AND REPRESENTATIVES OF RELEVANT TRAINING INSTITUTIONS

Małgorzata Andrzejczak-Świątek

Polish Police Academy in Szczytno (Poland)

Maria Knutsson

Swedish Police Academy (Sweden)

Andre Konze

Colonel, State Bureau for Training, Education and Personnel Matters of the State Police of North Rhine Westphalia, Head of Training Division (Germany)

Krzysztof Łaszkiewicz

Human Rights Advisor, Polish Police (Poland)

Judit Nagy

Department of Constitutional and Administrative Law of the Faculty of Law Enforcement of the National University of Public Service (Hungary)

Werner Schiewek

Lecturer of Police Ethics, German Police University (DHPol) at Münster-Hiltrup (Germany)

Jiří Šůva

Police College of the Ministry of the Interior in Prague (Czech Republic)

Gianluca Trombetti

Lieutenant Colonel, Carabinieri General Headquarters' Formation Office, Carabinieri Corp (Italy)

Gamal Turawa

Metropolitan Police (United Kingdom)

**REPRESENTATIVES OF NATIONAL HUMAN RIGHTS INSTITUTIONS,
NON-GOVERNMENTAL ORGANIZATIONS AND INDEPENDENT EXPERTS**

Anja Bienert

Police and Human Rights Programme, Amnesty International (Netherlands)

Vibeke Eikaas

Amnesty International (Norway)

Kazunari Fujii

Soka Gakkai International (Switzerland)

Peter Kirchscheleger

Co-Director, Centre of Human Rights Education, University of Teacher Education Lucerne (Switzerland)

Claudia Lohrenscheit

German Institute for Human Rights (Germany)

Kirsten Roberts

Acting Deputy Chief Executive, Irish Human Rights Commission (Ireland)

Olena Styslavska

Educational Advisor, Department for the Development of Social and Civic Competencies, Centre for Education Development (Poland)

Walter Suntinger

Co-Director, Human Rights Consulting, Vienna (Austria)

Andrei Suslov

Director, Center for Civic Education and Human Rights and Perm State Pedagogical University (Russian Federation)

Felisa Tibbitts

Human Rights Education Associates and the Carr Center for Human Rights Policy of the Harvard Kennedy School of Government (United States)

Steven Wessler

human rights educator, trainer and advocate (United States)

Rita Wirrer

theologian, educationalist (Germany)

INTERGOVERNMENTAL ORGANIZATIONS

Elena Ippoliti

Methodology, Education and Training Section, OHCHR (Switzerland)

Aydan İyigüngör

Human Rights Education Coordinator - External Relations and Networking, European Union Agency for Fundamental Rights (Austria)

FOREWORD

In the 2006 Brussels Declaration on Criminal Justice Systems the OSCE participating States agreed that “in the performance of their duty, law enforcement officials should respect and protect human dignity and maintain and uphold the human rights of all persons.” Given the central role law enforcement officers play in human rights protection, human rights should be a key component of their professional development. Human rights education makes it possible to transfer skills, knowledge and attitudes about human rights, and make them appropriate and applicable in the daily work of officers. The OSCE Moscow Document of 1991 recognized that it is essential that citizens, and especially law enforcement officials, are trained on human rights and fundamental freedoms.

These guidelines aim to support systemic and effective human rights education for police and other law enforcement personnel. They were prepared on the basis of broad consultations involving police trainers, university lecturers, national human rights institutions and individuals involved in the design and delivery of educational curricula for law enforcement officials. The guidelines promote the objectives of the United Nation’s World Programme for Human Rights Education and its Second Phase (2010 to 2014), which focuses on implementing human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel.

The document presents approaches to be adopted when planning or implementing human rights education for law enforcement personnel related to six key structural areas: the human rights-based approach to human rights education; core competencies; curricula; training and learning processes;

evaluation; and professional development and support of educational personnel. The guidelines also offer a list of key materials to assist in planning, implementing and evaluating human rights education for law enforcement officials.

These guidelines may prove useful in a variety of contexts. For example, they can help police training institutions develop and review relevant curricula and evaluation approaches. They can also serve as a starting point for developing training events for law enforcement personnel in non-formal educational settings. Additionally, they can provide guidance to policymakers in drawing up new legislation regarding the professional development of law enforcement officers and other civil servants.

ODIHR is pleased to present these Guidelines on Human Rights Education for Law Enforcement Officials and welcomes feedback on them, which will be used for future editions. It is our hope that the guidelines will contribute to the better implementation of OSCE human dimension commitments.

Ambassador Janez Lenarčič
Director, OSCE Office for Democratic Institutions and Human Rights

INTRODUCTION

RATIONALE FOR HUMAN RIGHTS EDUCATION FOR LAW ENFORCEMENT OFFICIALS

“Without the maintenance of the rule of law, violations of human rights occur ... The conclusion is inescapable: violating human rights cannot contribute to the maintenance of public order and security...”¹

The role of law enforcement officials in protecting and respecting the human rights of every individual is fundamental.² Therefore, human rights should be an integral part of any training or educational programme for law enforcement officials.³

The OSCE commitments affirm the fundamental character of human rights education and acknowledge that it is essential that law enforcement officials

¹ OHCHR, Professional training series No. 5, “Human Rights and. Law Enforcement. A Trainer’s Guide on Human Rights for the Police”, p. V.

² Document of the Fourteenth Meeting of the Ministerial Council, “Declaration on Criminal Justice Systems”, Brussels, 2006.

³ Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, (Moscow, 3 October 1991) (Moscow Document), para 42.3.

are trained in human rights and fundamental freedoms.⁴ The Second Phase of the United Nations World Programme for Human Rights Education, the United Nations Declaration on Human Rights Education and Training, relevant Council of Europe standards and European Union Fundamental Rights Agency recommendations, as well as other relevant international and regional documents and bodies, also call for the introduction of human rights education within the training of law enforcement officials. It is in this context that these guidelines on human rights education for law enforcement officials were developed.

Educational programming that integrates human rights for law enforcement officials strengthens officers' understanding and capacity to respect and protect the rights of others, especially those who are excluded or discriminated against, such as women, children and minorities. This brings law enforcement officials closer to the communities they serve and positions them to claim their own rights. This training in human rights is also vital for those law enforcement officials who serve in international missions.

KEY DEFINITIONS FOR THE GUIDELINES

The United Nations Declaration on Human Rights Education and Training states that:

“Human rights education and training comprises all educational, training, information, awareness-raising and learning activities aimed at promoting universal respect for and observance of all human rights and fundamental freedoms. Human rights education contributes to the prevention of human rights violations and abuses by providing persons with knowledge, skills and understanding, and by developing their attitudes

⁴ The Moscow Document, *op. cit.*, note 4, paras. 22, 42.1 – 42.6; Concluding Document of the Vienna Meeting (Third Follow-up Meeting to the Helsinki Conference), (Vienna, 19 January 1989) (Vienna Document), para. 13.4 – 13.7; Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, (Copenhagen, 29 June 1990) para. 16.4., CSCE Budapest Document: Towards a Genuine Partnership in a New Era (Summit of Heads of State or Government) (Budapest, 6 December 1994) para. 20; OSCE Ministerial Council, Decision No. 11/05, “Promotion of human rights education and training in the OSCE area,” Ljubljana, 6 December 2005; OSCE Ministerial Council, Decision No. 5/08, “Enhancing Criminal Justice Responses to Trafficking in Human Beings through a Comprehensive Approach”, Helsinki, 5 December 2008, para. 2.

and behaviours to empower them to contribute to the building and promotion of a universal culture of human rights.”⁵

This universal culture of human rights should, in turn, translate into an essential part of the organizational culture of law enforcement.

The Declaration also asserts that:

“[H]uman rights education encompasses:

- a) Education about human rights, which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection;
- b) Education through human rights, which includes learning and teaching in a way that respects the rights of both educators and learners;
- c) Education for human rights, which includes empowering persons individuals to enjoy and exercise their rights and to respect and uphold the rights of others.”⁶

“The term ‘law enforcement officials’ includes all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention.”⁷ Military armed forces and border guards are also included in this definition when they are tasked with law enforcement duties. It must, however, be stressed that, in this case, the training for armed forces personnel – in addition to what is presented in the current guidelines – needs to address the important differences between conduct during hostilities and while carrying out law enforcement tasks, as well as the applicable legal framework (i.e., international humanitarian law versus human rights law). In particular, training must ensure an appropriate change of the learner’s mind-set: from combat logic (“fight the enemy”) to law enforcement logic (“serve and protect the population”).

⁵ United Nations General Assembly Resolution 66/137, “United Nations Declaration on Human Rights Education and Training”, 19 December 2011. (UN Declaration)

⁶ *Ibid.*

⁷ United Nations General Assembly resolution 34/169, “UN Code of Conduct for Law Enforcement Officials”, 17 December 1979, <<http://www2.ohchr.org/english/law/code-ofconduct.htm>>. (UN Code of Conduct).

PROCESS FOR ELABORATING THE GUIDELINES

ODIHR initiated the development of these guidelines on human rights education as follow-up on consultative workshops that took place in Istanbul on 16 and 17 September 2010, in Geneva on 22 and 23 August 2011 and in Warsaw on 7 and 8 November 2011. These guidelines are an evolving document that reflects the ongoing discussions on developing and delivering training programmes on human rights for law enforcement officials.

The Guidelines on Human Rights Education for Law Enforcement Officials have been elaborated in close consultation with practitioners with extensive experience in this field. An initial document was drafted in collaboration with a working group organized following the Istanbul workshop. The final version of the guidelines was developed on the basis of input provided by an additional group of practitioners representing from all OSCE geographical regions and from groups including police trainers, NGO specialists and representatives from inter-governmental agencies. All those who provided feedback are listed in the Acknowledgements section of these guidelines.

The Guidelines on Human Rights Education for Law Enforcement Officials have been elaborated with reference to key policy and resource documents promulgated by the United Nations (UN), regional human rights bodies and other agencies. Specifically, these guidelines are based on the normative framework of the OSCE human dimension commitments, other regional human rights standards and mechanisms, such as those existing within the Council of Europe, the European Union and the Organization of American States, and on core international human rights instruments, as well as decisions of the respective monitoring bodies: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Rights of the Child (CRC); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW); the Convention on the rights of Persons with Disabilities (CRPD); and the International Convention for the Protection of All Persons from Enforced Disappearances (CPED).

ANTICIPATED USERS OF THE GUIDELINES

These guidelines are intended for those responsible for decision-making, policy development and design and approval of training programmes, as well as other stakeholders, such as police trainers, university lecturers, national human rights institutions and others involved in the design and delivery of educational curricula for law enforcement officials.

The guidelines can help police managers organize their supervision sessions to ensure officers in their team carry out their duties in full accordance with human rights standards. They can also be of assistance when developing projects aiming to engage the community. In addition, they can be of use to civil society organizations working with and/or monitoring the performance of law enforcement services.

Governments are responsible for the delivery of human rights education. Thus, it is presumed that the implementation of such programming will take place within a legislative or policy framework ensuring sustainable human rights education.⁸

PURPOSES OF THE GUIDELINES

The Guidelines on Human Rights Education for Law Enforcement Officials serve to:

- operationalize and illustrate key principles and approaches to facilitate the learning of human rights theory and practices;
- link human rights to more effective law enforcement, and demonstrate how human rights actually assist law enforcement officials in carrying out their duties;
- clarify the link between human rights and law enforcement;
- articulate learner outcomes according to knowledge, understanding, values, attitudes and skills;
- assess the quality of human rights training programmes and promote ongoing improvements;
- assess progress in promoting and adhering to human rights; and
- promote access to education in and for human rights.

⁸ UN Declaration, *op. cit.*, note 6, article 7.

These guidelines present principles for carrying out human rights education for law enforcement officials but have not been designed as a resource with examples.

APPLICATION OF THE GUIDELINES

Considering the pivotal role law enforcement officials play in respecting, protecting and fulfilling human rights, human rights should be an integral part of all training for law enforcement officials, such as in investigation and arrest, the use of firearms and force, and reporting and communication with the public. This is necessary in order to ensure human rights-based training does not become dissociated from operational reality. Thus, an integrated holistic approach, rather than just teaching human rights as a separate subject, is encouraged. It is, however, advisable to provide one or more introductory sessions on human rights to present the legal framework and historical background of human rights in order to contribute towards the development of a solid basis for the acquisition of skills, knowledge and values during more in-depth professional training.

Furthermore, there needs to be coherence between international human rights standards, national laws and operational procedures. These guidelines presuppose that law enforcement services have developed operating rules and procedures that reflect international human rights standards.

It is also assumed that such procedures influence the training of any officer, regardless of rank. Should there be gaps or doubts about these, law enforcement services are encouraged to seek expertise to assess whether operating rules and procedures are in accordance with international human rights standards.

These guidelines recognize that higher ranking officers and managers, as leaders and role models, should achieve the highest level of knowledge, attitudes and skill-sets in the field of human rights in order to:

- ensure compliance with recognized national, regional and international human rights standards and obligations related to law enforcement by all staff;
- ensure the capacity to formulate operational procedures, policing standards and particular orders in compliance with human rights;
- ensure all supervision takes into account respect for and protection of human rights as pivotal components of all policing actions; and

- apply all necessary corrective and, when necessary, disciplinary measures to address any actions violating human rights committed by their subordinates, superiors and/or colleagues.

Correspondingly, these guidelines emphasize that the rights of law enforcement officials should be included as a component in their training, as it is important for officers to recognize that they also possess human rights. Similarly, good and fair working conditions bolster respect for human rights and enhance the performance of officers.

These guidelines are designed for use in diverse contexts and assume that trainers and those designing human rights education for law enforcement officials will take into account the specific conditions and sensitivities or vulnerabilities in the cultural, political, social and historical contexts in which they work, while keeping in mind recognized international human rights standards and norms. The document supports educational approaches that empower learners to use human rights standards to guide their work. The document presumes the protection of human rights as the source of motivation for law enforcement officials in carrying out their duties more effectively, and the ability to analyse the existing national legislative framework through the prism of the human rights standards.

These guidelines apply equally to private individuals and companies that provide any service normally falling under the jurisdiction of law enforcement (for example, the transportation of detainees). Liability may occur where adequate control measures – enforced through contract or statute – are not in place. It remains the ultimate responsibility of government to ensure that staff working for private providers of law enforcement services are trained in and comply with these obligations. However, private companies must likewise ensure that their personnel are properly trained and carry out their duties accordingly.⁹

Finally, these guidelines are not formulaic. Rather, they are intended to serve as a measure for gauging the quality of programming and as a resource for those who initiate and conduct educational programmes compliant with human rights good practice for law enforcement officials.

⁹ Swiss Confederation, “International Code of Conduct for Private Security Providers”, 9 November 2010, para. 55, <http://icoc-psp.org/Home_Page.html>.

STRUCTURE OF THE GUIDELINES

The guidelines are organized into six main areas:

- 1. Overall Processes and Goals**, reflecting the human rights-based approach;
- 2. Core Competencies**, identifying the key learner outcomes that illustrate the essential capabilities for learner development;
- 3. Curricula**, developing educational and training programmes for all learning activities, formal and non-formal;
- 4. Training and Learning Processes**, ensuring these are learner-centred (relating human rights to learners' real-life experiences), participatory and inclusive, and taking place in a human rights-respecting learning environment;
- 5. Evaluation**, ensuring that educational programme results are regularly evaluated using appropriate methods; and
- 6. Training, Professional Development and Support for Trainers**, ensuring that educational personnel receive pre-service and regular in-service training and support.

These guidelines also include a resources section that lists key materials to assist the user of the guidelines in planning, implementing and evaluating human rights education for law enforcement officials.

Resources are organized according to the following categories:

- Resources for human rights training and learning;
- Resources for a human rights based-approach to education; and
- Evaluation of human rights education for law enforcement officials.

1. OVERALL PROCESSES AND GOALS

Main aim: Ensuring that the overall processes and goals of human rights education reflect the human rights-based approach

The human rights-based approach to human rights education involves the integration of human rights principles within all programming cycles (planning and design, implementation, and monitoring and evaluation) and the expectation that outcomes are explicitly linked with improving the enjoyment of human rights. Moreover, the human rights-based approach implies that training institutions reflect said principles in their organizational and managerial practices.

The human rights principles are:

- universality and inalienability;
- indivisibility;
- interdependence and interrelatedness;
- equality and non-discrimination;
- participation and inclusion; and
- accountability and the rule of law.¹⁰

¹⁰ The Vienna Document, *op. cit.*, note 5, paras. 11 – 12; United Nations, *The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming* (2003), <http://hrbaportal.org/?page_id=2127> (the Common Understanding).

THE HUMAN RIGHTS-BASED APPROACH IN PROGRAMMING

All training courses for law enforcement officials (e.g., law, tactics, investigation, the use of firearms and force) devote robust weight to human rights and gender equality values and norms; develop skills in discharging the officer's obligations without committing human rights violations; and encourage action to fulfil the human rights of all members of the community, including law enforcement officers.

Training programmes are designed and implemented in collaboration with a wide range of stakeholders at the national, regional and local levels, including policymakers, educational professionals, academics and learners, as well as representatives from educational institutions, national human rights institutions and non-governmental organizations.¹¹

Training programme planning involves the identification of key human rights challenges faced by the members of society who are to be addressed.

The objective of the programme is the improved realization of human rights, with links made to relevant human rights standards and other instruments, such as the UN Code of Conduct for Law Enforcement Officials.

Educational programme objectives are outcome-based and measurable.

As a result, human rights training programmes developed using the human rights-based approach strengthen the capacity of duty bearers (e.g., police officers, police trainers and legislators) to meet their human rights obligations through improvements in policies, legislation, resource allocation and practice.

To succeed, sufficient and sustained resources (time, financial and human resources) are allocated by governments for human rights education.

¹¹ OSCE Ministerial Council, Decision No. 5/06, "Organized Crime", Brussels, 5 December 2006. (OSCE Decision No. 5/06); Crawshaw, R., "Police and Human Rights: a Manual for Teachers, Resource Persons and Participants in Human Rights Programmes, (University of Essex, 1999) p. 66-72.

THE HUMAN RIGHTS-BASED APPROACH IN EDUCATIONAL INSTITUTIONS

The human rights-based approach applies to how training institutions work. These institutions promote rights-based principles within their organizational structure, processes and procedures, including non-discrimination and inclusion, dignity and respect, accountability, participation and empowerment of all law enforcement officials who undergo training, as well as of all educational personnel.

The training delivered by educational institutions fosters participation, self-expression, communication, co-operation and teamwork, and discipline processes that affirm the human dignity of learners and educational personnel.

2. CORE COMPETENCIES

Main aim: Ensuring that clearly established learner outcomes – including dimensions of knowledge and understanding, attitudes, values and skills – guide the development of curricula, training, learning and evaluation processes, and the preparation of trainers.

The desired core competencies, or learner outcomes, presented here are intended to be used in designing education and training programming for law enforcement officials. The competencies are grouped under three headings:

- knowledge and understanding;
- attitudes and values; and
- skills.

Although the competencies are presented separately, they are often inter-linked and will be blended together when delivering and assessing an educational programme. This means that some human rights standards may be covered under different subheadings pertaining to particular duties of law enforcement officials. Similarly, the competencies are not presented in any particular order or priority.

Particular attention should be paid to the transformation of theoretical knowledge into operational, duty-related skills through relevant, human rights-related practical exercises.

For higher ranking police management, training should cover and aim to develop skills, attitudes and knowledge to enable them to deal with the requirements of formulating human rights-compliant operational procedures and other standard operating orders. High-ranking officers and police leaders should receive additional training and regular refresher courses to enable them to cover all aspects of command responsibility and supervision with respect for human rights.

KNOWLEDGE AND UNDERSTANDING

General knowledge of human rights – related to functions such as: protection of life, liberty and property; protection of constitutional guarantees; freedom from torture and cruel, inhuman and degrading treatment; freedom of expression, association and peaceful demonstration; etc.

The learner is aware of and understands:

- The history and philosophy of human rights; the function of human rights; the relationship between human rights and other ethical and moral rights systems; the moral, legal and political legitimacy of human rights; the societal and personal benefits of realizing human rights; and the evolving nature of the human rights framework;
- Human rights standards as defined in international human rights documents: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Rights of the Child (CRC); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW); the Convention on the rights of Persons with Disabilities (CRPD); the International Convention for the Protection of All Persons from Enforced Disappearances (CPED); and, where relevant, regional human rights documents;
- The duties of law enforcement officials as defined in specific documents: The Code of Conduct for Law Enforcement Officials; The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; The Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions; The Standard Minimum Rules for Non-custodial Measures; Rules for the Protection of Juveniles deprived of Liberty; and, where relevant, the European Code of Police Ethics;

- The nature of the state’s human rights obligations, including “positive” and “negative” obligations of the state and its agents with regards to the respect, protection and fulfilment of human rights; and the status of ratification of international and regional treaties;
- Human rights mechanisms at the international, regional and national levels, including state and non-state actors, especially those with mandates or thematic focuses related to law enforcement;
- What constitutes a human rights violation; causes and consequences of violations, especially in the law enforcement context; and redress mechanisms;
- The rights of law enforcement officials (including redress mechanisms if they feel their rights have been violated) and restrictions imposed due to their duties and powers; and
- Absolute rights and possible limitations to human rights.

Law enforcement in democratic societies – related to functions such as: protection of life, liberty and property; protection of constitutional guarantees; freedom from torture and cruel, inhuman and degrading treatment; freedom of expression, association and peaceful demonstration; etc.

The learner is aware of, knows about and understands:

- The objectives of law enforcement agencies in a democratic society, for example: policing in a human rights context; community policing; the importance of operational independence from political and other interference, such as business or religious interests; the key principles for

policing (proportionality, legality, accountability, necessity);¹² non-discrimination¹³ and honesty, integrity and fairness; and civic duty and the pursuit of excellence;¹⁴ and

- Human rights-compliant data handling and data processing, including of DNA, biometric and other personal information.

Analysis – related to functions such as: investigating crime, identifying victims and ensuring respect of their rights, reducing the opportunity for crimes through preventive patrol and other measures, dealing with public order situations, etc.

The learner is aware of, knows about and understands:

- The factors contributing to supporting or undermining human rights in one’s own environment (e.g., political, legal, cultural, social, religious, and economic); the relationship among human rights, gender equality, peace and security, economic and human development, democracy and globalization, terrorism and conflict; and
- The components of risk assessment that duly take human rights into consideration.

Human rights and the exercise of duty – related to functions such as: identifying alleged criminal offenders and criminal activity; taking offenders into custody; respecting the presumption of innocence and protecting the rights of suspects; assisting victims and ensuring their rights; apprehending suspects; responding to complaints related to criminal activities and accidents; containing the perimeter at crime scenes; gathering evidence; etc.

¹² UN Code of Conduct, op. cit., note 8.

¹³ The Common Understanding, op. cit., note 11.

¹⁴ Benoit, D., “Core Concepts of Ethics in Department of Defence: Ten Core Concepts form the Ethical Foundation for Department of Defence Personnel”, (American Society of Military Comptrollers, 2 January 2007, vol. 51, n. 4).

The learner is aware of, knows about and understands:

- Human rights standards in the context of: the use of force and firearms including the use of snipers; arrest, detention, search and surveillance; prevention and detection of crime; support to victims of crime and assistance in case of emergencies; demonstrations, disturbances, organized crime operations, counter terrorism operations; and working with refugees and displaced people, trafficked persons, unaccompanied minors, young people, women and members of minority groups;
- Requirements placed on law enforcement officials by human rights obligations; and
- The absolute prohibition of the use of torture, cruel, inhuman and degrading treatment.

Non-discrimination – related to functions such as: aiding individuals who are in danger of physical harm and assisting those who cannot care for themselves; resolving conflict; investigating crime; managing public order situations; etc.

The learner is aware of, knows about and understands:

- The prohibition of discrimination as a specific right and as a fundamental human rights principle;
- Gender equality and the rights of women;
- The rights of minorities and their vulnerability to human rights violations, in relation to “profiling”, and the danger they will become victims of hate crimes;
- The rights of asylum seekers and other vulnerable groups, such as undocumented migrants and victims of trafficking;
- The rights of individuals at risk due to their sexual orientation or gender; and
- The rights of individuals at risk due to their mental or physical condition, such as HIV/AIDs status.

Communication – related to functions such as: patrolling and protecting demonstrations; apprehending suspects; participating in the administration of justice; interviewing individuals (e.g. victims of crime); etc.

The learner is aware of, knows about and understands:

- Appropriate means of communication with the community and individuals, including children, young people, women, minorities (particularly where there may be language issues), people with disabilities and older persons; the role of national human rights institutions and civil society organizations; the role of the media; the functions of welfare agencies and social services;
- The risks of public communication for the rights of affected individuals (suspects or victims of crime) and the need to protect their dignity and privacy;
- Appropriate means of communicating, obtaining, handling and storing information; and
- The duty to inform relevant persons about their rights and the procedures the law enforcement officer needs to comply with (for example, the rights of a suspect, the right to know the charges brought against them, the right to a lawyer, or procedures for making complaints).

Transparency and accountability – related to functions such as: creating and maintaining a feeling of security in the community; protecting life and property; serving all members of the community equally and being accountable to them for all actions; using only necessary and proportionate force at all times; etc.

The learner is aware of, knows about and understands:

- The duty to report and investigate all human rights violations and the relevant legal liabilities for perpetrators of such violations (for example, in cases of death in custody, disappearance, torture and cruel, inhuman or degrading treatment);
- Law enforcement officials' liabilities if found guilty of having committed or assisted in human rights violations;

- Procedures for complaints about human rights violations and redress mechanisms; and
- Corruption as a crime that has harmful effects not only on affected individuals, but for the police as an institution and the society as a whole.

ATTITUDES AND VALUES

General attitudes towards and values in human rights – related to functions such as: protecting life and property; protecting constitutional guarantees; etc.

The learner, through actions and conduct, demonstrates:

- Respect for oneself and respect for others based on the principle of dignity of all individuals and their human rights, as well as on equality principles;
- Personal and professional engagement in building a culture respectful of human rights;
- Commitment to sustaining and safeguarding human rights and to not being a bystander when rights are violated;
- Interest in working collaboratively with others to promote human rights in and beyond one's own environment;
- That he/she values human rights and justice;
- Alertness to early signs of abusiveness, to desensitization in oneself and in the occupational environment, and the fortitude to address and correct these; and
- Recognition of one's own attitudes and prejudices.

Human rights and the exercise of duty – related to functions such as: investigating crimes; managing public order or providing assistance to victims and witnesses of crime or people otherwise in need.

The learner, through actions and conduct, demonstrates:

- Confidence in protecting, respecting and fulfilling human rights and in performing one's duty in an accountable, transparent, efficient and effective manner; and
- Consideration for human rights in support of good and efficient law enforcement work, and not seeing them as an impediment to this work.

Equality, diversity and non-discrimination – related to functions such as: aiding individuals who are in danger of physical and psychological harm (e.g. trafficked individuals or victims of hate crime); assisting those who cannot care for themselves; resolving conflict; investigating crime; managing public order; creating and maintaining a feeling of security in the community; etc.

The learner, through actions and conduct, demonstrates:

- That he/she values and is committed to equality;¹⁵
- Appreciation of the link between rights, equality, diversity and non-discrimination;
- Respect for the dignity of all people with whom he/she interacts regardless of race, colour, gender, language, political or other opinion, religion, national or social origin, property, birth, age or other status; and
- Awareness of the root causes of human rights violations, including the role of stereotypes and prejudice in the process that leads to human rights abuses.

¹⁵ Equality and non-discrimination is both a substantive right and a principle according to which all human rights are to be guaranteed without any discrimination (The Vienna Document, *op. cit.*, note 5, para. 13.7).

Communication – related to functions such as: investigating crime (e.g. interviewing victims or suspected perpetrators); apprehending suspects; participating in the administration of justice; patrolling and protecting demonstrations; communicating publicly (e.g. through the media); etc.

The learner, through actions and conduct, demonstrates:

- Care for those suffering human rights violations, particularly when dealing with vulnerable groups;
- Confidence and ease in supporting, protecting and interviewing all victims of crime;
- Sensitivity in the timely delivery of the appropriate warnings and information to suspects, victims, witnesses and bystanders; and
- Openness and respect for the points of view and different perspectives of colleagues and members of the public.

Transparency and accountability – related to functions such as: creating and maintaining a feeling of security in the community; protecting life and property; serving all members of the community equally and being accountable to them for all actions; using only necessary and proportionate force at all times; etc.

The learner, through actions and conduct, demonstrates:

- Willingness to work in an open and transparent fashion;
- Openness to reflection, receiving feedback and accountability in order to transform and improve personal and team performance in ways that mirror human rights values; and
- Willingness to counter any signs of corruption and abuse of power in colleagues, superior officers or the public, both in general and in relation to human rights in particular.

SKILLS

Respect for human rights in the exercise of duty – related to functions such as: protecting life and property; protecting constitutional guarantees; creating and maintaining a feeling of security in the community; promoting and preserving civil order; detecting and investigating crime to identify victims and other people in need and to ensure the respect of their rights; etc.

The learner is able to:

- Perform his/her duties in accordance with human rights standards while resisting political interference or prejudice of any type, particularly in crucial moments when: using force; carrying out arrests and detention; performing searches and carrying out surveillance; engaging in the prevention and detection of crime; providing assistance in case of public emergencies, demonstrations, disturbances and tensions; coming in contact with refugees and displaced people; coming in contact with victims and suspected perpetrators; and carrying out policing duties in cases of terrorism;
- Apply to all circumstances, including stressful and complex situations, the principles of proportionality, legality, accountability, necessity and non-discrimination;
- Analyse real-life situations with respect to human rights and identifying human rights violations and discrimination;
- Identify important human rights issues relating to gender, religion, disability and other social concerns of direct relevance to key areas of their duties, and to react accordingly;
- Apply discretion with due regard to human rights, including being aware of issues relating to vulnerable groups and power relationships; and
- Respect the dignity of all persons with whom he/she interacts, regardless of race, colour, gender, language, political or other opinion, religion, national or social origin, property, birth, age or other status.

Protection of human rights – related to functions such as: protecting life and property; protecting constitutional guarantees; creating and maintaining a feeling of security in the community; promoting and preserving civil order and managing public assemblies and events; detecting and investigating crime; identifying victims and other people in need and ensuring the respect of their rights; patrolling and protecting demonstrations; securing public places; protecting dignitaries; etc.

The learner is able to:

- Confidently and competently analyse events to identify human rights violations, including their root causes and consequences;
- Act in an accountable, transparent and legal way to address, correct and redress violations committed in the course of law enforcement activities and, to this end, be proficient in analysing how police actions conform to national and international human rights legal frameworks;
- Take the necessary steps to counter acts of corruption in terms of reporting, investigating, correcting, etc.; and
- Protect effectively the rights and freedoms of all individuals.

Use of force – related to functions such as: protecting life and constitutional guarantees; using proportionate force, including lethal force; managing public assemblies; preventing or investigating crime in counter-terrorism activities; etc.

The learner is able to:

- Plan and carry out police operations making use of human rights risk assessment tools and, if necessary, de-escalate situations (whether among members of the public or between law enforcement officials and members of the public) in order not to avoid resort to the use of force;
- Apply proficiently a range of means to use force in a gradual and proportionate way, in accordance with the requirements of the situation and preventing harm and damage and to the extent possible; and
- Conduct risk assessment in due consideration for human rights.

Investigation – related to functions such as: detecting and investigating crime; identifying victims and other people in need and respecting their rights; participating in the administration of justice; reducing the opportunities for the commission of crimes, through preventive patrol and other measures; etc.

The learner is able to:

- Use lawful methods of investigation and intelligence gathering, as well as the collection and safeguarding of evidence, without having to resort to excessive and disproportionate use of force or other illegal tactics that may amount to human rights violations;
- Distinguish between and balance the duties of law enforcement officials and the responsibilities attached to these duties, and the rights of persons in their custody. Called to pursue breaches of the law, law enforcement officers should not forget that suspects or those found guilty of a crime continue to enjoy rights;
- Respect and protect the rights of witnesses (addressing issues such as: anonymity of witnesses; the right to life; the issue of self-incrimination in criminal and administrative cases; data protection, etc.); and
- Respect and protect the rights of victims of crimes.

Communication – related to functions such as: patrolling; managing public assemblies; apprehending offenders; participating in the administration of justice; etc.

The learner is able to:

- Describe historical and contemporary political, legal, economic, cultural and social processes from a human rights perspective, including a gender equality perspective, and use human rights-sensitive language;
- Be versatile in communicating with the community and individuals, such as: victims of crime; women, children and young people, elderly people; people with disabilities; the media in general; civil society organizations; welfare and social services agencies; and national human rights institutions;

- Be versatile in discussing questions of human rights, diversity and law enforcement;
- Carry out various actions to promote human rights in the public domain, including: public-awareness activities; organizing or joining campaigns for those deprived of rights; and engaging positively with the local community and conducting successful community policing projects;
- Take an active part in discussions related to human rights, gender, ethnic and religious issues, helping co-workers to function within a human rights and non-discrimination framework;
- Ensure confidentiality and care in the handling of sensitive information;
- Respect the privacy of suspects and witnesses in compliance with the legal framework in contacts with the media;
- Identify the societal and personal benefits of realizing human rights;
- Support the role played by civil society and national human rights institutions in the application of human rights and non-discrimination principles; and
- Refer victims to relevant assistance providers.

Transparency and accountability – related to police functions such as: creating and maintaining a feeling of security in the community; protecting life and property; serving the community and being accountable to it; using only necessary and proportionate force at all times; etc.

The learner is able to:

- Locate information and sources on human rights, gender and non-discrimination relevant to one's personal and professional needs and circumstances;
- Critically evaluate one's own contribution to the realization of human rights, individually and organizationally;

- Use a human rights, gender sensitive and non-discrimination framework in the exercise of one's daily duties to address interpersonal conflicts that may amount to human rights violations;
- Apply knowledge of human rights to be able to claim one's own rights and those of others; and
- Be self-reflective in improving one's performance and learning from experience.

Self-care

The learner is able to:

- Apply the key principles of self-care by remaining aware of personal needs, limits and resources;
- Recognize the nature of secondary trauma and be ready to seek assistance;
- Strive for a balance between personal and professional life;
- Identify sources of support inside and outside the agency;
- Debrief after stressful assignments; and
- Openly seek support from colleagues and other professionals and be willing to support colleagues.

3. CURRICULA¹⁶

Main aim: Ensuring that education programme design and curricula are used in formal and non-formal learning environments in ways that are appropriate to the particular context and professional responsibilities and needs of participants, and are culturally, socially and linguistically relevant.

Curricula can be used in both formal and non-formal teaching and training, taking into account classroom teaching, practical skill-oriented training and extra-curricular opportunities. Training programmes need to combine theory and practice, and all officials should have regular access to refresher courses. Any curriculum includes lesson plans with practical exercises, as well as theory-based learning activities, hand-outs, time for revision and a clear means of evaluating learning outcomes.

ORGANIZATION OF CURRICULA

The curriculum incorporates human rights into the ongoing training of all other operational practices.

¹⁶ The Moscow Document, *op. cit.*, note 4, para. 42.3, stipulates that the (OSCE) participating States will “encourage their competent authorities responsible for education programmes to design effective human rights related curricula (...) for students (...) attending (...) police schools.”

Curriculum is outcomes-based and reflects key human rights competencies for each of the categories of knowledge and understanding, attitudes and values, and skills required by law enforcement officials. It is also comprehensive and includes learning objectives, learning content, assessment procedures, methods and accompanying materials for use in class or for future reference by the learners.

The inclusion of human rights issues in the curriculum for law enforcement officials spans the full period of the training and is linked with other subjects, so as to ensure that trainees successfully acquire human rights competencies across the full range of operational and administrative duties, regardless of their rank.

The curriculum takes into account the diversity of cadets and all other officials and is accessible to all learners, especially women and individuals who belong to minority groups or who have disabilities.

The curriculum uses locally available examples that reflect the daily reality of all learners.

Curriculum development and review are carried out regularly and in an inclusive manner, involving different stakeholders, such as educational professionals, university faculties, learners, educational institutions and members of community and non-governmental organizations.

Below is an example curriculum focussing on specific functions of law enforcement officials:

Function	Competencies	What is needed to attain proficiency
Arrest	The ability to carry out an arrest in compliance with international / regional / national human rights standards	<p>Knowledge</p> <ul style="list-style-type: none"> • Essence of the right to liberty and security (ICCPR art. 9) • National law and procedures relevant to arrest • The rights of the person(s) arrested • Rights, obligations and duties of a law enforcement official • What constitutes a human rights violation during arrest <p>Values and Attitudes</p> <ul style="list-style-type: none"> • Ability to react accordingly • Capacity to act in a non-discriminatory way • Respect for the dignity of all persons <p>Skills</p> <ul style="list-style-type: none"> • Discretion: the freedom and ability to analyse a situation and decide what should be done, especially under stress • Proportionality: ability to evaluate the consequences of actions. Do I arrest or not and what would be the consequences? Do my means correspond to the aims? Are the aims legitimate? • Ability to balance the situation in the event of a clash between different human rights

TEXTBOOKS AND SUPPORT MATERIALS

All learning resources reflect human rights values and intercultural dialogue, the valuing of diversity and equality, and opposition to discrimination on the basis of race, colour, gender, language, political or other opinion, religion, national or social origin, property, birth, age or other status.¹⁷

Learning resources encourage the active participation of learners, for example, through discussion and debate. They also support the use of simulation techniques and the use of audio-visual materials that reflect real-life situations faced by law enforcement officials on active duty.

¹⁷ The Vienna Document, op. cit., note 5, para. 13.7. Council of Europe, Charter on Education for Democratic Citizenship and Human Rights Education (2010). Council of Europe recommendation 1346, "On Human Rights Education" 26 September 1997, <<http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta97/EREC1346.htm>>.

4. TRAINING AND LEARNING PROCESSES

Main aim: Ensuring that training and learning processes are learner-centred, practical (relating human rights to participants' real life experiences), participatory, inclusive, promote critical thinking and take place in learning environments that respect the human rights of all participants.

Human rights education takes place in an environment that is trustful, respectful, secure and democratic. Educators and trainers demonstrate motivation for and an understanding of lesson content and teaching skills in their interaction with learners. Likewise, instruction and learning processes are motivational for students and encourage their engagement with and commitment to human rights.

OVERARCHING APPROACH

Co-operation is facilitated between training institutions and other actors with relevant expertise involved in human rights education for law enforcement officials, such as in particular national human rights institutions and NGOs that are encouraged to provide training to law enforcement officials.

Specific human rights expertise is sourced from national human rights organizations, civil society organizations or academia, where necessary.¹⁸

Instruction and learning processes facilitate the inclusion of all trainees. Methodologies are appropriate to the needs of learners, enabling them to achieve the desired competencies.

METHODOLOGIES

Learner-centred methods and approaches are used to empower officers to learn and to encourage active participation, co-operative learning, a sense of solidarity, creativity and self-esteem.

During training sessions, incidents in the field are specifically discussed and solutions to problems addressed.

Representative, from various vulnerable groups, and those with a history of abusive police encounters in particular, are invited to training sessions. This allows them to present their concerns, needs, cultural traditions and their perception of the police. It also facilitates an exchange of views between these groups and the police about responsibilities and the benefits of co-operation.

Analysis of case law, legal opinions and international instruments and the elaboration of case studies using an inductive method facilitate the learning of general rules and standards and the active participation of the officers, especially through interactive problem solving.

Teaching methods are varied and aim at facilitating the acquisition of skills and attitudes that promote and protect human rights (methods include role-playing, simulations, case studies, field work and presentations from internal and external resource persons).

¹⁸ OSCE Decision No. 5/06, *op. cit.*, note 12, para 10.

5. EVALUATION

Main aim: Ensuring that educational results are evaluated, including success in achieving learner outcomes and improving the overall enjoyment of human rights.

Evaluation provides evidence that human rights competencies are manifest in the practical application of law enforcement officials' duties. Human rights topics and practices are part of all theoretical and practical testing. Training programmes are designed with built-in evaluation processes and are periodically conducted, including independent, external evaluation. Evaluations based on the operational lessons learned and practical problems faced inform periodic revision of training programmes.

In-service supervision of human rights competencies is organized by managers in order to ensure that the performance of all duties is embedded in the human rights practices acquired during training. Superiors need to be able to provide appropriate feedback and encourage officers to fulfil their duties in full observance of human rights. Evaluation is also undertaken through and incorporated into performance assessment processes. Four kinds of evaluation take place: learner assessment, trainer assessment, programme evaluation and impact assessment.

LEARNER ASSESSMENT

Learners are assessed for achievements in gaining knowledge and skill-based competencies. The assessment of learners' progress is carried out regularly, both during and after the training programme. Pre-training and post-training testing is introduced and indicators established to measure progress and, consequently, to tailor the programme further.

Assessments are designed to support learning by providing feedback on areas for improvement, and results are shared and discussed with trainees, helping them to acquire the ability to reflect, admit shortcomings and, thus, improve their professional performance.

Assessment methods for individual students or groups of trainees are and are seen as fair, reliable and transparent, ensuring that all learners' achievements are recognized and valued.¹⁹

The means of assessment are varied, including, for example, tests, essays, simulations and peer and self-review processes.

Trainees are actively invited to participate in the design and implementation of assessments and evaluations. Reflection on their own work is presented as an important part of the learning process.

TRAINER ASSESSMENT

Trainers are assessed for achievements in knowledge and skills-based competencies prior to their carrying out training.

Assessment of trainers' progress, whether formal or informal, is carried out regularly.

Assessments are designed to support the learning of trainers by providing feedback on areas for improvement. Results are shared and discussed with the trainers being assessed.

¹⁹ UNESCO, Council of Europe, Centre for Educational Policy Studies, *Tool for Quality Assurance of Education for Democratic Citizenship in Schools*, 2005.

Trainers' achievements are recognized and valued.

Assessment methods for trainers are fair, reliable and non-threatening, and are carried out with transparency and impartiality.

PROGRAMME EVALUATION

A human rights education pilot programme is carried out in order to inform and help ensure high quality curricula, teaching resources, instruction, learning processes and trainer preparation.

Programme evaluations are organized as self-reflective and as learning processes for the managers and staff responsible for the delivery of the training.

Programme evaluation is carried out in order to investigate programme implementation, the quality of curricula and learning resources, learners and trainer achievement, and ways to improve human rights education.

Programme evaluations are carried out regularly and involve diverse stakeholders, including state agencies, representatives of civil society with relevant expertise, national human rights bodies, academic institutions and local community organizations.

Results of programme evaluation are disseminated and serve as the basis for public discussion.

IMPACT ASSESSMENT

Impact assessments are periodically carried out to review whether learner and institutional outcomes documented in programme evaluations have been sustained. Impact assessments also examine the application of human rights training through actions and behaviours, as well as associated impacts in relation to the concrete realization of human rights and changes in people's lives. The "dimensions of change" outcomes incorporated within an impact assessment are aligned with the goals and design of the training programme.

In addition to the programme evaluation outcomes listed above, impact assessments will determine if training has:

- strengthened law enforcement officer understanding and capacity to respect the rights of others;
- resulted in increased respect for the rights of the public in general and, especially, those who are excluded, discriminated against or vulnerable;
- resulted in improvements in the lives of rights holders;
- resulted in increased respect for the rights of law enforcement officials; and
- resulted in greater respect and acceptance of the role played by law enforcement officials on the part of the public in general and, specifically, by those most affected by crime, violence and injustice.

Impact can be measured, for example, through the completion and analysis of public-perception surveys, by examining complaint statistics provided by police oversight institutions, court rulings, the character of press coverage, NGO human rights reports, etc.

6. TRAINING, PROFESSIONAL DEVELOPMENT AND SUPPORT FOR TRAINERS

Main aim: Ensuring that trainers and other educational personnel receive periodic, relevant and structured training according to their needs, professional responsibilities and circumstances, and in accordance with the intended learner outcomes of those they train.

In order to effectively carry out human rights education for law enforcement officials trainers require a range of competencies. Trainers develop and use curricula, organize and carry out teaching and learning processes, and design and implement assessments in ways consistent with the relevant areas of these guidelines. Trainers and other educational personnel are qualified police practitioners, although additional experts from the field of human rights and relevant individuals from the community may be invited to contribute.

COMPETENCIES OF TRAINERS AND OTHER EDUCATIONAL PERSONNEL

Trainers have in-depth knowledge of human rights, gender equality issues and non-discrimination principles within the context of law enforcement.

They should also have in-depth experience with requisite skills and clearly exhibit the attitudes contained in these guidelines.

Trainers and all other educational personnel are competent in recognizing and addressing discrimination in all forms - including discrimination based on race, colour, gender, language, political or other opinion, religion, national or social origin, property, birth, age or other status - and are able to take into account issues of diversity.

Training personnel are aware of the human rights-based approach and its application in the work of agencies and organizations that implement human rights education.

TRAINING INSTITUTIONS AND PREPARATION OF TRAINERS

Trainers are chosen and retained based on the knowledge, skills and attitudes identified in the competencies area of the guidelines.

Trainers are provided with regular peer support and resources (e.g., time, meeting places, communication tools, etc.) for professional collaboration.²⁰

Trainers are provided with the necessary initial and ongoing training in human rights standards and practices, as well as in adult-education learning theory and practice and the use of interactive learning methods. This requires the organization of diverse training programmes for different categories of educators working in police schools.

The selection of trainers is based upon principles of non-discrimination, ensuring that all individuals, including women and persons belonging to minorities, are appropriately represented.²¹

Trainers are selected based on proven abilities to teach, communicate and assess learning that are tested before they benefit from “training of trainers” programmes offered by the hiring agency.

²⁰ CSCE, “Final Act of the Conference on Security and Co-operation in Europe”, section *Co-operation in Humanitarian and Other Fields*, 4., Helsinki, 1 August 1975. <<http://www.osce.org/mc/39501?download=true>>.

²¹ CSCE, “Report of the CSCE Meeting of Experts on National Minorities”, (Geneva, 19 July 1991), part III, < <http://www.osce.org/hcnm/14588>>.

Training programmes are adequately planned and resourced.

Training programmes include structured follow-up, in order to provide support and to promote quality assurance.

QUALITY OF TRAINING FOR TRAINERS

Trainers who train educational personnel possess the range of knowledge, values and skill competencies that they aim to convey in their training programmes.

Training programmes have clear learning objectives encompassing knowledge, attitudes and skills.

Appropriate learner-centred training methods are used and: address motivation, self-esteem and emotional development, leading to awareness-raising on values and behaviour; give emphasis to practice-based methods; link theory to practice; and test learned techniques in work situations.²²

Trainers are required to demonstrate competencies on the basis of learning objectives, both during and upon completion of the training or course.

Training programmes empower trainers to understand themselves as learners, to contribute with their own experiences to learning processes and to motivate them to carry out human rights education.

Training programmes are relevant to the daily work of trainers.

In-service training programmes motivate trainers to carry out human rights education, ensuring that trainers are sensitized about their own potential to contribute to the violation of human rights (for example through degrading treatment or lack of motivation in eradicating negative stereotypes about human rights and gender equality).

²² United Nations, Human Rights Training: A Manual on Human Rights Training Methodology (Geneva: Office of the UN High Commissioner for Human Rights, 2000), <<http://www.ohchr.org/Documents/Publications/training6en.pdf>>.

Training programmes for training personnel are adapted to the particular cultural, educational, regional and experiential needs and realities of the educators and their learners.²³

Training curricula are designed in consultation with educators and are adequately planned and resourced with appropriate training resources and materials.

Training programmes incorporate relevant national, regional and international human rights standards.²⁴

Training programmes include how to address issues of diversity and discrimination and are gender-sensitive.²⁵

Training programmes for law enforcement officials, including those delivered by NGOs, are recognized and encouraged by relevant educational and state authorities.

²³ Ibid., p 2.

²⁴ Ibid., p. 2; The Vienna Document, *op. cit.*, note 5, paras. 13.3, 13.4, 13.6, 67.

²⁵ Ibid., p. 1.

RESOURCES²⁶

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²⁶ These resources include some key documents supporting human rights education for law enforcement officials. However, this is not a comprehensive list.

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