

# INTERNATIONAL HUMAN RIGHTS STANDARDS: GUIDELINES FOR THE WORLD'S POLICE OFFICERS

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*Police agencies throughout the world need to be concerned about the violation of human rights by their police officers. The police in all countries are accused of violating the human rights of the citizens they serve. As members of the United Nations, the governments of the world must enforce the human rights standards established by the United Nations and agreed on by most member nations of this world body. This article reviews the definition of human rights and standards pertaining to police officers that are known as international human rights instruments. The methods suggested by the United Nations to implement human rights, along with measures to monitor human rights violations and sanctions for violation of human rights by police officers, are covered in the discussion.*

To put it simply, human rights are rights that all humans have solely because they are human. Human rights are universal rights held by all humans irrespective of their rights as individuals, citizens, members of families, employees, or as a member of an organization. The rights of humans have a moral and political connotation to them when applied to the concept of human rights (Donnelly, 1998, p. 18). The conventional meaning of human rights was adopted by the United Nations in 1948. Human rights are often equated with individual rights, which specifically means civil and political rights. Chandra Muzaffar (1999, p. 25) claimed that human rights with individual civil and political rights are a product of the European Enlightenment

of the 18th century and the secularization of thought and society for the past century and a half. Muzaffer had the following to say about human rights:

First, it has helped to empower the individual. By endowing the individual with rights, such as rights of expression, the right of association, the right to assemble, the right to vote, the right to a fair trial, and so on, it has strengthened the possession of the individual as never before in history. These are rights that inhere in the individual as a human being. They are his/her rights he/she does not owe their rights to a benevolent government or a magnanimous monarch.

Second, by empowering the individual this particular human rights tradition has contributed towards the transformation of what were once authoritarian political systems into democratic political structure. (p. 25-26)

On December 17, 1979, the United Nations General Assembly passed Resolution 34/169, which stated that the functions of policing include maintaining public order functions and the manner in which public order functions are exercised have a direct effect on the quality of life of an individual, as well as society as a whole. The United Nations resolution emphasized that policing should provide the citizenry with protection of all human rights and human interests. The resolution also prescribes the Code of Conduct for the police officers of the world. Additionally, there are several other United Nations instruments ratified by the majority member States of the United Nations. They provide standards and norms for policing. These standards are known as international human rights standards. These instruments also contain the guidelines in regard to implementing the international human rights standards. Furthermore, they prescribe as to how to monitor abuse of human rights by the police as well as suggest suitable remedial measures, including punishment for violations.

In this article, it is argued that, with a professional understanding of these standards and strictly adhering to them, police around the world can become what they should be: protectors of human rights, defenders of the rule of law, and contributors to a better quality of life.

#### ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS BY THE POLICE

History is full of abuse by those in authority, either formally or informally. Governments and their representatives, from ancient times down to modern day, have physically and emotionally abused those under their control. Up to the past several centuries, the military had the responsibility of

controlling the populace on behalf of their governments. With the advent of modern policing in the 19th century, the responsibilities of controlling the populace through the philosophy of social control or law and order has been given primarily to governmental police. These police may come under a central government control or be under local control or some combination of both systems. The objectives of the police are to enforce the laws passed by the government. Although in democracies the police are given legitimate authority to enforce legitimate laws of the government, they may periodically overstep their boundaries in enforcing the law. In autocratic countries, the police enforce the laws of the dictator of the country. Recent decades are full of police abusing the people of their own countries. Most people are aware of human rights violations of Nazi Germany, the pogroms of the Soviet Union under Stalin in the 1930s, and Communist China's suppression of individual freedom since gaining power in 1949. This section will only mention a few countries in which the police have violated individual freedoms and human rights.

One country in the Western Hemisphere whose police have been documented for human rights violations is Haiti. According to Human Rights Watch (1997), the "Haitian National Police have committed serious abuses since their initial deployment in July 1995, including extrajudicial executions and beatings during arrests and interrogations" (p. 7). Violations of human rights by the Haitian National Police include torture and beatings during arrests, detention, and interrogation (p. 13). Another country accused of human rights violations is Jamaica. Amnesty International accuses the Jamaican police of killing more than 140 people in 2000 alone, which they consider to be the highest rate of police killing in the world (see [www.amnesty.org.uk/cgi-bin/eatsoup.cgi?id=OtMiMdRDxIcAAEMZJUJ](http://www.amnesty.org.uk/cgi-bin/eatsoup.cgi?id=OtMiMdRDxIcAAEMZJUJ), August 26, 2001). Other countries in which the police have violated human rights, according to Amnesty International, include Kenya, Liberia, Fiji, and China. When police procedures and actions are examined closely, it seems that in most countries of the world there exists some form of human rights violations. Obviously, human rights violations are more serious in some countries than others. In the United States there are pockets of police actions and activities that can be considered a violation of human rights. Amnesty International found that federal, state, and local policing agencies have violated human rights. Several examples of human rights violations found by Amnesty International (see [www.rightsforall-usa.org/info/report/r03.htm](http://www.rightsforall-usa.org/info/report/r03.htm), August 26, 2001) include:

- Los Angeles: Two official inquiries into policing in Los Angeles found a serious problem of excessive use of force, including beatings and unjustified shootings by patrol officers, perpetrated mainly against members of minority groups.
- Philadelphia: In the Philadelphia Police Department in the mid-1990s, drug squad officers operating mainly in the 39th District (a poor, Black neighborhood) were accused of systematically beating and robbing suspects, planting drugs, and falsifying reports.
- Border Patrol: Abuses include people being kicked, punched, and hit with batons, often as punishment for running away from Border Patrol officers; sexual abuse; and denial of food, water, and bedding to people held in Border Patrol stations.

The preceding examples provide a justifiable reason for the world's police to follow guidelines in human rights adopted by the United Nations. There are individuals and there will probably always be individuals who will be abusive. Democratic countries such as the United States recognize that they have police officers that violate the civil rights of citizens and at times take actions to curb inappropriate police behavior. Yet, human rights violations occur not only in the United States but also in many other countries of the world.

### INTERNATIONAL HUMAN RIGHTS STANDARDS

The international human rights standards are included in the United Nations instruments, some of which are discussed in this article. Since the creation of the United Nations in the mid-1940s it has been a strong advocate of human rights, and through the General Assembly the United Nations has passed numerous conventions, protocols, resolutions, and so forth that governments, their agents, and representatives should put into practice.

In the first years of the United Nations existence, the General Assembly passed the Universal Declaration of Human Rights (Res. 217A [III], December 10, 1948). The Universal Declaration of Human Rights seems to fall into line with the Bill of Rights of the U.S. Constitution. These rights deal with individual and civil rights that all civilized nations should follow as a factual matter of treating all people with dignity as humans. Article 3 of the Declaration of Human Rights states that every person has the right to life, liberty, and to be secure in his person. This statement cannot only be found in the American Bill of Rights but also in the Declaration of Independence, written primarily by Thomas Jefferson. Article 5 prohibits torture, cruel, inhumane, or degrading treatment or punishment for all people. A similar statement can be found in the Eighth Amendment of the U.S.

Constitution, which outlaws cruel and unusual punishment. The Fifth Amendment of the U.S. Constitution bans torture and cruel and degrading treatment of a criminal suspect to obtain a confession of guilt. Article 9 of the Declaration of Human Rights bans arbitrary arrest, detention, or exile. Similarly, the Fourth Amendment, which deals with search and seizure, prohibits arbitrary arrests, and the Fifth Amendment requires “due process of law” before actions can be taken against any person. Article 10 emphasizes that all people are entitled to a fair and public trial by an impartial court of any criminal charges brought against them. The Sixth Amendment of the Bill of Rights states, “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.” Article 11 of the Declaration of Human Rights declares that every person charged with a crime should be presumed innocent until proven guilty according to the law. This Article also emphasizes that police officials recognize that everyone charged with a penal offense has the right to be presumed innocent. This falls in line with the general principle of the American legal system, which holds theoretically that all individuals charged with a crime are presumed to be innocent until found guilty by an impartial jury.

The individual, civil, and human rights of all people as delineated by the American Bill of Rights and reiterated by the United Nations Universal Declaration of Human Rights supports the philosophy that human rights should be accorded to all people.

In 1966, the United Nations General Assembly saw fit to pass the International Covenant on Civil and Political Rights (Res. 2200A [XXI], December 16). This resolution reiterates that no person should be subjected to arbitrary arrest or detention. Furthermore, anyone who is arrested shall be informed, at the time of arrest, of the reasons for his or her arrest and shall be informed of any charges. It is additionally recommended to police officials that anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officers authorized by law to exercise judicial power. Police officials are informed by the International Covenant on Civil and Political Rights that no one is to be compelled to testify against himself or herself or to confess guilt. Under British common law, which dates back at least to the early middle ages, persons arrested were expected to be brought before a magistrate and the accused was not compelled to be a witness against himself or herself or made to confess guilt. The common law inheritance has influenced criminal law and criminal procedures in common law countries such as the United States, Canada, Australia, and India. The British common law concept that a person should not be a

witness against himself or herself was written into the Fifth Amendment of the U.S. Constitution. Since the mid-1960s, with the U.S. Supreme Court's holding in *Miranda v. Arizona* (1966), a person accused of a criminal offense does not have to make any statements to the police.

The civil and political rights, as delineated by the International Covenant on Civil and Political Rights, can be applied to all the countries of the world. Many nations do not have a Bill of Rights such as the United States or a tradition of protecting individual rights. The Covenant can be the guide for those nations with a history of democracy and recognition of citizen's rights.

The General Assembly of the United Nations in 1979 adopted the Code of Conduct for Law Enforcement Officials (Res. 34/169, December 17). In this resolution, the General Assembly exhorts law enforcement agencies that possess police powers to respect and protect human dignity and maintain human rights. The General Assembly recommended that all United Nations members adopt the Code of Conduct for Law Enforcement Officials as a framework for legislation and/or as principles for police officers to practice. The potential for abuse by police officers was recognized by the General Assembly. Furthermore, the General Assembly strongly exhorted police officers to diligently uphold human rights. The Code of Conduct emphasized that the use of torture be prohibited by police officers and that the use of physical force be used when absolutely necessary (Subramanian, 1998).

The Code of Conduct has eight major premises known as articles. The first article emphasizes that police officers should at all times serve the community by protecting all people against being victims of illegal actions. The second article holds that police officials should respect and treat all people with human dignity and maintain their human rights. The third article mentions that police officers should only use physical force against a person as an exception, only when absolutely necessary to perform their responsibilities. The use of firearms should only be used as a last resort when a life is jeopardized. The fourth article focuses on the confidentiality of information that police officials become aware of. The privacy of information for citizens is mandatory. The next article, the fifth, prohibits police officers from inflicting, instigating, or tolerating any act of torture or any forms of inhumane or degrading punishments toward any person. The sixth article states that police officers are responsible for the safety and health of individuals in their custody. When medical attention is required it must be immediately obtained. The seventh article states that police officers shall not commit any acts of corruption, and where it exists they should rigorously oppose and

combat such acts. The final article requires police officers to respect the law and the Code of Conduct as adopted by the United Nations. This article maintains that police officers are required to prevent and rigorously oppose violations of the Code of Conduct (Res. 34/169, December 17, 1979).

### GUIDELINES FOR INCORPORATING HUMAN RIGHTS STANDARDS

Several important human rights issues that have been troubling people throughout the world are the use of excessive force and deadly force, primarily by the use of firearms. It seems that no country of the world is free from either the excessive use of force against people and/or the use of deadly force when it may be inappropriate or even illegal. To address the issue of excessive force and firearms by police officers, the Eighth United Nations Congress on Prevention of Crime and Treatment of Offenders passed the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in Havana, Cuba, in 1990. The Eighth Congress adopted these Principles which recommend that all states adopt and implement rules and regulations on the use of force and firearms by police officers. Furthermore, the ethical issues associated with the use of firearms should be kept constantly under review. Police officers should be equipped with the practical means for a differentiated use of force and firearms. Additional recommendations include the development and deployment of nonlethal incapacitating weapons, the application of nonviolent means, and the provision of a reporting system whenever police officers use firearms in the performance of their duty. Police officers are especially exhorted to be sensitive in the use of force in dispersal of lawful and peaceful assemblies. Such assemblies are recognized as part of a democratic way of life by the Universal Declaration of Human Rights in 1948.

The use of force and firearms is considered so universally important that several other safeguards have been recommended, such as:

- Proper screening procedures for law enforcement officials to ensure that they possess appropriate moral, psychological, and physical qualities (Article 18).
- Provision of training and testing to ensure appropriate proficiency standards in the use of force (Article 19).
- Special attention to issues of police ethics and human rights, development of alternatives to the use of force and firearms, and the peaceful settlement of conflicts and understanding of crowd behavior (Article 20).

The preceding recommendations can be traced to the principles of Sir Robert Peel, who had training, ethics, and an unwillingness to arm the Metropolitan Police of London as a means of controlling the inappropriate use of firearms. In recent decades several publications have emphasized training along with appropriate moral, psychological, and physical characteristics (Palmiotto, 2001; Skolnick & Fyfe, 1993; The President's Commission on Law Enforcement and Administration of Justice, 1967).

In adopting the Code of Conduct (Res. 179 34/169, December 17, 1979), the General Assembly of the United Nations stated that policing must be a "profession" and it is the duty of every profession to discipline itself. The world's police should be in complete conformity with the principles and standards provided in the Code of Conduct. The United Nations urges that police officers should be responsive to public scrutiny. The standards upheld in the Code of Conduct will lack practical value unless the content and meaning—through education, training, and monitoring—become an integrated part of the creed of every police officer.

The United Nations recommends that all governments should give consideration to incorporating the Code of Conduct. This should be done within the framework of national legislation or practice as a body of principles for observance by police officers (see Palmiotto, 2001; Skolnick & Fyfe, 1993).

The Code of Conduct for Law Enforcement outlaws corruption on the part of law enforcement officials. It says that (a) action of law enforcement officials should be the subject of public scrutiny—a review board, a ministry, a procuracy, the judiciary, and so forth (Preamble); and (b) the Code must be honored and protected by law enforcement officials (Article 8). The Code further stresses that police officers observe the following United Nations instruments religiously: the Universal Declaration of Human Rights, 1948; the International Covenant on Civil and Political Rights, 1966; the Declaration on the Protection of All Persons From Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the United Nations Declaration on the Elimination of All Forms of Racial Discrimination; the International Convention on the Suppression and Punishment of the Crime of Apartheid; the Convention on the Prevention and Punishment of the Crime of Genocide; the Standard Minimum Rules for the Treatment of Prisoners; and the Vienna Convention on Consular Relations (Article 2[a]). The International Convention on Elimination of All Forms of Racial Discrimination (as well as the United Nations Declaration on the Elimination of All Forms of Racial Discrimination) urges that



all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination (Preamble to the Convention).

Reiterated by the United Nations—Declaration on Protection of All Persons From Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Res. 39/46, December 10, 1984), Basic Principles for the Treatment of Prisoners (Res. 45/111, December 14, 1990)—is the prohibition of torture. Specifically, the Declaration disallows physical or mental torture to obtain a confession. The Declaration urges the training of police personnel that informs them that torture and other cruel, inhumane, or degrading treatment or punishment is outlawed. Furthermore, it should be prescribed that the prohibition of torture shall be included in general rules or instructions that are issued in regard to the duties and functions of anyone who may be involved in the treatment of persons in custody. The Declaration also states that each State (country) shall keep, under systematic review, interrogation methods and practices as well as arrangements for the custody and treatment of persons deprived of their liberty, with a view to preventing any cases of torture or other cruel, inhumane, or degrading treatment or punishment. The provisions in regard to torture or other cruel, degrading, or inhumane punishment are also reiterated in the Convention Against Torture and Other Cruel Inhumane or Degrading Treatment or Punishment (see Articles 10 and 11).

The Declaration on the Protection of All Persons From Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment (Res. 39/46, December 10, 1984) proscribes torture, severe pain, or suffering, whether physical or mental, for the purpose of obtaining information or confession (Article 1). This instrument urges that the training of law enforcement personnel must take full account of the prohibition against torture and other cruel, inhuman, or degrading treatment or punishment (Article 3). It is further prescribed that the prohibition against torture shall be included in general rules or instructions that are issued in regard to the duties and function of anyone who may be involved in the custody or treatment of such persons (Article 5). It is stated that each State (country) shall keep, under systematic review, interrogation methods and practices as well as arrangements for the custody and treatment of persons deprived of their liberty, with a view to preventing any cases of torture or other cruel, inhuman, or degrading treatment or punishment (Article 6). The provisions in regard to torture or other cruel, degrading, or inhuman punishment are also

reiterated in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see Articles 10 and 11).

Another United Nations resolution that pertains to policing is the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (recommended by the Economic and Social Council Res. 1989/66, May 24, 1989). This resolution encouraged world governments to ensure strict control, including a clear chain of command, over all officials responsible for the apprehension, arrest, detention, custody, and imprisonment, as well as those officials authorized by law to use force and firearms. Such officials shall have the right and the duty to defy such orders. This resolution of the Economic and Social Council of the United Nations calls on the States (countries) to provide that training of police officers shall emphasize the preceding provisions. The training of police is addressed in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (Res. 40/34, November 29, 1985), which calls on the governments to provide police as well as other concerned personnel training to sensitize them to the needs of victims and guidelines to ensure proper and prompt aid.

The Declaration on the Protection of All Persons From Enforced Disappearance (Res. 47/133, December 18, 1992) urges that each State (country) shall likewise ensure strict supervision, including a clear chain of command of law enforcement officials responsible for apprehension, arrest, detentions, custody transfers, and imprisonment, and other officials authorized by law to use force and firearms (Article 12). It is also upheld that training of law enforcement officials shall emphasize that they have the right and the duty not to obey any order or instructions to execute any enforced disappearance.

The Standard Minimum Rules for the Treatment of Prisoners: The United Nations Standard Minimum Rules for Noncustodial Measures (the Tokyo Rules) (Res. 663C [XXIV], July 31, 1957; Res. 2056 [LXII], May 13, 1977) says that, where appropriate and compatible with the legal system, the police should be empowered to discharge the offender if they consider that it is not necessary to proceed with the case for the protection of society, crime prevention, or the promotion of respect for the law and the rights of victims.

In the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (Res. 40/33, November 29, 1985), the police are asked to demonstrate compassion and fairness in dealing with

juveniles (Article 10.3). The Act states that the police should be empowered to dispose of such cases at their discretion, without recourse to formal hearings. In regard to juveniles, the Beijing Rules ask that police officers dealing primarily with juveniles shall be specially instructed and trained (Article 12 [1]). As the first point of contact with the juvenile justice system, the police need to act in an informed and appropriate manner. The United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (Res. 45/112, December 14, 1990) require that law enforcement personnel should be trained to respond to the special needs of young persons (Article 57).

The foregoing account contains a worldwide recognition of law enforcement as having a "direct impact on the quality of life of individuals as well as of society as a whole." The effect of the United Nations instruments include "the nature of the functions of law enforcement in the defense of public order." Additionally, it includes the effect of the "manner in which these functions are exercised" (Res. 34/169, December 17, 1979). This represents a universal acknowledgement of the importance of policing for all societies and the equally important significance of the manner in which policing is carried out.

The nations of the world have agreed that the police must adhere to certain general principles of values and morality found in the Code of Conduct. They "respect and protect human dignity and maintain and uphold the human rights of all persons" (Article 2). "Principles of proportionality" must guide police use of force (Article 3). The Code prohibits "any act of corruption" (Article 7). The police must uphold that "all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination."

The instruments adopted by the United Nations cover specific aspects of policing; for example, that "torture or other cruel, inhuman or degrading treatment or punishment" (Code of Conduct, Article 5) is not permissible. "Arbitrary arrests" and "detention" (Universal Declaration of Human Rights, Article 9) are prohibited. The presumption of innocence (Universal Declaration of Human Rights, Article 11) and the need to obey the safeguards in regard to arrest and detention (International Covenant on Civil and Political Rights, Article 9) are clearly enunciated.

Furthermore, concrete guidelines in regard to how the police should implement these standards are put forward through these instruments. As stated earlier, law enforcement must be a profession. The first principle of a profession is the fulfillment of "the duty of disciplining itself" (General

Assembly Res. 34/169, December 17, 1979). In the same Resolution, it is stressed that “education and training and thorough monitoring” are essential. The nations of the world emphasize training in the improvement of the quality of policing. Provision for training and tests are recommended to ensure appropriate proficiency in the use of force (International Covenant on Civil and Political Rights, Article 19).

Finally, the United Nations instruments provide sanctions and penalties for violation and abuse of human rights. For example, torture is to be “regarded as a criminal act” (Declaration on the Protection of All Persons Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 4). Additionally, the instruments explain that “detainees should have the right to make complaints” (The Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment, Res. 43/173, Principle 29, December 1988).

#### REMEDIAL MEASURES, SANCTIONS, AND PUNISHMENTS

The United Nations resolutions have provided a variety of ways to monitor the mechanism in the implementation of the international standards to ensure that violations can be investigated, remedial measures taken, and penalties, if necessary, can be given. The resolutions adopted by the United Nations provide the following remedial measures, sanctions, and punishments for police officers in violation of human rights. The following sections review the action that can be taken by the United Nations.

In regard to arrest and detention, remedial measures are provided by the International Covenant on Civil and Political Rights (Res. 2200A [XXI], December 16, 1966). The resolution prescribes that an arrested person or detainee is entitled to take proceedings before a court so that the court may decide without delay on the lawfulness of detention and order his or her release if the detention is not lawful (Article 9 [4]). Besides, anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation (Article 9 [5]). The Optional Protocol to the International Covenant on Civil and Political Rights (Res. 2200A [XXI], December 16, 1966) enables the Human Rights Committee, set up by the provisions of the International Covenant on Civil and Political Rights (Res. 2200A 9 [XXI], December 16), to receive and consider communication from individuals claiming to be victims of violations of any of the rights set forth in the Covenant (Preamble).

The Code of Conduct for Law Enforcement Officials provides that the mass media should be regarded as a vehicle for airing and correcting violations by police officials if other means fail (Article 8). Furthermore, the Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials (Res. 1989/61, May 24, 1989) provides for the following: effective mechanisms must be in place for the supervision, discipline, and external control of law enforcement officials (Part 1, B[3]). Additionally, mechanisms for the receipt and processing of public complaints must exist, and the public must be made aware of the existence of such mechanisms (Part 1, B[4]).

The Declaration on the Protection of All Persons Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Res. 39/46, December 10, 1984) prescribes that (a) torture will be regarded as a criminal act (Article 4), (b) any victim of torture shall have the right to seek redress of his complaint through an investigation by a public official (Article 8), (c) even without complaints such allegations will be investigated by a public official (Article 9), and (d) appropriate legal and penal action will be awarded to anyone found guilty of torture (Article 10).

The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Res. 39/46, December 10, 1984) provides that (a) if there is a reasonable ground to believe that torture has occurred, prompt and impartial investigation by competent authority of the state concerned must be made (Article 12); (b) there must exist opportunities for complaints against torture, and witnesses must be protected (Article 13); and (c) provisions must be made for suitable compensation for victims of torture (Article 14).

The Principles on the Effective Prevention and Investigation of Extra Legal, Arbitrary and Summary Executions (Res. 1984/50, May 25, 1984) provides that all suspected cases of extra legal, arbitrary, and summary executions must be thoroughly and exhaustively investigated with a view to uncovering the truth (Principle 9). Investigators of such executions should be vested with all powers necessary to conduct thorough investigations.

The Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment (Res. 43/173, December 9, 1984) requires that (a) if a law enforcement official believes that a violation of a Principle has occurred or is about to occur, he or she must report it to the competent authority (Principle 7, para. 3); (b) detention facilities should be open to visits by authorities other than the detention authority, and detainees should have the right to make complaints (Principle 29); (c) a detainee, or

anyone on his or her behalf, should have the right to make a complaint to the competent detention authority about his or her condition of detention (Article 33); and (d) a detainee must receive compensation if any damage occurs to him or her due to nonobservance of the Principles (Principle 35).

The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of the Eighth United Nations Congress on the Prevention and Treatment of Offenders in August-September 1990 explains that (a) law enforcement officials must report to superiors death or injury caused by the use of force or firearm (Principle 6), (b) use of firearms in the performance of duty must be reported to superiors (Principle 11), (c) proper mechanism must be set up for an effective review process concerning the situations dealt with by Principles 6 and 11 (Principle 22), and (d) persons affected by use of force and firearm must have access to an independent process (Principle 23).

The Declaration on the Protection of All Persons From Enforced Disappearance (Res. 47/133, December 8, 1992) requires (a) adoption of effective legislative, administrative, judicial, and other measures to prevent and terminate acts of enforced disappearance, which are crimes against humanity; and (b) it is assumed that governments (and therefore, the police) are responsible for human rights violations within their territory.

The provisions in regard to torture or other cruel, degrading, or inhuman punishment are also reiterated in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see Articles 10 and 11). It also established a Committee Against Torture (Article 17).

## CONCLUSIONS

The instruments of the United Nations have provided the police with a set of universally acceptable principles, which, if followed properly, can contribute to a sound but simple philosophy. They contain concrete guidelines to everyday police work all over the world. The procedures for implementation are adaptable in different cultures and society. Lastly, due to their simple and precise presentation, the sanctions and penalty for abuse and violations of human rights are deliverable across the world. In this way, the instruments provided by the United Nations provide police officers around the globe with a way to not only fulfill but also maintain their duty to protect the fundamental rights of the citizens they serve.

It is necessary that the policing community spend resources in achieving skill and expertise in fighting all crimes, national and international. They

must equip themselves to defeat the forces of terrorism, chaos, and disorder. But it must be kept in mind that the struggle is a better quality of life and ensuring opportunities for growth, development, and pursuit of happiness. Such goals are not realizable in a society where human rights are not guaranteed and human dignity not protected. Protection of human rights goes beyond crime fighting and maintenance of order. This is a goal of policing.

It is unfortunate that both authors have found in their informal surveys of police departments in the United States, Canada, India, and various other countries that police officers, including the top-ranking personnel, do not even have basic knowledge of the international human rights instruments. They must be made part of police curricula at all levels of police education.

Second, in this era of community policing and globalization, the world police leaders, as well as their followers, should derive inspiration from the fact that policing is considered a very important profession in the modern world. The nations around the globe have conveyed to the police this importance by their time and energy in developing the international standards. The police should feel proud of this world attention and strive to live up to the world's expectations. The instruments have helped in leading the local occupation of policing to a universal profession apart from protecting life, limb, and property—the profession of policing must be geared to the protection of human rights.

On reviewing the human rights standards adopted by the United Nations, any individual who believes in the dignity of mankind must surely support the standards. They have been put forward and adopted by reasonable men and women of the world who believe that human beings have specific rights because of their status as simply being human. If the universal standards were enforced there might be less terrorism, chaos, or revolutionary movements throughout the world. The police throughout the world reflect their governments, and only by adopting and enforcing human rights standards will abuses be decreased or possibly be controlled. The adoption, implementation, and enforcement of these universal norms of human rights will provide creditability not only to the police of the world but to the governments they represent. These standards are indeed a very practical means regarding how governments and the police should treat the citizens of their specific country. In details and specificity, the universal standards of human rights are more comprehensive than the Bill of Rights of the U.S. Constitution, which provides standards under which the American police should treat the citizens they come in contact with. The human rights standards adopted by the United Nations are rather more practical and conspicuous

than provisions of the Bill of Rights, which are meant to serve as the guidelines to law enforcement officials for treating all citizens with dignity.

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