



Specialized Course on Human Rights and Law Enforcement

**Outline of the Fourth Course: Specialized Course on
Human Rights and Law Enforcement (40 hours).**

Prepared by: Dr. Ahmed El Mufti following the " Professional
Training Series No. 5", prepared by the High Commissioner for
Human Rights.

Activity No.1 (one hour):

- **Welcoming statement by the Director General, Dr. Ahmed El Mufti.**
- **Briefing about Khartoum International Centre for Human Rights (KICHR) and its activities (See the Information Note):**
 - Courses
 - Awareness-raising series
 - Advisory services, studies & designing and executing workshops.
- Introducing the technical and administrative staff and the administrative arrangements.
- **Distributing and filling of the pre-course questionnaire (See Annex 1) .**
- **Distribution of documents.**
- **Human rights' sources:**
 - Instruments (international and regional), resolutions of the Commission on Human Rights and reports of its mechanisms and the resolutions of the UN General Assembly
 - National legislation
 - Guidelines on the form and content of reports to be submitted by States Parties
 - General comments and general recommendations adopted by human rights treaty bodies
 - Concluding observations and recommendations issued by the treaty bodies after consideration of reports submitted by the States.
 - Resolutions adopted by treaty bodies when considering complaints.
- **Training methodology: participatory:**

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 2 (90 minutes):

- **Historical background about human rights:**

First: Development of human right before World War 1:

 - Human rights and freedoms during Greek and Roman times

- Separation of powers
- Codification in the 19th century (bilateral agreements)
- Minority rights
- League of Nations

Second: Exceptions to sovereignty:

- Humanitarian intervention
- Human rights conventions
- Exceptions by the Charter of the League of Nations
- States' responsibility
- Humanitarian law

- **The international human rights system:**

First: The Charter of the United Nations signed in Sanfrancisco Conference on 26 June 1945:

- Prohibition of the use of force
- Tolerance
- Univerality
- Equality between men and women
- Non-discrimination on the basis of race, sex, language or religion
- Self-determination
- International cooperation in the social and economic fields

Second: International human rights instruments (see Annex 2)

Third: International monitoring and follow-up mechanisms:

- Charter-based
- Treaty-based

Fourth: regional systems for human rights (see Annex 3)

Presentation: 60 minutes

Questions and answers: 30 minutes

Activity No. 3 (150 minutes):

- **Overview of the international and regional human rights standards (see activities 3-16 of the First Course)**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 4 (150 minutes):

- **Overview of the international humanitarian law standards (see activity No 17 of the First Course)**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 5 (150 minutes):

- **Overview of the national human rights and humanitarian law standards (see activities 3-17 of the First Course).**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 6 (150 minutes):

- **Law enforcement and human rights: The main principles:**
 - The international human rights Law applies to the States and their representatives including the law enforcement officers
 - Human rights are legitimate concern of the international community
 - Officials enforcing law are obliged to know and implement the international standards of human rights
 - The officials enforcing the law must report violations of human rights
 - Law enforcement officers must respect and protect human dignity and human rights
 - Law enforcement institutions represent the society and are responsible before it
 - Every action causing pain or mental or physical suffering and committed to compel someone to confess or give information is forbidden
 - Law enforcement officers should not take bribes and should fight such practice

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 7 (150 minutes):

- **Law enforcement and democracy: The main principles:**
 - Every person has the right to participate in his country's government directly or through representatives chosen freely
 - The desire of the peoples is the basis of the government authority
 - The will of the peoples should be expressed in free and fair elections held periodically
 - Law enforcement officers are part of the society and they have to serve it
 - Every person have the right to freedom of opinion, expression, assembly and association
 - Democracy is interdependent with the rule of law, and the development and protection of human rights
 - The democratic process and government structure are human rights
 - Accountability:
 - Law enforcement officers are legally accountable in the countries where the rule of law is prevailing
 - Law enforcement officers are also accountable financially for the proper administration of the funds made available to them

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 8 (150 minutes):

- **Law enforcement and arrest: The main principles:**
 - Every person has the right to freedom and security and freedom of movement
 - No person shall be subjected to arbitrary arrest or detention.
 - Everyone arrested must upon arrest be notified of the reasons for the arrest
 - Everyone arrested must be notified promptly of the charges
 - The person arrested must be brought before a judicial authority
 - Every person arrested has the right to fair trial within a reasonable period of time
 - Every person arrested or detained has the right to a lawyer or a legal representative, and the right to consult with his representative
 - Compensation for illegal arrest
 - The minutes of arrest must be recorded including:
 - Reasons of arrest
 - Time of arrest
 - The time of transfer to the detention place

- The time of appearing before the court
- The identity of the person executing the arrest
- Details of the interrogation
- The minutes of arrest shall be notified to the detainee or his lawyer
- The family of the detainee shall be notified promptly of the arrest and its place

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 9 (150 minutes):

• **Law enforcement and detention: The main principles:**

- Detention before trial is an exception
- The persons who are deprived of their freedom must be treated with humanity and respect of human dignity
- Presumption of innocence
- No torture or cruel, inhuman or degrading treatment or punishment, or threat or violence
- Detention should be in official and known places and the lawyers and parents of the detainees shall be fully informed
- In detention places, juveniles must be separated from the adults and the women from men and convicts from unconvicted persons
- The detainee shall have the right to communicate with the outside world, receive visitors from his family and privately communicate with his legal representative
- Detainees must be put in human conditions to preserve his health, and they shall be provided with food, water, shelter, clothes, adequate medical and physical education services, as well as their personal cleansing requirements
- The rights and the special conditions of detained women and children must be respected
- The detainees have the right to appear before a judicial authority to review the legality of their detention.

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 10 (150 minutes):

• **Law enforcement and juveniles protection: Children enjoy all human rights guarantees available to adults in addition to:**

- Children must be treated in a way that develops their feelings of dignity and value so as to ease the process of their

- integration in the society, and reflects their best interest and the needs of a child in such age
- No torture, corporal punishment and no death penalty without a possibility of pardon
 - Detention and imprisonment of children is to be considered a cruel measure of last resort and should be for the shortest period of time
 - Children must be separated from the detained adults
 - The detained child shall be visited by and correspond with his family
 - The minimum age for criminal responsibility must be specified
 - Non-judicial measures as well as alternatives to institutional care must be provided
 - The privacy of the child must be respected
 - The use of material force against children shall be exceptional and used when all other control methods fail, the usage must be for the shortest period of time
 - Weapons shall not be carried in juveniles institutions
 - Discipline must respect the dignity of the child, and develops the feelings of justice, self-respect and respect for human rights in the child
 - The employees dealing with juveniles must have special training and personal interest for such work
 - There should be periodic and undeclared visits to juvenile institutions
 - The parents must be notified of whatever happens to the juvenile, whether it is arrest, detention, transfer, illness, wound or death
 - Basic procedural guarantees:
 - Presumption of innocence
 - Notification of the charges
 - The right for a lawyer
 - The right to the attendance of the parents or the guardian
 - The right to appeal to a higher authority
 - The right to confront witnesses and question them

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 11 (150 minutes):

• **Law enforcement and women rights:**

- The women has the right to equal enjoyment of all human rights
- Violence against women could be material, sexual or psychological

- Violence against women deprives them of the enjoyment of their fundamental freedoms and rights
- Police must be keen in preventing, investigating and arresting wherever there is violence against women
- Police must take strict measures to stop women from becoming victims and do not allow that to happen again by not taking any measures or by taking measures which do not take the sensitivity of the matter in consideration
- Violence against women must be treated as a crime, even within the family
- Non-discrimination against arrested or detained women and they must be protected from all forms of violence and exploitation
- Detained women must be supervised and searched by women officers or workers
- Women must be detained in a separate place from men
- There must be available special arrangements for detained pregnant and nursing mothers
- Law enforcement institutions must not discriminate against women in employment, training, call for missions, promotion and salary or in any matter related with the profession
- Law enforcement institutions must use adequate number of women to ensure fair representation of all sectors of the society and to protect the rights of suspected, arrested or politically detained women
- Intensive training programmes for law enforcement officers on how to protect women rights
- 24 – hours family consultation service to intervene whenever there is a crisis
- Emergency places for women and children
- Advisory emotional clinics
- Beside courts, there should be special treatment for men who attack or treat women badly
- Measures to protect victims
- Establishing special units to deal with violence against women
- Ensure effective reduction of crimes resulting from family violence.

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 12 (one hour): Civil police control in a democratic system: The ethics and rule of law:

- **The basic principles.**
- **The rights relating to the police work in democracy:**
 - The right to freedom of thought, conscience and religion
 - The right to freedom of opinion and expression

- The right to freedom of association and peaceful assembly
- **The political rights and the police role.**
- **Rights relating to police work in connection with democratic elections.**
- **Democratic police work:**
 - The represented police work
 - Responsive police work
 - Police work subject to accountability

Presentation: 20 minutes

Working groups: 40 minutes

Activity No. 13 (one hour): Human rights, police and non-discrimination:

- **The general principles of non-discrimination.**
- **The special rights of non-discrimination:**
 - The right to recognize a person before the law
 - The right to equality before the law
 - The right to a just trial
 - The right to civil service
 - Derogation from the obligations during emergency
- **Rights relating to the law enforcement:**
 - Conduct of officers in charge of law enforcement
 - The basic principles of use of force and firearms by law enforcement officers
 - The group of principles protecting individuals subjected to any form of detention or imprisonment
 - Declaration concerning the basic principles guaranteeing justice for victims of crime and exploitation of power
 - The Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and CAT
- **Discrimination and race:**
 - Declaration on the Elimination of All Forms of Racial Discrimination
 - Convention on the Elimination of All Forms of Racial Discrimination
- **Discrimination and religion:**
 - The Universal Declaration of Human Rights
 - Declaration on the Elimination of All Forms of Non-discrimination on the Basis of Religion or Belief
- **Discrimination and women:**
 - Declaration on the Elimination of Discrimination Against Women
 - Convention on the Elimination of All Forms of Discrimination Against Women
- **Discrimination and child:**
 - The International Covenant on Civil and Political Rights
 - The Convention on the Rights of the Child
- **Special phenomena on discrimination.**

Presentation: 40 minutes
Questions and answers: 20 minutes

Activity No. 14 (150 minutes): Police investigations and human rights:

- **The basic principles.**
- **Rights relating to police investigations:**
 - Presumption of innocence
 - The right to a just trial
 - Minimum guarantees for just trial
 - To be immediately informed in details of the charge
 - To be tried without unjustified delay
 - To cross examine witness testifying against him or her
 - Not to be forced to testify or confess against himself / herself
 - Arbitrary interference in privacy
 - Technical features of the investigations
 - Administration of secret informations
 - The accused persons

Presentation: 35 minutes
Questions and answers: 20 minutes
Working groups: 35 minutes
Plenary reports: 45 minutes

<i>Group-photo:</i>	<i>15 minutes</i>
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Activity No. 15 (90 minutes): Protecting the rights of refugees:

- **The general features of human rights of refugees and non-citizens.**
- **Human rights of refugees and non-citizens:**
 - 1951 Convention relating to the Status of Refugees
 - International human rights and humanitarian law for refugees
 - The internally displaced persons
 - Declaration of the human rights of persons who are not citizens of the country where they reside
 - International human rights and humanitarian law for non-citizens
 - 1954 Convention relating to the Status of Stateless Persons – 1954 Convention on the Reduction of Statelessness
 - International human rights and humanitarian law for stateless persons

Presentation: 45 minutes
Questions and answers: 30 minutes

<i>Correction of List of participants</i>

: 15 minutes

Activity No. 16 (one hour):Police and juveniles justice:

- **The general features of police and juveniles protection.**
- **Human rights relating to police and juveniles protection:**
 - The United Nations Standard Minimum Rules for the Administration of Juveniles Justice "The Beijing Rules"
 - The United Nations Rules to Combat Juvenile Delinquency "The Riyadh Rules"
 - The United Nations Rules of Protecting Juveniles Who are Deprived of their Freedom
 - Convention on the Rights of the Child
 - The United Nations Standard Minimum Rules for Non-custodial Measures " The Tokyo rules"

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 17 (one hour):

- **Community policing:**

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 18 (150 minutes): Use of force and firearms:

- **General principles.**
- **Rules for using force:**
 - Regulation – different uses of force
 - Non-violent means first
 - Precautionary measures
 - Reporting on using force
 - Using firearms
 - Policing in the public gathering
 - Recruitment and training
 - Reporting and revision
 - The responsibility of the administration
 - Illegal orders
- **Use of force and the right to life.**
- **Use of force and extra –judicial killings.**
- **Use of force and disappearances.**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 19 (one hour):Investigating police violations:

- **The basic principles.**
- **Rights relating to complaints, examination and investigation:**
 - Code of conduct of law enforcement officers
 - Declaration of protecting all people from torture and other kinds of cruel, inhuman and degrading punishment or treatment and CAT
 - Principles of effective prevention and investigation for extra-judicial, arbitrary or summary executions
 - Group of principles for the protection of all persons subjected to any form of detention or imprisonment
 - The basic principles for the use of force and firearms by law enforcement officers

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 20 (one hour):

- **The basic principles.**
- **Protection and redress for victims:**
 - Protecting victims of the crimes
 - Protecting victims of misuse of power
 - Recommendations for the implementation of the declaration of basic principles to provide justice to victims of misuse of power
 - Protecting victims of conflicts

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 21 (150 minutes): Civil disorders and armed conflicts:

- **The basic principles.**
- **Human rights and humanitarian standards during armed conflicts and civil disorders:**
 - The more effected rights
 - The law governing armed conflicts
 - Types of armed conflicts and classification of persons
- **The international armed conflicts:**
 - Police situation
 - Rights, duties and responsibilities of police
- **Non-international armed conflicts:**
 - Geneva Conventions, Article (3)
 - The second additional protocol
 - Police situation
 - Rights, duties and responsibilities of police
- **Civil disorders:**
 - Definition and characteristics of civil disorder
 - The international standards
 - The humanitarian standards and principles
 - Rights, duties and responsibilities of police

- **Terrorism:**
 - Definition and types of terrorism
 - Terrorist acts during armed conflicts
 - The international co-operation against terrorism
 - Rights, duties and responsibilities of police
- **Emergency and derogation:**
 - Provisions of the conventions
 - Police levels

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 22 (two hours):

- **Final examinations.**

Activity No. 23 (one hour):

- **Plenary discussion.**

Activity No. 24 (one hour):

- **Course evaluation:**
 - Objectives: improving the technical and administrative aspects and the time frame of the course
 - Distribution and filling of post-course questionnaire (see Annex 4)

Activity No. 25 (one hour):

- **Presentation of certificates.**
- **Distribution of group-photos.**
- **Closing statement by the Director General, Dr. Ahmed El Mufti.**