

# Human rights in policing

Human Rights  
Dawn

8-6-09 By Syed Riaz Haider

ALL countries, including Pakistan, are obliged, to varying degrees, by international law, to protect human rights in their area of jurisdiction. The extent to which a country "complies or fails to comply" with some of the most important legal obligations in this respect depends on the processes of law-enforcement applied, particularly on the ones executed by police agencies.

Human rights are universal, indivisible and interdependent. They are best understood as those rights enshrined in international instruments such as the Universal Declaration of Human Rights, The International Covenant on Economic, Social and Cultural Rights, The International Covenant on Civil and Political Rights, regional human rights treaties and instruments dealing with specific aspects of human rights protection. These international treaties and agreements represent commitments entered into by governments towards the people living within their jurisdiction.

The rights concern the relationship between the individual and the state. They control and regulate the exercise of "state power" over individuals, and endow the latter with freedom in relation to the state while placing requirements on the state to satisfy the basic needs of individuals. The Universal Declaration of Human Rights, which embodies civil, political, economic, social and cultural rights has been proclaimed as the common standard of achievement for all peoples and all nations. As an international instrument, it recognizes the ideal of human beings to enjoy freedom from fear and want that can only be achieved if conditions are created whereby the economic, social, cultural, civil and political rights of the people are respected.

This requirement of the United Nations Charter is one of the ways in which states are bound as a matter of international law to observe human rights.

We assume that police officials are aware of national laws, which govern the exercise of their powers. This is apparent in the trends of policing where the police knows the law too well. However, knowing about the law

and being the law are two different things. Should our assumption be that those who are the law know the law as well? Should the exercise of power not be in accordance with protecting human rights? The emphasis is not on policing but on protecting "human rights while policing". There is recognition of the fact that many of the interactions between the police and the public take place in the context of extremely challenging and difficult situations. However, there is often no direct supervision of these interactions with the result that human rights rules are routinely flouted.

Unfortunately, in Pakistan police officials are by and large unaware of international legal provisions that concerns them and their duties.

The absence of any training in this area has resulted in an inability to fully know the legal provisions of policing in international terms, and this must be questioned as it affects civil society when there is a poor system of checks and balances in the police force.

Awareness should be raised amongst the citizens of what they are entitled to and what they should expect from the police. It is equally important for the police administration to educate their forces - from the upper echelons to the lowest rung - so that they are made aware of and learn to respect the rights of the citizens.

The importance of policing in protecting rights and meeting standards as required by international law is a good enough reason for advocating that the international dimension to human rights protection should form part of the body of knowledge of all police officials, and certainly of those in the law-enforcement hierarchy who are responsible for educating and training the force. For this, it is important to implement a "human rights culture" within police circles.

The protection of human rights should stand alongside prevention and detection of crime, the preservation of social order, and provision of assistance in emergencies as one of the primary functions of policing.