






GUIDE FOR POLICE CONDUCT AND BEHAVIOUR

INTERNATIONAL HUMAN RIGHTS LAW
AND HUMANITARIAN PRINCIPLES FOR
PROFESSIONAL POLICING

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© ICRC, August 2025



Illustrations by Victor Juhasz

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**INTERNATIONAL HUMAN RIGHTS LAW
AND HUMANITARIAN PRINCIPLES FOR
PROFESSIONAL POLICING**

POLICE CONDUCT AND BEHAVIOUR

To serve and to protect the people in your community



POLICE CONDUCT AND BEHAVIOUR

Key points

- Always fulfil the duty imposed on you by law, by serving the community and protecting all persons against illegal acts.
- Respect and protect human dignity, and maintain and uphold everyone's human rights.
- Use force only when strictly necessary and to the extent required.
- Preserve the confidentiality that is imposed on you, unless the performance of duty or the needs of justice strictly require that you do otherwise.
- Never torture or inflict cruel, inhuman or degrading treatment.
- Ensure full protection of the health of all persons in your custody.
- Do not commit any acts of corruption.
- Respect the law and this code of conduct, and prevent and oppose any violations of them.

Based on the UN Code of Conduct for Law Enforcement Officials

FUNDAMENTAL RIGHTS OF PERSONS

RIGHTS THAT CAN NEVER BE TAKEN AWAY

Right to life

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



Prohibition against torture

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



FUNDAMENTAL RIGHTS OF PERSONS

RIGHTS THAT CAN NEVER BE TAKEN AWAY

Prohibition against retroactive criminal laws

No one shall be held guilty of a criminal offence if it was not one, under domestic or international law, when it was committed.



POLICE RESPONSIBILITIES

DOMESTIC LAW ENFORCEMENT

You have a duty to:

- protect life and property
- provide an environment of security
- maintain and restore public order and security
- respect human rights without discrimination.



DETECTION AND PREVENTION OF CRIME

You are part of the community.

You should promote trust, respect and cooperation between the police and the community.

Protect the human rights of those who have become, or may become, the victims of a crime.

POLICE RESPONSIBILITIES

MAINTENANCE AND RESTORATION OF PUBLIC ORDER AND SECURITY

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

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



ASSISTANCE TO THE COMMUNITY IN TIMES OF EMERGENCY

You should provide aid and assistance in times of need.



POLICE POWERS

NO ONE SHALL BE SUBJECTED TO ARBITRARY ARREST OR DETENTION

Arrest

You must:

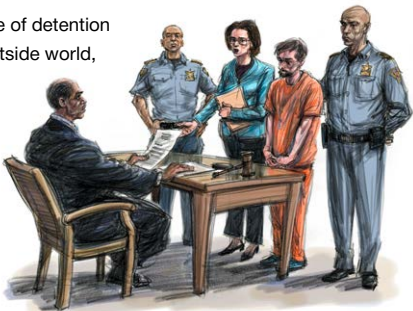
- treat persons who have been arrested with dignity and humanity
- inform them of the charges against them
- inform them of their rights while making the arrest
- an arrested person must be treated in full compliance with the presumption of innocence, until proved guilty according to law
- prevent disappearances and extra-judicial killings.



Detention

Persons deprived of their liberty have the right to:

- be brought promptly before a court if accused of a crime
- see a lawyer
- see a doctor
- be held in an official place of detention
- communicate with the outside world, especially their families
- challenge, without delay, the lawfulness of their detention
- a fair trial within a reasonable period of time or be released.



POLICE POWERS

Search and seizure

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

Searches should be conducted legally.



Use of force and firearms

Any force used should be proportionate to the seriousness of the offence and your legitimate objective. The intentional lethal use of firearms is an extreme measure and should be undertaken only:

- when strictly unavoidable
- when there is an imminent threat to life.



VULNERABLE GROUPS

WOMEN

Women may be vulnerable to particular risks, and attention must be paid to their specific protection needs in each case.

Body searches should only be conducted by female officers.

Women should be held in quarters that are separate from those for men; where this is not possible, they should be segregated from men.

Pregnant women and nursing mothers should be provided with special facilities in detention.



JUVENILES

Juveniles require additional protection because of their age and vulnerability.

They should be detained separately from adults, unless doing otherwise is thought to be in their best interests.

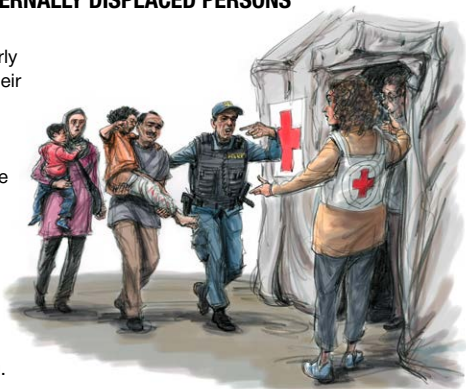


VULNERABLE GROUPS

REFUGEES AND INTERNALLY DISPLACED PERSONS

You should recognize that they are particularly vulnerable owing to their status as refugees or displaced persons.

They are entitled to the same fundamental rights as everyone else and due regard must be shown for their lives, their dignity and their physical and mental well-being.



VICTIMS OF CRIME

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

In your dealings with them, you should keep in mind their situation as victims of crime and show due regard for their human rights.



PROTECTION FOR PERSONS DEPRIVED OF THEIR LIBERTY



PROTECTION FOR PERSONS DEPRIVED OF THEIR LIBERTY

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

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

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

THE ICRC WORKS TO:

- prevent or put an end to disappearances and summary executions, torture and other forms of ill-treatment
- improve conditions of detention
- ensure respect for procedural safeguards and judicial guarantees of persons deprived of their liberty
- restore family links whenever they have been disrupted
- facilitate the rehabilitation of released detainees.

COMMAND AND MANAGEMENT

You should:

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

ULTIMATELY, YOU WILL HAVE TO ACCOUNT FOR YOUR ACTIONS AND CONDUCT



TAKE DETAILED NOTES

As a member of the police the security forces, you will add to your credibility and demonstrate your integrity if you document your actions fully. While doing so, you should answer the following key questions:

WHO witnessed or was responsible for the act?

WHAT happened exactly?

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

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

WHY might the event have occurred (motive)?

HOW might it have happened?

Your duty as a law enforcement official is to gather all the facts material to an investigation. **It is NOT your duty** to determine the guilt or innocence of an individual. That remains the task of the courts. Your testimony in court is crucial, and an accurate presentation of the evidence will enhance not only your own reputation but also that of the police or security forces you represent.

LEGAL INSTRUMENTS

INSTRUMENTS FROM WHICH THESE RULES STEM

- International Covenant on Civil and Political Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Rights of the Child
- Standard Minimum Rules for the Treatment of Prisoners
- Code of Conduct for Law Enforcement Officials
- Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- Basic Principles for the Treatment of Prisoners
- Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- Declaration on the Elimination of Violence against Women