

NEPAL POLICE (NP)

ISSUES FACED BY NP'S OFFICERS

The major problem identified was the *inadequate and traditional training technique used for teaching about human rights*. Poor preparation has limited the potential and capability of the officers. Hence, the officers experienced *difficulty incorporating human rights into day-to-day work and had an increased possibility of making human rights violations*.

NP'S RESULTS

NP's project led by DSP Arjun Ranabhat

Project objective: In communication with the local community, the Mid West Regional Police Training Center (MWRPTC) will develop and utilise a specialised training syllabus and training methods.

Key results: The MWRPTC developed new practical and simulation teaching methodologies and reformed the training syllabus on womens' and childrens' issues based on findings and issues raised during a public hearing programme. Forty officers were trained using the new methodologies and syllabus.

NP's project led by SP Kishan Singh Thapa

Project objective: East Regional Police Training Center (ERPTC) will develop and apply new teaching methodologies for training on how to comply with human rights standards when managing persons in custody.

Key results: The project improved the training on custody management by constructing a simulation room and developing new training simulation methods. As a result of the project, the ERPTC can now illustrate the positive and negative practices of custody management inside the centre through simulation. This was previously not possible to show without simulation capabilities in custody rooms. During the project, Kishan Singh Thapa, the Project Leader, observed that APF could change a traditional mind-set through practical teaching methods. He recognized that officers are more likely to implement human rights into practice if they receive education on human rights and the basic standard of custody from the outset of their training.

NP's project led by DSP Binod Silwal

Project objective: The Training Directorate will incorporate more human rights-related training.

Key results: The project studied the emerging human rights issues and incorporated missing information into the existing training manual and made recommendations for additional reform. The project develop NP's first separate training manual on the protection of human rights during crowd control. Further, the project led a three-day workshop for 40 officers. Topics included: human rights protection and promotion during crowd control, the investigative process, search and seizure, arrest and detention and custody management. Post-training, 98 % of the officers were able to relay the protection of human rights during public police confrontation and other notions of human rights into their work. Prior to the training, only 30 % were able to do so.

“The issue of human rights is very sensitive and every law enforcement officers must respect and protect it during service delivery. I will respect human rights until the end of my job and will encourage my subordinates to do the same. I have realised that the change must start from our self. Without changing ourselves, we cannot lead other people to change.” Quote from DSP Binod Silwal.

RECOMMENDATIONS FOR NP TO TAKE FORWARD

Training

- Regularly update the training syllabus and training methods at Police Training Centers. Collect and incorporate the public's opinion on police behaviour towards the public when designing syllabus sessions.
- Develop a system for measuring the performance of police personnel post-trainings.
- Provide regular training based on officers' roles and responsibilities. Frequent training is imperative for professional policing, as education builds self-confidence in one's ability to perform duties.

- In collaboration with Nepal Police Academy, the Human Resource Department (HR) should plan different modalities of training and conduct in regional, zonal and district level offices. HR should conduct further research and distribute findings to all workstations within the jurisdiction of NP in order to make the training more comprehensive.
- HR should develop a proposal for conducting trainings in different workstations. This should be forwarded to the Chief of Police for review.
- Upon getting approval from Chief of Police, HR should provide training to officers of all levels.

ARMED POLICE FORCE (APF)

ISSUES FACED BY APF'S OFFICERS

The major problems identified were a *lack of officers adequately trained in human rights, a paucity of knowledge on emerging concepts under human rights and international humanitarian law and the absence of practical training related to protection of human rights during the UN missions. Moreover, there is no comprehensive human rights training manual nor is there a sufficient course load on human rights the syllabus.* Due to such deficiencies, APF officers were more likely to commit *human rights violations*.

APF'S RESULTS

APF's project led by DSP Yubraj Aryal

Project objective: APF directorate will have the organizational capacity to provide required trainings to officers in local units on legal and human rights-related issues in line with the Federal setup.

Key results: The project developed a training module on the legal framework regarding human rights protection and promotion and the prevention of torture. The project effectively trained 15 officers utilising the Training of Trainers (TOT) approach.

HIGHLIGHT: As a result of this project, there were no casualties or occurrences of human rights violations during a conflict in Nawalparashi. One of the newly-educated officers was deployed to Nawalparashi as a commander where he was able to use the knowledge from training and manage a potential clash between interest groups in a nonviolently way. *"Had this officer not been the commander in charge at this moment, APF would have used force and there would have been a high risk of casualties and human rights violations"*, DSP Yubraj Aryal explained.

APF's project led by SSP Naraya Dutta Poudel

Project objective: APF UN Peace Keeping Training Centre will recommend an amendment to the syllabus in order to create a more comprehensive and practical human rights training manual.

Key results: Through three phases of consultations with internal and external experts and stakeholders, such as the National Human Rights Commission of Nepal, the project developed a comprehensive training manual on human rights targeting all APF officers. The manual includes descriptions of practical trainings and simulations and contains relevant knowledge for APF officers regarding human rights. Moreover, the project offered recommendations for necessary changes in APF's current training syllabus and annual training calendar. APF has decided to implement this manual into ongoing trainings for all officer levels. According to Naraya Dutta Poudel, the project has fostered a sense of ownership and positivity for improving and developing institutional resources and personnel.

“ *The project made me realize that a small initiative taken by me can help in development of the whole institution and that we can take different approaches to protect and promote human rights.*” Quote from SSP Naraya Dutta Poudel.

APF's project led by DSP Raju Shrestha

Project objective: APF Disaster Management Training Centre will develop education on how to protect human rights during disaster response.

Key results: Prior to this project, human rights perspectives and risk factors for violations of human rights during disaster management were neither identified nor considered within the disaster management field in APF. Hence, this project developed a specific chapter on human rights and disaster management to be incorporated into the comprehensive training manual described in the above-mentioned project. An expert on disaster management was part of the consultations, among others. A two-day training workshop on human rights was implemented together with the project implemented by SSP Naraya Dutta Poudel.

APF's project led by DSP Shankar Khanal

Project objective: APF gains practical knowledge on protection of human rights and international human rights law prior to being deployed in UN and other foreign agency security missions.

Key results: The project developed a new, practical training module and pocketbook on International Humanitarian Law (IHL), emerging human rights issues and human rights standards for use of force, in order to prepare APF officers for UN peacekeeping missions. One hundred officers, 67% of the 150 officers who were deployed in South Sudan in July 2017 were trained. The analysis of the pre- and post-knowledge tests showed that, on average, officers increased their knowledge by 12.82 %. Most knowledge was gained on the difference between torture and ill-treatment (60%) and IHL (40%). Trained officers later communicated that the training had been useful during their deployment and that the UN instructor in South Sudan was impressed by the APF officers' level of human rights understanding. Due to the documented effectiveness of the training and the positive feedback from South Sudan, APF has now included the training in the regular syllabus.

RECOMMENDATIONS FOR APF TO TAKE FORWARD

Training calendar and resources

- Ensure the training calendar includes time for all units to receive training on human rights.
- Develop an annual training calendar using the new module with TOT training in order to develop more experts on human rights within the legal directorate.
- Utilise the funds and resources from the Staff College, where advanced and refresher training are held and newcomers receive compulsory training.
- Translate all manuals developed under the EGHR project into the necessary Nepalese languages. Distribute nationwide.

New types of training and education

- Develop a joint interaction class with other security institutions, authorities and civil society organisations with a human rights mandate, in order to close the gap between knowledge and perception on human rights work among different stakeholders.
- Conduct TOT courses in order to produce qualified future instructors and to minimize the cost of hiring external experts.
- Plan field visits to other offices like NHRC, ICRC, INGOs and other concerned institutions in order to give trainees a chance to obtain knowledge through the practical approach.
- Make classes available within the regional offices. Classes should focus on the major relevant human rights issues for that region.
- Develop large-scale cultural exchange programs together with officers from the Danish Police. This will allow for mutual sharing of the practices and experiences relating to UN missions.
- Construct effective training sessions by making joint case study and drill exercises in simulation villages.
- Encourage the Human Resource Department to design short-term or refresher trainings for senior to operational level officers that incorporates human rights and disaster management training.
- Incorporate emerging human rights issues into the basic courses and advanced course.

Monitoring of effectiveness of the training

- Ensure the Human Resource Department develops a monitoring and supervising system in order to analyse the effectiveness of training and training manuals.

CONSOLIDATED RECOMMENDATIONS FOR ALL INSTITUTIONS

During a three-day learning workshop in August 2017, officers working within this theme developed joint learning points and key recommendations for their institutions.

Key learning points:

- Human rights principles should be featured and regarded as a primary component for all levels of criminal justice and security officers.
- Develop working partnerships between diverse institutions and law enforcement.
- Record keeping mechanisms should be an integral part of working methodology. Documentation can offer key evidence when justifying officers' behaviour to be in compliance with human rights principles.
- Make an optimal use of available resources.
- Design relevant and appropriate solutions to incorporate into the future plans of the institution.

Key recommendations (in order of priority):

- Ongoing human rights projects should be institutionalised by respective institutions in order to ensure sustainability.
- Prevailing and existing laws should be periodically reviewed and amended as needed to guarantee compliancy with human rights norms.
- Provision of modern, sophisticated and qualitative equipment can enable officers to protect human rights.
- Establishment of an integrated human rights training centre in order to conduct human rights training (basic through advanced) for NP and APF law enforcement officers.
- Provide a 'best practices approach' in training manuals.

LINKS TO INSTITUTIONAL COMMITMENTS

The Enhancing Good Governance and Human Rights (EGHR) project has developed a simple database linking the individual projects to the *Fourth National Plan of Actions on Human Rights*, the *Universal Periodic Review (accepted recommendations)* and the *Convention Against Torture* (the list of Issues prior to the III-V State report). The Government agencies can use the database for implementation of plans, national and international human rights reporting, impact evaluation of the work and for planning of future work.

The *Kathmandu Resolution on Prevention of Torture*, developed together with Government agencies under the EGHR project in 2015 made pledges to improve human rights training. This is in accordance with the works done by the officers in the EGHR project.

THE KATHMANDU RESOLUTION ON PREVENTION OF TORTURE, 2015

Excerpts of relevant sections of the resolution:

Resolution 5 states that participants of the conference also recommend for equipping the justice actors under the Ministry with required forensic, scientific and technological equipment and necessary continuous human rights training activities.

© 2018 Kathmandu School of Law and the Danish Institute for Human Rights.

Provided such reproduction is for non-commercial use, this publication, or parts of it, may be reproduced if author and source are quoted.

