

NEPAL POLICE (NP)

ISSUES FACED BY NP'S OFFICERS

The major issues identified were a *lack of awareness on use of force amongst the lower rank officers, officer not being well-prepared for conducting crowd control and limited training on human rights*. As a result, there exists *no in-depth knowledge on human rights and the officers face difficulty to incorporate human rights into day-to-day activities*. More so, *there is a possibility of human rights violations during public-police confrontations and there remains a negative public attitude towards the police and a resulting deteriorating public relation*.

NP'S RESULTS

NP's project led by SP Tulashi Prasad Adhikari

Project objective: Central Region Police Battalion No. 3 will capacitate 200 personnel on human rights protection and lawful use of force during crowd control.

Key results: None of the trained officers who were deployed for crowd control during the elections were ever accused for using unproportioned use of force. The project developed a Standard Operation Procedure (SOP) on the use of force for lower ranking police officers and material on simulation tests. Two hundred lower ranking officers who comprise a reserve force for crowd control, were trained and educated on aspects of proportional use of force during crowd control and provided basic knowledge of human rights.

HIGHLIGHT: SP Tulashi Prasad Adhikari plans to continue the work of the project beyond its conclusion. During the mandatory training on crowd control, he will add training on human rights violations and its effect and the correct behaviour. He will also provide motivational sessions to encourage and help ease officers in introducing the principle of proportional use of force in their work.

NP's project led by DSP Binod Silwal

Project objective: The Training Directorate will incorporate more human rights-related training into the police personnel education.

Key results: The project conducted a study comparing the emerging human rights issues with the human rights syllabus, and subsequently, any discrepancies or missing information were incorporated into the existing training manual. Further, the project helped to develop NP's first separate training manual on the protection of human rights during crowd control. The project offered recommendations for modifications to the syllabus and led a three-day workshop for forty officers. The 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.

“From the Danish Police, I learned that maintaining a good relation with the public is the first thing to ensure for effective management of security and crowd control. I also learned that we should always prepare several plans for crowd control so we have alternative plans if the first plan fails. I saw that the Danish Police is always working to protect human rights. It made me more sensible and careful when dealing situations that can lead to violation of human rights”. Quote from DSP Binod Silwal.

RECOMMENDATIONS FOR NP TO TAKE FORWARD

Training

- 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 training 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.
- Train all police officers on the proportional use of force during crowd control and basic human rights.
- Focus on minimizing casualties of both the police and public. Everyone should keep this as the first priority.

Resources

- Reinforce the Nepal Police Training Directorate and Nepal Police Academy on the use of force and human rights protection. Provide the necessary technical and human resource support.
- Recognize and encourage the Government of Nepal to prioritize their purchases of modern tools for crowd control. The priorities should be *tools that are durable, that inflict minimum casualties and result in decreased allegations against police officers on unproportioned use of force.*

Collaboration

- Develop joint operating procedures together with all security agencies involved in crowd control.

ARMED POLICE FORCE (APF)

ISSUES FACED BY APF'S OFFICERS

The major issues identified were that the *syllabus does not incorporate enough time for human rights classes and there is a lack of a comprehensive human rights manual.* The root cause was *inadequate training.* As a consequence there was an *increased risk of excessive use of force and human rights violations within APF.* There was a *heightened threat of APF personnel being blamed for having a poor human rights approach during riot control when the use of force and the arrest of demonstrators can occur.*

APF'S RESULTS

[APF's project led by SSP Raju Aryal and DySO Rajendra Adhikari](#)

Project objective: APF personnel will acquire more knowledge on the application of human rights during arrest, riot control and the use of force.

Key results: Due to the success of the project, the Human Resource Department are considering incorporating human rights issues into daily routine classes for battalions. For the first time, APF Hallchowk has an 'instructor pool' of 22 junior instructors who can provide trainings on proportional use of force and human rights protection. They are equipped with education materials (video and booklet) and a training schedule that includes cases studies and group discussions on the Tikapur and Saptari incident. During the project, the 22 instructors were educated using the Training of Trainers (TOT) approach. In turn, they trained 220 junior personnel in the valley and western brigades. International legal standards that were missing in the National Legal Framework were incorporated into the education material and training schedule. The APF Human Rights Cell has started to use the education material for their trainings as well.

HIGHLIGHT: APF now has a pedagogical video for teaching crowd control. In cooperation with the Special Task Force battalion, the project made and filmed a full mock illustration involving around 100 officers. The film demonstrates proper use of all crowd control tools and tactics.

[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 of 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.

[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.

RECOMMENDATIONS FOR APF TO TAKE FORWARD

Training instructors

- Motivate instructors to be mobile and offer more trainings. Design one programme that can be taught across all personnel levels and that can deliver additional knowledge on the use of force and human rights across the country.
- Involve at least one trainer from an outside organization in training programmes. A mix of specialisation is productive, prompting various insights and viewpoints to be discussed.

New types of training and education

- Provide non-ranking and junior personnel a special two-week advanced training course. They are most likely to be deployed in the field and in direct contact with the service users.
- Build upon basic training. Deliver refresher trainings, continually update courses and incorporate observations and learning from the field regarding the use of force into future training. This should be an iterative process.
- Construct more practical, dynamic training sessions for the participants through the use of case studies and drill exercises.
- 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 gender issues into the design of courses. To make sure female officers are also trained as instructors and that there are female participants.

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.

Equipment

- Update equipment used for crowd control. Mere knowledge is not sufficient to change the behaviour of personnel.

Regulation

- Address the gaps regarding international legal standards in within the National Legal Framework.

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.
- Inter-institutional collaboration: Develop working partnerships between diverse institutions and law enforcement.
- Documentation: 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.
- Internalisation: Design relevant and appropriate solutions to incorporate into the future plans of the institution.

Key recommendations (in order of priority):

- Institutionalisation: Ongoing human rights projects should be institutionalised by respective institutions in order to ensure sustainability.
- Law review: Prevailing and existing laws should be periodically reviewed and amended as needed to guarantee compliancy with human rights norms.
- Equipment: Provision of modern, sophisticated and qualitative equipment can enable officers to protect human rights.
- Integrated human rights centre: Establishment of an integrated human rights training centre in order to conduct human rights training (basic through advanced) for all law enforcement officers.
- Incorporation of best practices: 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.

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