

Public Statement

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Amnesty International's recommendations for the training of a civilian police force in Afghanistan

A human-rights based approach should be the basic philosophy of policing in Afghanistan, implemented through an effective training program, the creation of a Code of Ethics and the establishment of an independent monitoring body. Adequate resources must be committed to the recruitment and training of Afghan police officers, and donors with experience in this area should make funding and technical expertise available. The meeting taking place in Berlin on 13 February 2002 provides an important opportunity to facilitate the contribution of such technical expertise.

The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions signed in Bonn on 5 December 2001 (the Bonn Agreement) provides that the Interim Authority shall act in accordance with basic principles and provisions contained in international instruments on human rights and international humanitarian law to which Afghanistan is a party. These instruments include the International Covenant on Civil and Political Rights (ICCPR), with its important safeguards for arrested persons and for fair trial, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which includes important provisions on the prohibition and prevention of the use of torture and other such methods. A full list of international instruments ratified by Afghanistan is attached, and Amnesty International recommends that the new Afghan police be trained in the effective observance of these international human rights standards, as a means to

prevent the type of widespread and grave violations of human rights that have occurred under successive governments over the last twenty years.

Amnesty International recommends that, in police training program, specific emphasis should be placed on the practical implementation of these international standards for policing. This includes ensuring the observance of proper procedures for arrest and detention, and the importance of acting independently of political considerations and regardless of ethnic identity. Particular attention should also be paid to eradicating the use of torture and cruel, inhuman or degrading treatment or punishment and extrajudicial executions. An important safeguard against torture and ill-treatment is the institution of a regular independent monitoring system which includes unannounced visits to places of detention. This can be instituted in cooperation with non-governmental organisations.

Training in the application of non-violent means of carrying out police duties, and using force or firearms only as a last resort, is essential. We therefore recommend that the training program includes the effective observance of more detailed United Nations standards that are particularly relevant, namely:

the Code of Conduct for Law Enforcement Officials and the Commentary thereto;

the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment;

the Standard Minimum Rules for the Treatment of Prisoners and the procedures for their effective implementation.

Special training should also be provided to enable police to deal sensitively with violence against women. Amnesty International recommends that the civilian police force should include female police officers to safeguard the rights of women who come into contact with the justice system - whether as suspects, victims, witnesses or relatives of suspects.

To assess and improve the above training program in the course of its execution, Amnesty International considers it essential that resources are made available to create an independent monitoring mechanism to appraise the performance of police officers and to receive and investigate complaints promptly, effectively, independently and impartially. The mechanism should have the ability to act upon its findings and take steps to intervene when problems are identified.

Appendix:

List of international human rights and humanitarian law instruments to which Afghanistan is a party

The International Covenant on Civil and Political Rights

The International Covenant on Economic, Social and Cultural Rights

The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Convention on the Prevention and Punishment of the Crime of Genocide

The Convention on the Rights of the Child

The International Convention on the Elimination of All Forms of Racial Discrimination

The four Geneva Conventions of 1949

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