

Forum: Human Rights Council

Question of: Counteracting the Violation of Human Rights by
Law Enforcement Agencies



Submitted by: France

Co-submitted by: Japan, United Kingdom, Namibia, the Netherlands, Germany, Uzbekistan, Libya, Venezuela, Cuba, Mexico, Denmark, Bulgaria, South Korea, India

1 The Human Rights Council,
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4 *Recalling that* police and other law enforcement officials play a vital role in the protection of
5 the right to life, liberty, and security of person, and in serving the community and protecting
6 all individuals against acts of torture and other cruel, inhumane, or degrading treatment or
7 punishment

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9 *Acknowledging that* in the performance of their duties, law enforcement officials are
10 obligated to respect and protect the human rights of all persons and

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12 *Pointing out* the essential need to build trust with the public they serve, as well as the
13 essential need to have the efforts reciprocated,

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15 *Guided by* the Universal Declaration of Human Rights, which declares that all human
16 beings are born free and equal in dignity and rights, and that everyone is entitled to all the
17 Declaration's rights and freedoms, regardless of race, color, or country of origin,

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19 *Convinced that* public confidence in police and other law enforcement officials is paramount
20 for their ability to perform their functions effectively and depends on, inter alia, their respect
21 for the human rights, fundamental freedoms, and human dignity of all persons,

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23 *Recalling the* relevant General Assembly resolutions, especially Assembly resolutions 74/137
24 of December 18, 2019, and 43/1 of June 17, 2020, and the critical necessity for their full and
25 effective enforcement,

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27 *Recognizing that* there is space for improvements in examining training manuals
28 and instructions of law enforcement officials and the proportionality of measures applied in the
29 management of suspects and other individuals in custody, particularly with regard to the
30 treatment of minorities such as people of color,

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32 1. **Strongly condemns** every type of discrimination and violent action of law
33 enforcement against minority groups, as well as the systemic racism that pervades
34 the criminal justice system;

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36 2. **Affirms** to amending the Code of Criminal Procedure to explicitly prohibit
37 discrimination in identity checks, and to limit police authority so that stops are based
38 on objective and individualized suspicions through regulations such as but not limited
39 to;

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a. The right for people to seek court orders to stop police departments
from discriminatory profiling,

- 41 b. Banning the use of generalized descriptions (i.e., black male ages 15-25) and
42 instead imposing the use of person specific and detailed descriptions to
43 avoid prejudicial discrimination,
44 c. Requiring officers to increase their transparency when in duty through means
45 such as;
46 i. establishing objective justification for making a stop and to report every
47 stop including location, race, gender, whether force was used and
48 whether a firearm was found;
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- 50 **3. Recommends** police departments to ban chokeholds, and use lethal force only as a
51 last choice when efforts at de-escalation - the intentional slowing down of an incident
52 to provide police more time, distance, and space to peacefully settle conflict -
53 have failed;
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- 55 **4. Invites** all Member States to provide training, technical assistance, and research, all
56 with the aim of creating a police culture in which officers routinely intervene as
57 necessary to prevent misconduct, avoid police mistakes, promote public health and
58 wellness through means such as;
59 a. Equipping officers with the skills they need to safely intervene before
60 problems occur/escalate,
61 b. Supplying officers with means to help them make ethical decisions,
62 c. Providing trainings which emphasize communication skills and methods for
63 recognizing and de-escalating potentially violent situations and to use lethal
64 force only as a last choice;
65 d. Equipping the police with utilities such as body cameras - which will be turned
66 off only by asking for approval from supervisors - and easily visible
67 identification numbers to provide concrete evidence of the use of excessive
68 force and unjust practices;
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- 70 **5. Requests** establishing an independent international commission of inquiry, to be
71 appointed by the President of the Human Rights Council, whose
72 mandates should be;
73 a. Observing law enforcement agencies' responses to peaceful protests,
74 including the alleged use of excessive force against protesters,
75 bystanders, or journalists;
76 b. Establishing the facts and circumstances relating to systemic racism, alleged
77 violations of international human rights law and abuses against people of
78 color, minorities, people with disabilities and other individual differences in the
79 parts of the world recently affected by human right violations at the hand
80 of law enforcement agencies,
81 c. Examining and reporting on possibilities of non-binding guidelines by which
82 law enforcement agencies could abide by to eradicate systematic human
83 rights abuse;
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- 85 **6. Calls upon** all Member States that are affected, all United Nations
86 bodies and relevant parties to cooperate fully with the commission of inquiry, and to
87 facilitate its access;
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- 89 **7. Urges** the assistance of the United Nations High Commissioner for Human Rights in
90 this regard, including in the provision of all administrative, technical, and logistical
91 assistance required to enable the commission of inquiry to fulfil its mandate promptly
92 and efficiently;

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8. **Suggests** allocating funding to organizations which occupy themselves regarding protecting and preventing victims of human rights violation by law enforcement officers;

9. **Requests** effective human rights training to be part of police education to improve officer's human rights cognition and performance ability by
 - a. increasing the number of questions regarding human rights protection in the tests which officers must take before getting hired or promoted;
 - b. Including psychological behavioral tests alongside to psychological behavioral training on how to deal with escalating situations without the need of using excessive force;

10. **Requests** that trust should continue to be placed in the state organs of those states which are committed to Human Rights.

11. **Decides** to remain seized of the matter.