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**DIRECTIVE ON DETENTION, SEARCHES AND USE OF FORCE FOR
INDIVIDUAL POLICE OFFICERS ON ASSIGNMENT WITH UNITED
NATIONS ASSISTANCE MISSION IN CARANA (UNAC)**

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DIRECTIVE ON DETENTION, SEARCHES AND USE OF FORCE FOR INDIVIDUAL POLICE OFFICERS (IPOs) ON ASSIGNMENT WITH UNITED NATIONS ASSISTANCE MISSION IN CARANA (UNAC)

GENERAL CONSIDERATIONS

Authority and mandate

1. This Directive, including its Annexes, constitutes the “Directive on detention, searches and use of force for all individual police officers on assignment with the United Nations Assistance Mission in Carana (UNAC)” (hereinafter “Directive”).
2. This Directive provides the authority for the detention, searches and use of force by individual police officers (IPOs) on assignment with UNAC while carrying out their mandated tasks without prejudice to the primary responsibility of the Carana law enforcement agencies for the maintenance of law and order.
3. The Directive is issued by the USG-DPO and sets forth the principles, parameters and conditions under which UNAC IPOs are authorized to detain, search and use non-lethal force in carrying out their mandated tasks in accordance with applicable Security Council resolutions. The specific tasks and responsibilities assigned to IPOs are stipulated in the Concept of Operations (CONOPS) for the police component in UNAC.

Command responsibility

4. Implementation of this Directive is a command responsibility. In accordance with the DPKO/DFS Directive for Heads of Police Components of Peacekeeping Operations (Ref. 2006/00122, dated 21 November 2006); the DPKO/DFS Policy on Authority, Command and Control in UN Peacekeeping Operations (Ref. 2008.04, dated 15 February 2008), the DPKO/DFS Policy for United Nations Police in Peacekeeping Operations and Special Political Missions (Ref. 2014.01, dated 1 February 2014), primary and overall command is vested in the Police Commissioner.
5. The Police Commissioner and those to whom he/she delegates command and control functions shall ensure that all IPOs under their respective command understand and comply with this Directive, as well as any further directives issued by the Police Commissioner.

Principles of the use of force

6. At all times, use of force by UNAC IPOs shall be consistent with the principles of necessity, proportionality/minimum use of force, legality and accountability as set forth in this Directive, and consistent with the United Nations Basic Principles on the Use of Force and Firearms, the United Nations Code of Conduct for Law Enforcement Officials, the United Nations Centre for Human Rights International Human Rights Standards for Law Enforcement.

Police Equipment

7. IPOs may only carry and use police equipment as listed in Annex A of this Directive.
8. It is the personal responsibility of every IPO to keep his/her police equipment secure. He/she must be able to account for the whereabouts and condition of his/her police equipment at all times. The Police Commissioner will issue detailed directives regarding the carriage, care and storage of these item(s) of police equipment.

Training and qualifications

9. Every IPO must be fully familiar with this Directive and understand the rules that it contains. To this end, he/she must receive a full briefing on this Directive as part of his/her induction training package and refresher briefings on a regular basis thereafter.
10. Every IPO must have received current and proper training on the care and use of the particular police equipment he/she carries. The Police Commissioner will issue detailed directives regarding the required training and the documentation that must be submitted to prove that the specific training has been satisfactorily completed.
11. An IPO may only carry police equipment if the Police Commissioner has certified that he/she has received and meets the required briefing and training expertise stipulated in the above directives.
12. IPOs while on duty, who carry police equipment are required to carry in their breast pocket an Aide-Mémoire (Blue Card) attached as Annex C of this Directive, which summarizes the rules contained in this Directive.

AUTHORITY TO STOP, DETAIN AND SEARCH

Authority to stop and detain

13. IPOs are authorized to stop, search and detain individuals in their areas of deployment, in all situations where use of force is authorized as set out in paragraph 21 of this Directive. They shall not deprive anyone of his/her liberty except on this basis, and in accordance with the procedures as prescribed in this Directive. IPOs do not have any lawful authority to arrest persons whom they stop and detain and may only hand over those individuals who are detained to the national authorities (or release them) in accordance with the ISOP.
14. In stopping or detaining persons, IPOs must act in accordance with the principles and procedures set forth in the DPKO/DFS Interim Standard Operating Procedures on Detention in United Nations Peace Operations (ISOP) dated 25 January 2010 and those set forth in the Note of Guidance for UNAC: Security of the IDP population in the Protection of Civilians (POC) sites of 3

April 2014 (Note of Guidance). Every IPO must have received current and effective training on implementation of the ISOP and the Note of Guidance.

Authority to search and seize

15. IPOs are authorized to search persons stopped or detained under paragraph 14 for illegal and prohibited items identified and to seize such items as may be used to cause harm, as well as any item found in the person's possession or control which may evidence a hostile act or intent to cause harm, including arms, ammunition, weapons and explosives, as well as illegal substances or other illegal items. IPOs may not confiscate other items that they may find in the possession of the detained person.
16. The following principles must be observed during any stop and search:
 - a) Stop and searches are not to humiliate or embarrass persons being searched;
 - b) Search procedures must take into account gender, and be sensitive to other factors such as race, religion and cultural practices;
 - c) The purpose of the search must be clearly stated to the person who is to be searched before he/she is searched;
 - d) The search must be conducted in the presence of another IPO/FPU member.
17. Weapons and other dangerous goods found/recovered during searches will be documented, inventoried and stored according to the Mission's established procedures. Necessary coordination shall occur between IPOs and the Mission's other components for the inventory and safekeeping of the found/recovered items.

USE OF NON-LETHAL FORCE OR ITEMS OF POLICE EQUIPMENT

18. IPOs are authorized to use force solely for the reasons or purposes and in the circumstances specified in paragraph 20.
19. In using force, IPOs must AT ALL TIMES, act in accordance with international Human Rights norms and standards, including the Basic Principles on the Use of Force and Firearms, the Code of Conduct for Law Enforcement Officials and this Directive.
20. As recalled in paragraph 6, the principles of legality, proportionality and necessity are to be observed at all times in the use of force. If force is required, it must be graduated and the minimum required to achieve a legitimate objective. The use of force is the last resort and all possible steps must be taken to avoid the need to resort to force, including in the preparation phase of an operation. There must always be accountability in respect of any use of force.

Use of force, excluding deadly force

21. IPOs are authorized to use force, excluding lethal force, or items of police equipment as per Annex A:
 - a) To protect, deter or defend themselves against a hostile act or a hostile intent;
 - b) To protect other United Nations and associated personnel against a hostile act or a hostile intent;
 - c) To prevent and stop any person or group, who intends to limit, or limits, their freedom of movement or the freedom of movement of United Nations and associated personnel;

Gradation of Force

22. IPOs shall, as far as possible, use dialogue and mediation and other non-violent means before resorting to the use of physical force with or without police equipment. They may use non-lethal force with or without authorized police equipment only if other means remain ineffective for the purpose of achieving an authorized objective, as specified in paragraph 21 of this Directive.
23. If there is no practical alternative to the use of force, with or without police equipment in order to achieve objectives specified in paragraph 21 of this Directive, IPOs must, whenever the operational circumstances permit, observe the following graduated procedures:
 - a) Identify themselves in English and in the language(s) spoken in the location to which the IPOs are deployed as members of the UNAC Police component;
 - b) Give a clear warning of their intent to use force or police equipment;
 - c) The following warning shall be used in English and the primary languages spoken in the region:
«UNITED NATIONS, STOP OR I WILL USE FORCE»
 - d) Following such warning, IPOs intending to use force, with or without police equipment shall give reasonable time for that warning to be obeyed, unless doing so would,
 - i. unduly place themselves at a risk of death or bodily harm;
 - ii. create a risk of death or serious bodily harm to other persons; or
 - iii. clearly be inappropriate or pointless in the circumstances
24. The Police Commissioner has a duty to ensure that IPOs know the warning to be given verbally in English and the primary languages spoken in the region to which the IPOs are deployed.
25. Whenever the use of force, with or without any police equipment, is determined to be required under paragraph 20 of this Directive, IPOs shall understand and follow the following principles:
 - a) Non-violent means are to be attempted first;
 - b) Act with restraint and only use the minimum degree of force that is proportional to the seriousness of the threat and necessary to achieve the authorized objectives;
 - c) Respect and preserve life and cause minimum injury to persons;
 - d) Cause minimum damage to property;

- e) First Aid should be provided as soon as possible to anyone who is hurt.
- 26. IPOs shall not use police equipment other than in the circumstances and to achieve the objectives set out in paragraph 20 of this Directive.
- 27. Handcuffs and restraints may only be used in accordance with the ISOP by IPOs who have satisfactorily completed the necessary training as stipulated in para 9-12 of this Directive.
- 28. No IPOs shall use force or police equipment against women with obvious signs of pregnancy, elderly persons, or persons with signs of severe disability, and minors, except in cases where there is a hostile intent or hostile act that involves a grave threat to life or of serious bodily injury to United Nations or associated personnel.

REPORTS AND INVESTIGATIONS

- 29. Immediately upon any incident involving the detention of any person pursuant to paragraph 13 of this Directive, the Police Commissioner shall be notified of such detention. Within twelve (12) hours the IPO who carried out the detention must submit through the chain of command to the Police Commissioner a detention details form (Annex B). The copy of the duly completed forms in Annexes A to C of the ISOP will be submitted to the Police Commissioner upon detained person(s) detention, release or hand over, as appropriate.
- 30. Immediately after any incident involving the use of force, with or without police equipment, the IPO concerned must inform the Police Commissioner through the chain of command. The IPO must submit a written report within twelve (12) hours of the time of the occurrence of any such incident through the chain of command to the Police Commissioner with the following information:
 - a) The date, time, location and circumstances which led to the use of force with or without the police equipment;
 - b) The name(s) of the IPOs or other UNAC personnel involved including those who used force with or without the police equipment;
 - c) The name(s) of person(s) against whom the force/equipment was used;
 - d) The name(s) of witnesses, if any;
 - e) Injuries and/or damage of property caused by use of force with or without police equipment;
 - f) The events leading up to the use of force with or without police equipment;
 - g) The reason(s) for the use of force with or without police equipment;
 - h) The results of the use of force with or without police equipment;
 - i) A diagram of the incident scene where appropriate;
 - j) Any corrective actions taken to reduce the possibility of a similar incident.
 - k) Type of force used by IPO.

VIOLATIONS

31. IPOs are advised that obedience to supervisor's orders shall not preclude a violation of this Directive or of the rules that it contains from being considered an act of serious misconduct if the IPO concerned knew that an order to use non-lethal force with or without item(s) of police equipment resulting in the injury of a person or damage to property was manifestly in violation of this Directive and the rules contained herein and he/she had a reasonable opportunity to refuse to follow it. In any case, responsibility also rests on the superiors who gave an order in violation of this Directive and the rules contained herein and shall be considered as serious misconduct.
32. Any violation of this Directive, as well as of the rules contained herein, shall be considered as an act of serious misconduct under the Directive for Disciplinary Matters Involving Civilian Police Officers and Military Observers and other applicable directives and will be investigated in accordance with the SOP for the UNAC Police component.

RELATED DOCUMENTS

33. The following references (policies and normative), although not exhaustive, are relevant.
 - a. [DPKO/DFS Policy: United Nations Police in Peacekeeping Operations and Special Political Missions, Ref. 2014.01 of 1 February 2014.](#)
 - b. [DPKO/DFS Policy on Authority, Command and Control in United Nations Peacekeeping Operations, Ref. 2008.04 of 15 February 2008.](#)
 - c. [DPKO/DFS ISOP on Detention in United Nations Peace Operations, 25 January 2010, DPKO/DFS, Ref. 2010.06.](#)
 - d. [ISOP Review Report. November 2016.](#)
 - e. [DPKO/DFS Policy on the Protection of Civilians in United Nations Peacekeeping, Ref. 2015.07 of 1 April 2015.](#)
 - f. [Human Rights Due Diligence Policy on UN Support to non-UN security forces \(HRDDP\) \(A/67/775-S/2013/110\).](#)
 - g. [Basic Principles on the Use of Force and Firearms by Law Enforcement Officials adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.](#)
 - h. [Code of Conduct for Law Enforcement Officials adopted by General Assembly resolution 34/169 of 17 December 1979.](#)
 - i. [OHCHR/DPKO/DPA/DFS Policy on Human Rights in UN Peace Operations and Political Missions, 01 September 2011, Ref. 2011.20.](#)
 - j. [DPKO/DFS Policy on Internal Evaluations and Inspections of United Nations Police, 01 October 2012, Ref. 2012.13.](#)
 - k. [DPKO/DFS Guidelines on Role of United Nations Police in Protection of Civilians, Ref. 2017.12.](#)
 - l. [Note of Guidance for UNAC: Security of the IDP population in the Protection of Civilians \(POC\) sites of 3 April 2014.](#)

- m. Implementation of the Note of Guidance to UNAC on Security of the IDP population in the POC sites of 24 April 2014.
- n. UNAC Standing Order on the integrated response to security incidents in and around UNAC POC sites of 18 March 2015.
- o. UNAC Protection of Civilians (POC) Strategy, Ref. 2014/PoC/1 of 15 March 2015.
- p. SOP for UNAC Police component of 04 November 2016.
- q. SOP on the Management of UNAC Holding Facilities of 5 April 2016.
- r. SOP on Weapons Free Zones of 29 November 2016.
- s. Ground rules for UNAC POC sites.

DEFINITIONS

34. The definitions in Annex C of this Directive shall form an integral part of this Directive.

MONITORING AND COMPLIANCE

35. The SRSG shall monitor compliance with this document.

ENTRY INTO FORCE

36. This Directive is adopted without prejudice to the Directive on Detention, Searches and Use of Force for Formed Police Units on Assignment with UNAC or the Rules of Engagement for the Military Component of UNAC.
37. This Directive enters into effect immediately upon approval. It may only be abrogated or amended in writing by the Under-Secretary-General for Peace Operations.

ANNEX A

AUTHORISED ITEMS OF POLICE EQUIPMENT FOR IPOs ON ASSIGNMENT WITH UNAC

1. Pepper sprays
2. Police Shield
3. Helmets with face shield
4. Gloves (abrasion and puncture resistant)
5. Stab/cut/ puncture resistant Vest 6. Vest Trauma Plates
6. Safety Glasses/UV protective
7. Duty Belts (with proper holstering for approved equipment)
8. Hand cuffs
9. Metal Scanners
10. Headlamps
11. Flexcuffs

The carriage and/or use of any firearms, ammunition or related items of police equipment that does not appear on this list is strictly prohibited.

ANNEX B

DETENTION DETAILS

DETAINED PERSON'S DETAILS

FIRST NAME, MIDDLE NAME, MAIDEN NAME, ALIAS AND LAST NAME

.....

ADDRESS

.....

DATE AND PLACE OF BIRTH

.....

GENDER

.....

COUNTRY OF CITIZENSHIP

.....

NATIONAL IDENTIFICATION NUMBER

.....

DATE, TIME AND PLACE DETAINED:

.....

REASON FOR DETENTION

.....

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.....

.....

.....

WITNESS DETAILS

(NAME, SURNAME AND ADDRESS)

.....

.....

.....

DID THE DETAINED PERSON MAKE A STATEMENT?

.....

(If so, attach a copy of that statement)

WAS THE DETAINED PERSON SEARCHED?

IF SO, WHY?

.....
.....

WERE ANY ITEMS CONFISCATED OR SEIZED FROM THE DETAINED PERSON?

IF SO, PROVIDE A COMPLETE INVENTORY

.....
.....
.....
.....
.....

PHYSICAL CONDITION OF THE DETAINED PERSON, INCLUDING ANY VISIBLE OR ALLEGED INJURIES

.....
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.....
.....

(Including pictures, if so agreed by detained person)

WAS MEDICAL ASSISTANCE PROVIDED? IF SO, PROVIDE DETAILS

.....
.....
.....

OFFICER DETAILS:

Name and Surname

United Nations Identification Number

Contingent:

Signature

Date and Time

ANNEX C

DEFINITIONS

1. Use of Force. The use or threat of the use, of physical means to achieve an objective authorized in this Directive.
2. Hostile Act. An attack where the intent is to cause death, bodily harm or destruction of designated property.
3. Hostile Intent. The threat of imminent force, which is demonstrated through an action which appears to be preparatory to a hostile act. Only a reasonable belief in the presence of hostile intent is required before detention or the use of force is authorized.
4. Personal Protective Equipment (PPE). Protective clothing, helmet, goggles, or other equipment designed to protect the wearer's body from injury.
5. United Nations. The United Nations, including its offices programmes and funds.
6. United Nations personnel. Members of UNAC (including locally recruited personnel whilst on duty), officials of the United Nations and experts on mission for the United Nations.
7. Stop and detain. To hold a person so that he/she cannot leave.
8. Carana police and law enforcement agencies. All duly recognized police and other law enforcement agencies operating in Carana including the National Police.

ANNEX D

BLUE CARD

<p>USE OF FORCE OR OTHER ITEMS OF LAW ENFORCEMENT EQUIPMENT</p> <p>Members of IPOs are authorized to use force or other items of police equipment to protect or defend themselves, other United Nations personnel against a hostile act or a hostile intent that involves serious bodily injury or to prevent or stop incidents that jeopardise public safety within UNAC premises.</p> <p>Gradation of Force</p> <p>Members of IPOs shall, as far as possible, apply non-violent means before resorting to the use either of physical force or other items of police equipment. They may use force or other items of police equipment only if other means remain ineffective for the purpose of achieving an authorized objective. If there is no practical alternative to the use of force, or other items of police equipment in order to achieve an authorized objective, members of IPOs must, whenever the operational circumstances permit, observe the following graduated procedures:</p> <ul style="list-style-type: none">A. Non-lethal force must be used, if at all possible;B. If non-lethal incapacitating weapons or tear gas are possessed by members of a IPOs who are trained to use those equipment, and where they would be an effective means to bring a threat to an end, then they must be used, if so allowed by the on-scene authorized commander;C. If the preceding measures remain ineffective or are without any promise of achieving an authorized objective, an attempt should be made, if possible, to make use of the visual and audible effect of preparing for use of force;D. If the preceding measures remain ineffective or are without any promise of achieving an authorized objective, force can be used in manner that avoids causing of personal injury or collateral damage to property;E. If the preceding measures remain ineffective or have no real likelihood of achieving the authorized objective, escalation of the incident to the next level will be necessary. <p>If members of IPOs intend to use force against other persons, they must first:</p> <ul style="list-style-type: none">A. Identify themselves in the language(s) spoken in the location to which the IPO is posted as members of the UNAC Police component; andB. Give a clear warning of their intent to use force. <p>If members of IPO intend to use force, the following warning shall be used in English:</p> <p>« UNITED NATIONS, STOP OR I WILL USE FORCE »</p> <ul style="list-style-type: none">C. Give enough time for that warning to be obeyed, <p>Unless to do so would:</p> <ul style="list-style-type: none">a) Unduly place themselves at risk of death or serious bodily harm;b) Create a risk of death or serious bodily harm to other persons; orc) Clearly be inappropriate or pointless in the circumstances.	<p>Principles of Use of Force</p> <p>At all times, use of force shall be consistent with the principles of gradation and last resort, minimum necessary and proportionate use of force as well as legality, and accountability in accordance with the United Nations Police in Peacekeeping operations and Special Political Mission, and Basic Principles of the use of Force.</p> <p>Use of Force, excluding Lethal Force</p> <p>Members of IPOs are authorized to use force or items of police equipment, excluding lethal force:</p> <ul style="list-style-type: none">A. To protect, deter or defend themselves against hostile act or intent ;B. To protect other United nations and associated personnel;C. To prevent or stop the commission of a crime that does not involve a grave threat to life or serious bodily injury;D. Against any person or group who limits or intends to limit the freedom of movement of the IPO or its members, or the freedom of movement of United Nations and associated personnel, or the freedom of movement of humanitarian workers.
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