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Guidelines

Police Operations in United Nations Peacekeeping Operations and Special Political Missions

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DPKO-DFS GUIDELINES ON
Police Operations

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A. PURPOSE

1. These Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS) Guidelines on Police Operations (hereafter referred to as 'the Guidelines') spell out the fundamental principles and approaches to United Nations police operations.
2. The Guidelines are designed to assist police components in the fulfilment of their mandated roles, including operational support to host-State police and other law enforcement agencies, as well as interim and other law enforcement duties whenever mandated. Except where noted, these Guidelines assume the United Nations police have been mandated to perform interim or executive policing functions while the host-State police and other law enforcement prepare to take over such responsibilities. The purpose of this is to allow for the provision of guidance on a full range of tasks the United Nations police may be mandated to undertake.

B. SCOPE

3. The Guidelines should be read in conjunction with the overarching DPKO-DFS Policy on United Nations Police in Peacekeeping Operations and Special Political Missions (Ref. 2014.01) and the associated DPKO-DFS Guidelines on Police Capacity-Building and Development (Ref. 2015.08) and DPKO-DFS Guidelines on Police Command in United Nations Peacekeeping Operations and Special Political Missions (forthcoming). These

Guidelines shall provide the context for the future development of manuals, standard operating procedures and training materials related to police operations.

4. These Guidelines shall apply to all staff of the United Nations police components in missions led by DPKO, as well as in special political missions (SPMs) led by the Department of Political Affairs (DPA). They shall also apply in potential future roles as mission environments and needs evolve, e.g., deployments in the context of the Global Focal Point for the Police, Justice and Corrections Areas in the Rule of Law in Post-conflict and other Crisis Situations (GFP).

5. These Guidelines shall also apply to situations in which the United Nations police are mandated to partially or entirely fill the policing and other law enforcement vacuum while the host-State police and other law enforcement are being prepared to take over their domestic responsibilities. They shall also apply to any operational support tasks undertaken by the United Nations police and shall serve as a point of reference in contexts where the United Nations police are mandated to assist in the capacity-building and development of the host-State police.

C. RATIONALE

6. United Nations police peacekeeping differs fundamentally from domestic policing. The difference derives from the context of deployment; that is, a situation with an ongoing conflict, a post-conflict environment or a fragile setting often characterized by widespread human rights violations, weak protection for civilians, including of women and children, and increasing criminality, in which authority, power and rules for social interaction are fluid. In most countries, police officers can take a number of conditions for granted in their domestic policing role: that they have the authority to enforce the law; that they represent the legitimate authority of a state and a clear set of laws; that they understand the culture and speak the language of the communities they serve; and that their police colleagues' training and service are similar to their own. United Nations police cannot presume any of these and instead frequently work in unfamiliar environments where most, if not all, semblance of domestic policing and other law enforcement may have either broken down or been incapacitated by the conflict, and where they must navigate among the sometimes differing policing approaches of colleagues from many different countries and agencies.

7. Missions are also increasingly multidimensional in nature, requiring United Nations police officers to cooperate closely with elements that may rarely interface in a domestic setting, including the military, political, humanitarian, human rights and other civilian components, as well as host-State and international actors.

8. Within this already challenging context, the nature of police peacekeeping continues to evolve and new threats keep emerging. Contemporary police peacekeepers must perform a variety of increasingly complex tasks mostly unforeseen at the dawn of United Nations police peacekeeping, including supporting the host-State police and other law enforcement in addressing such threats as serious and organized crime, terrorism and corruption. In some cases, the United Nations police are mandated to assume either partial or full executive policing responsibility and other law enforcement duties within a designated territory while the host-State police and other law enforcement agencies regain functional self-sufficiency. More commonly, DPKO-led mission mandates foresee an operational support role for the United Nations police, including helping the host-State police and other law enforcement to conduct investigations and special operations and to ensure public safety, based on overarching policing strategies that are oriented toward the communities they serve and guided by the strategic use of criminal intelligence.

9. The operational support the United Nations police provide to the host-State police helps foster the stability and environment needed for capacity-building and development work, which in turn strengthens the effectiveness of joint operational activities. One such area is the protection of civilians (POC). While the protection of civilians is the primary responsibility of the host State, in most contemporary situations one of the United Nations police's core operational roles may be to support the implementation of the mission's protection of civilians strategy, along with other integrated mission elements, including the military, civilian and human rights components. In a mission with such mandate elements, the United Nations police shall be directly responsible for the physical protection of civilians against imminent threats of physical violence, e.g. through force projection and/or high visibility and increased patrolling. More often, the United Nations police provide operational support to the host-State police in protecting civilians under imminent threat of physical violence through on-the-spot advice on planning and conducting operations, supporting investigations into incidents or augmenting security for internally displaced persons, as well as helping to build and reform host-State institutions so they are able to sustainably and consistently protect their own citizens.

10. By defining a standardised set of principles and concepts for United Nations police operations amid this ever-expanding portfolio of tasks, these Guidelines shall serve to guide mission planning and operations either unilaterally or in coordination with other mission components and serve to inform the host-State police about how the United Nations police will approach the implementation of their mandated operational responsibilities. In the same way, these Guidelines shall inform Member States of the skill sets required of officers on secondment to United Nations peacekeeping operations and special political missions. These Guidelines and the subsequent related guidance materials in this area are to be inculcated in pre-deployment training, induction training, United Nations police leadership and other training and shall be used in the evaluation of the performance of United Nations police operations.

D. GUIDELINE

D.1 GUIDING PRINCIPLES

11. **The United Nations police respect and protect human rights.** All United Nations police operations – prevention, detection and investigation of crime, protection of persons and property, and maintenance of public safety and law and order – shall be guided by the obligation to respect and protect human rights, norms, ethics and standards in crime prevention and criminal justice and international human rights and humanitarian law. In all aspects of their operations, United Nations personnel shall ensure their compliance with human rights standards, shall promptly record and share allegations of violations with the human rights component, and shall be prepared to intervene, including through the use of force where mandated, to stop ongoing human rights violations and to protect civilians. Senior police commanders shall ensure that adequate instructions are in place to guide United Nations police actions when confronted with human rights violations while performing their functions. There shall be a clear agreement and understanding of the responsibilities of the United Nations police and the host-State authorities and in the provision of support to host-State police and other law enforcement agencies in adherence to the United Nations Policy on Human Rights Due Diligence on UN Support to non-UN Security Forces (2011). All United Nations police personnel shall be bound to observe the United Nations standards of conduct, including with regard to sexual exploitation and abuse, and shall observe the national laws applicable in the host State.

12. **The United Nations police deploy and conduct operations as a component of a multidimensional integrated mission**. The United Nations police benefit from being part of a wider mission, gaining access to political leverage and complementary expertise in other mission components, such as civil affairs, human rights and military peacekeeping elements. In recent years, the fact that United Nations police make up part of a wider security system or justice reform effort has also been an advantage, enabling the mission to approach the rule of law in a more coordinated and comprehensive manner. Where the United Nations police component is deployed as part of an integrated United Nations presence, all assessment, planning and undertaking of police operations shall be undertaken in coordination with the appropriate components or units of the mission, including other rule of law actors. The police are an essential link in the criminal justice chain, and police, justice and corrections must work in tandem for meaningful progress to occur.

13. **The United Nations police shall have a legal basis for operations.** United Nations police deployments and activities are to be based on a legal framework. Prior to the deployment of a peacekeeping operation, a Status of Forces Agreement (SOFA) is concluded with the host-State government regulating the presence of the operation. The SOFA outlines the general procedures and tactics to be employed under the provisions and authority of the mandate. At the start-up of the mission and as guided by the mandate, the Head of Mission and the Head of Police Component – with the mission's legal, judicial affairs and human rights offices – should determine what legal framework shall guide United Nations police activities. If a decision is taken in favor of applying the legal framework of the host-State, the mission shall verify whether it complies with international norms and standards in criminal justice and crime prevention, human rights and humanitarian law. If no host-State legal framework exists or can be applied, the Special Representative of the Secretary-General (SRSG) shall promulgate a transitional Criminal Code, Code of Criminal Procedure, Detention Act and Police Act. The transitional Police Act shall establish, among others, the United Nations police authority with regard to:

    i. Stop and identification of individuals;
    ii. Search and seizure;
    iii. Detention;
    iv. Arrest;
    v. Use of force;
    vi. Investigation;
    vii. Public security;
    viii. Border management and related controls;
    ix. Standardized crime reporting and data collection;
    x. Community-oriented policing;
    xi. High-speed pursuit; and
    xii. Domestic violence.

14. **The United Nations police cooperate with military counterparts within established limits.** The military and police shall operate jointly to accomplish common objectives or provide complementary support to their respective functions. Both the police and military chain of command and staff should recognize this strong interdependence in a peacekeeping environment to develop collaborative strategies and their operational joint implementation to bridge the functional gap and ensure convergence of effort. There are important limits to this cooperation, particularly because the police should keep a civilian profile in order to help maintain the moral authority and public trust needed for effective policing. The ability to maintain a separate policing profile while establishing interoperability and strong functional relationships between police and military

peacekeepers is critical to the joint success of peacekeeping operations.[1] Where the implementation of policing tasks requires police and military peacekeepers to act under a unified police chain of command[2], special emphasis should be given to joint training; mutual understanding of police and military leadership; and maximized and effective use of all resources for the respective policing tasks.

15. **The United Nations police recognize the political context of their work.** Re-establishing or restoring policing and other law enforcement is fundamentally political, as it involves shifting power and access to key state institutions. Control over the police enhances power and influence, for those both outside and within the police organization. The ability of the United Nations police to work effectively in peace situations is dependent on their understanding of the specific political context of the mission. The United Nations police shall undertake their activities in coordination with the host-State police where possible and where appropriate in order to develop the host-State capacities and to ensure their true ownership, as well as the sustainability of these efforts. This cooperation could begin with the development of a compact between the United Nations police and the host-State authorities to develop an operational framework, with a clear formulation of principles, involving a long-term plan and matching strategy for public safety and police development in full compliance with the legal framework in the host State and international human rights norms and standards.

16. **The United Nations police are a community-oriented service.** The United Nations police deploy to environments with weak, fragile or no police legitimacy. Restoring and nurturing the consent of the public in their own police is a core task of the United Nations police. The United Nations police shall promote the concept of policing by consent and shall encourage the public to become partners in preventing and detecting crime in their communities. The United Nations police shall respond to the public's security concerns, value their advice and act in a fair, honest and impartial manner at all times, including through communications and outreach.

17. **The United Nations police are a criminal intelligence-led service.** The United Nations police shall use criminal intelligence or, in other words, processed information on crimes and criminality, to plan, prioritize and allocate resources in undertaking crime reduction strategies. The United Nations police shall work to reduce criminal activity through its prevention, disruption and/or dismantling with both strategic management and effective enforcement strategies that target key peace spoilers and prolific and/or serious offenders.

18. **The United Nations police prioritize preventative deployments and proactive investigations over reactive law enforcement.** In a volatile, post-conflict environment, some individuals and groups may continue to seek to undermine the peace process and to achieve illicit political and financial gains. The United Nations police shall attempt to curtail illegal activities through pre-emptive and preventative deployments and shall seek to identify such individuals and groups through analysis received from other components and the collection of information and other data, including through dialogue with political actors, civil society organizations and community members.

19. **The United Nations police target peace spoilers through special operations.** The United Nations police shall strive to disrupt the activities of peace spoilers by collecting information on their criminal plans and – in accordance with the prevailing mandate –

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[1] Handbook on UN Multidimensional Peacekeeping Operations, December 2003, pp. 92-93.

[2] See the DPKO/DFS Policy on Authority, Command and Control in United Nations Peacekeeping Operations (Ref. 2008.4) or mission-developed standard operating procedures for specific guidance on command and control arrangements with respect to the military and other mission components.

either conduct or support the host-State authorities to undertake targeted operations aimed at preventing and/or disrupting criminal activity of actors posing the most serious threats to peace. The United Nations police and their host-State counterparts shall pay particular attention to securing the safety of victims and witnesses and collecting their testimonies for the eventual prosecution of the suspects.

D.2 KEY OPERATIONAL STRUCTURES

20. United Nations police components consist of Individual Police Officers (IPOs), both contracted and seconded, and Formed Police Units (FPUs). FPUs have three core tasks: public order management, protection of United Nations personnel and facilities, and support for police operations that may involve a higher risk above the general capability of an IPO.[3] IPOs and FPUs have distinct roles and there is increasing demand for these different capacities. The use of these capacities should be based on the situation and needs of the host State and aligned with the missions' mandated tasks. References to responsibilities assigned to the Deputy Police Commissioner for Operations are only applicable for missions in which such a post exists.

21. All police-related matters in the mission are the responsibility of the HOPC, ordinarily a Police Commissioner in peacekeeping operations or a Senior Police Adviser in SPMs, or his or her delegate. The DPKO-DFS Policy on Command, Control and Authority in Peacekeeping Operations (Ref. 2008.04) and the forthcoming Guidelines on Police Command in United Nations Peacekeeping Operations and Special Political Missions contain specific guidance on command and control arrangements.

22. The overarching approaches of community-oriented policing and intelligence-led policing shall guide all operational activities of the United Nations police. Depending on the mandate and in accordance with local legislation, the United Nations police may either undertake or support the host-State police and other law enforcement in performing a range of operational police tasks. Many of these tasks require highly specialized skills, experience and language capabilities. The police component shall work with the Police Division in New York to identify and recruit such specialists from police-contributing countries, in accordance with Security Council resolution 2185 (2014).

23. The objective of the planning phase is to prepare and implement the strategy and operational activities of the police component. Pre-identified police personnel with experience in operational planning should plan the operational activities at the HQ and regional levels. Planned operations will have viable and confirmed objectives identified on the basis of credible intelligence and operational and tactical information obtained through close coordination with the Joint Mission Analysis Centre (JMAC) and Joint Operations Centre (JOC) and other key units and offices such as the Criminal Intelligence Unit (CIU) and the Police Operations Centre (POC). The police component shall contribute to productive working partnerships to strengthen its effectiveness. With the possible exception of highly sensitive operations where it is suspected that intelligence may be leaked in advance, the host-State police and military authorities should also be involved in the daily planning and execution of joint operations. Their inclusion can be assured through the participation of liaison officers from the national law enforcement agencies.

24. As a service provider to all parts of the police component and JMAC, the CIU shall gather, analyze and disseminate information. At the regional, sector or sub-sector level

[3] In accordance with the DPKO/DFS Policy (Revised) on Formed Police Units in United Nations Peacekeeping Operations (2010).

where the UN police structure may be too small to warrant a dedicated CIU, information should be passed on to the CIU as per established procedures. Such information shall be shared with the JMAC and JOC, if so established within the mission, through United Nations police liaison officers, in accordance with the relevant DPKO-DFS policies governing JMACs and JOCs.

25. The Police Operations Centre shall serve as a hub for all information related to the activities of the United Nations police component. It monitors and records police operations as they are transmitted by radio or telephone from officers on duty and disseminates material to recipients within the police component, as directed by the HOPC and/or Deputy Police Commissioner for Operations. The Police Operations Centre shall also serve as the Police Operations Emergency Centre and, working closely with the JOC, shall allocate officers to calls and the coordination of incidents. Similarly, the Police Operations Centre shall provide daily reporting on police operations and exchange information with the components of the JOC. The Police Operations Centre shall contribute information and data to the CIU as required.

26. JMACs and JOCs support the spectrum of situational awareness, understanding and forecasting. Whereas the JOC focuses on day-to-day situational awareness, the JMAC generates integrated analysis and predictive assessments. The work of JMACs also supports strategic, operational and contingency planning, and it contributes to overall crisis management through the provision of integrated threat assessments and other analytical products and services.

27. As outlined in the JMAC Guidelines, the JMAC can both contribute to and benefit from United Nations police information gathering, collation and analysis. Permanent contact between the United Nations police and the JMAC leadership is a necessity. This exchange – through the Mission Leadership Team (in which the Head of Police Component is represented) and through the police personnel assigned to the JMAC – will greatly improve synergies and information-sharing between the JMAC and the Office of the HOPC.

D.3 COMMUNITY-ORIENTED POLICING

28. **Policing by consent.** Community-oriented policing is a strategy for encouraging the public to act as partners with the police in preventing and managing crime as well as other aspects of security and order based on the needs of the community. It does this by demonstrating to the public that the police are prepared and committed to respond to their security concerns, value their advice, and will act in a fair, honest and impartial manner. The police ask the public to assist them by providing information about matters of concern, including crime and circumstances that create crime, and by contributing their time and resources to crime prevention programs. In short, community-oriented policing recognizes that community problems, of which crime is one, require community solutions and support, including, most notably, the participation of women from local populations.

29. **Restoring police legitimacy.** In post-conflict environments, community-oriented policing may be more difficult to implement. The police may suffer from weak legitimacy, and trust and confidence are an indispensable element of policing. The United Nations police – in all their activities, operations and interactions with the public – shall act on the basis of the philosophy of community-oriented policing in their support to the host-State police and other law enforcement. This approach will help the United Nations police to connect with the public by increasing the legitimacy of formal governance and improving community satisfaction in policing services. Greater public trust and confidence in the police leads to an enhanced flow of quality information from the public, which in turn

fosters increased police organizational effectiveness.

30. **Four cornerstones of community-oriented policing.** Community-oriented policing is based on a vision that needs to permeate an entire police organization and must be reflected in policies, procedures, job descriptions, supervisory practices, management direction, performance evaluations and personnel development processes. In the early stages of a mission in a post-conflict setting, being in the community and becoming part of the community may be more of an ideal than a reality, but essential implementation strategies shall entail:

    a) Consulting with communities (regular solicitation of input from communities about crime, disorder, and activities that generate fear);
    b) Responding to communities (willingness and ability to respond to the security needs of individuals and groups in communities and to give priority to these needs);
    c) Mobilizing communities (helping the community organize itself in controlling crime);
    d) Solving recurring problems (police and communities working preventively to change conditions that lead to crime rather than responding over and over again to individual incidents).

31. **Consulting with communities.** The United Nations police shall create occasions for the regular solicitation of input from communities and community organizations, including those focused on women's issues, about crime, disorder and activities that generate fear and how best to address them. Consultation is critical to demonstrating that the United Nations police give high priority to the security needs and fears of individuals. Members of the public often know more about criminal events than the police, and their input is essential to the effective use of police resources. Consulting with the public is a crucial means for demonstrating that the police serve the public rather than simply themselves or those in positions of power.

32. **Responding to communities.** In order to obtain the public cooperation that is essential to successful crime control and prevention, the United Nations police must demonstrate that they are willing and able to respond to any request from the public concerning their security needs. If they cannot provide what is needed, the United Nations police shall advise people about alternative avenues of redress and assistance. In short, the United Nations police treat the public as clients to be served.

33. **Mobilizing communities by building trust.** The United Nations police shall assist in organizing the community to help them manage crime. Assistance may take many forms, for example, providing information about crime and criminals, serving as volunteers in crime prevention campaigns and other outreach programs, donating facilities and equipment, adopting self-protection measures, and mediating local disputes. Furthermore, the public has more power to influence people to behave properly through informal social control than the United Nations and/or the host-State police do through the enforcement of laws. Building trust across multiple communities can create a much wider impact by, for example, fostering the conditions for the police to restore or expand a state's authority throughout its national territory.

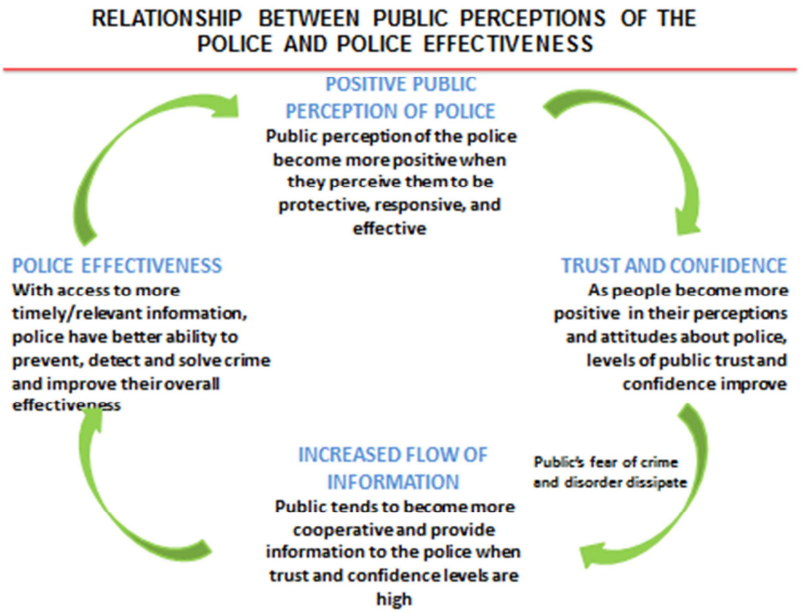
34. **Solving recurring problems.** Community-oriented policing works preventively to change conditions that lead to crime rather than responding over and over again to individual incidents. The United Nations police shall analyze patterns of criminality and disorder, adjusting their activities to focus on particular persons and places. The United Nations police shall treat crime as groups of problems to be solved, not as separate events where one or more persons are caught and punished. The United Nations police shall also broaden the range of preventive activities undertaken, supplementing law enforcement with regulatory, educational and developmental activities.

35. **The how of community-oriented policing: fostering consultation.** To foster consultation, the United Nations police shall:
    i. Assign police officers for not less than six months at a time to manageable patrol areas where the public can get to know them by name. Include female police officers where possible to enable further access to women in the community. Require patrol officers to consult with the community about safety needs and to design practical crime-prevention programmes.
    ii. Create a consultative committee in each patrol area and police station composed of representative members of the public, including women. Membership should be the result of an open process; however, members should be representative of the community and carefully vetted to avoid the appointment of individuals whose interests may undermine the success of the mission. These committees should meet not less than once every month.
    iii. Share timely information about crime in local areas with consultative committees and the media.

36. **The how of community-oriented policing: becoming responsive.** To become responsive, the United Nations police shall build the capacity of the host-State police and other law enforcement authorities to, for example:
    i. Create a toll-free emergency telephone number.
    ii. Provide convenient, comfortable access for the public to police stations and police posts to encourage requests for assistance.
    iii. Assign competent, well-trained staff to telephone and police station reception duties.
    iv. Inform members of the public regularly about progress being made on their cases and requests.

37. **The how of community-oriented policing: mobilizing communities.** To empower communities to play an active role in their own safety, the United Nations police shall build the capacity of the host-State police and other law enforcement authorities to:
    i. Advise individuals and communities about crime-prevention measures that address local problems.
    ii. Educate the public about preventing crime.
    iii. Provide inspection tours of police facilities and opportunities to observe police training.
    iv. Assign police officers to work with youth and schools to enhance safety and reduce the risk of victimization.
    v. Develop joint programs with public and private social agencies to address the concerns of women and children, especially domestic violence and sexual abuse and exploitation.

38. **The how of community-oriented policing: solving problems proactively.** To solve problems proactively, the United Nations police shall:
    i. Train all patrol officers in problem-solving.
    ii. Develop the capacity of all police stations to detect crime patterns and “hot spots” for police attention.
    iii. Require first-line supervisors to document recurrent problems that have been detected, the solutions devised, the results obtained and the time taken to resolution.
    iv. Train supervisors at all levels in the management of community-oriented policing, in particular how to encourage and facilitate community-oriented policing activities by subordinate officers.



39. **End goal: Community vigilance.** Crime prevention depends considerably on what the public does for itself. The public is everywhere, whereas the United Nations police and other law enforcement are not. Community-oriented policing gives priority to educating people about measures they can take to protect themselves, such as avoiding areas of high criminality and instability.

40. **End goal: Support for law enforcement.** By consulting with communities about their needs and fears, the United Nations police develop support for law enforcement actions in cooperation with the local police. Increased trust and confidence in the police will also encourage more people to report crimes and express their concerns.

41. **End goal: Advance warning.** The public can provide the United Nations police with information about conditions that lead to problems, such as unruly crowds, repeat offenders, dangerous physical conditions and other information about threats to security or emerging crimes.

42. **End goal: Calm a disenfranchised society and contribute to the restoration of peace.** Community-oriented policing is geared towards addressing local concerns through a bottom-up orientation – responding to the basic needs of the population. Its success is determined mainly through measuring the level of satisfaction among the public about police responses to local concerns. Successful implementation follows a repeated cycle through identifying problems, remedies and evaluation with the public, increasing police legitimacy among the general population through its neighborhoods and using relations to respond to or resolve community concerns and problems.

43. **End goal: Mutual respect.** Community-oriented policing provides opportunities for individuals and groups to engage in a constructive and critical dialogue about the necessity of the police in order to strengthen relations. Although this is often difficult for the police, it provides an opportunity for the community to express its expectations and for the police to explain their actions. By becoming accountable to the public, the United Nations police become more trusted and, in turn, more respected.

D.4 INTELLIGENCE-LED POLICING

44. **What is intelligence-led policing?** Intelligence-led policing is the second overarching policing strategy. It works in tandem with community-oriented policing. Where community-oriented policing emphasizes policing to the needs and the desires of the local community, intelligence-led policing uses processed information, i.e. data analysis and criminal intelligence, as the fundamental basis for an objective, decision-making framework that facilitates crime prevention, reduction, disruption and dismantling through both strategic management and effective enforcement strategies targeting serious crimes and/or prolific offenders. Intelligence informs and influences the police by helping them more effectively decide on priorities, the allocation of resources and strategies to reduce crime.

45. **When is criminal intelligence important for UN police?** In post-conflict contexts, criminal intelligence is vital to protect civilians, prevent crime and address other security-related issues. The recording of criminal information and its analysis may be conducted if it is believed that the recording or dissemination of criminal intelligence is likely to be of value in carrying out the mission mandate; in the interest of mission or host-State security; for the prevention or detection of crime and disorder; or for the maintenance of public and community safety. In accordance with the mandate, criminal intelligence that contains personal data will be processed in accordance with the legal provisions in the host State and the principle of proportionality.[4] The United Nations police should encourage and assist the host-State authorities with developing and installing a standardized crime report and data collection system early on. A well-designed and well-managed crime reporting system would provide a basis for the host-State authorities to obtain information on the occurrence of various types of crime, enabling the police leadership to allocate resources more efficiently. Such a system would also help the United Nations to assess the effectiveness of capacity-building initiatives.

46. **Who should gather criminal information?** Information gathering is fundamental to the duties of the United Nations police where mandated to provide operational support to the host-State police or conduct interim policing. When acquired, information is used to prevent crime, pursue and apprehend offenders, and obtain evidence necessary for conviction. While criminal intelligence may be assigned to specific personnel within the United Nations police component, all United Nations police officers, including those deployed out in the regions/ sectors/ sub-sectors, shall be responsible for collecting and reporting information that may help identify criminal conspirators and perpetrators. The United Nations police leadership shall convey this obligation to all members of the United Nations police component.

47. **What type of information should be gathered for criminal intelligence analysis?** Where mandated, the United Nations police shall provide products of the collection of criminal intelligence at the strategic, operational and tactical levels. At the strategic level, the United Nations police shall provide information concerning existing patterns or emerging trends of criminal activity designed to assist in criminal apprehension and crime-control strategies and to facilitate the implementation of other mandated tasks, including the protection of civilians. At the operational and tactical levels, the United Nations police shall collect information regarding specific criminal events that can be used by operational units to further a criminal investigation, plan and deploy tactical operations, and provide for the safety and security for UN personnel and property. The United Nations police shall gather information on specific individuals or organizations

[4] Proportionality in relation to privacy law dictates that the disclosure of personal data must be "strictly necessary," i.e. no further than needed to fulfil the legitimate aim being pursued. Please refer to the Handbook on European Data Protection Law (2014) for guidance on data protection in police and criminal justice matters.

where there is reasonable suspicion that said individuals or organizations may be planning or engaging in criminal activity. Information shall be gathered with due respect for the rights of those involved and shall be disseminated only to authorized United Nations police officials as defined by the HOPC or Deputy Police Commissioner for Operations, if one exists. The United Nations police shall not focus solely on retrospective criminal investigations; the United Nations police shall also be concerned with pre-emptive operations based on analyzed intelligence. Through own mandated activities or by advising host-State authorities, it shall target active and prolific offenders or specific activities or locations in an effort to predict emerging areas of criminality and insecurity or to obtain assistance in dismantling groups or networks involved in serious or organized crime.

48. **Training.** Personnel selected to lead and/or work in the police component's Criminal Intelligence Unit shall undergo rigorous in-mission and refresher training on the basis of UNODC's Criminal Intelligence Manuals (2011) and their associated training materials, which are the basis for this Section and are available from the United Nations Integrated Training Service (ITS) and electronically. ITS shall also make available UNODC's Criminal Intelligence Manual for Managers to all incoming HOPCs and Deputy Police Commissioners prior to their deployment. This does not preclude personnel from undertaking any recognized criminal intelligence analysis training on their own to enhance their performance, or from taking advantage of online learning resources available through INTERPOL or other regional and international organizations.

Handling criminal intelligence in a peace operation

49. **How? – Criminal intelligence is sensitive: put procedures in place.**[5] At the start of the mission, the Head of the United Nations police component shall establish procedures to ensure the legality and integrity of its information gathering, including:

    i. Procedures for ensuring that the information collected is limited to criminal conduct or relates to activities or the planning of criminal acts that present a criminal threat to the host State or a threat to the mission's mandate, personnel or facilities;
    ii. Procedures for sharing/ dissemination of information collected;
    iii. Descriptions of the types or quality of information that may be included in the information management system;
    iv. Procedures for the utilization of criminal intelligence personnel and techniques;
    v. Methods for purging out-of-date or incorrect information; and
    vi. Procedures for handing over intelligence-related data to the national authorities.

50. **Binding principles.** The criminal intelligence function is often confronted with the need to balance information-gathering requirements for policing and other law enforcement with the rights of individuals. To this end, the United Nations police shall adhere to the following:

    i. Information gathering for criminal intelligence purposes shall be premised on circumstances that provide a reasonable suspicion that specific individuals or organizations may be planning or engaging in criminal activity.

[5] See the DPKO/DFS Policy on Monitoring and Surveillance in Field Missions (Ref. 2010.34) and Secretary General's bulletin on Information sensitivity, classification and handling (ST/SBG/2007/6) for specific guidance on the handling and processing of sensitive information, including criminal investigation-related data.

ii. Investigative techniques employed shall be lawful and only so intrusive as to gather sufficient information to prevent criminal conduct or the planning of criminal conduct.

iii. The CIU shall make every effort to ensure that information added to the criminal intelligence database is relevant to a current or ongoing investigation and the product of dependable and trustworthy sources of information. A record shall be kept of the source of all information received and maintained by the CIU.

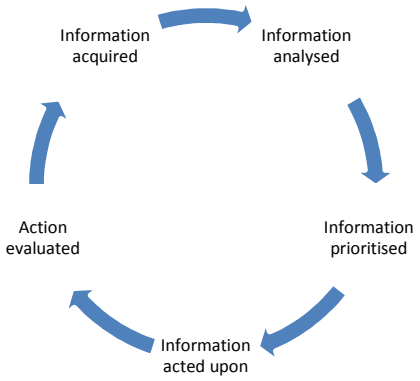
iv. Information gathered and maintained by the United Nations police for criminal intelligence purposes may be disseminated only to appropriate persons for legitimate policing or other law enforcement activities in accordance with rules and regulations established by the Head of the Police Component. A record shall be kept regarding the dissemination of all such information to persons within and outside the police component.

v. Personnel of the UN police component shall not retain official criminal intelligence documentation for personal reference or other purposes but shall submit such reports and information directly to the CIU or equivalent criminal intelligence authority.

vi. Information gathering using confidential informants [6] as well as electronic, photographic and related surveillance devices shall be performed in a legally accepted manner and in accordance with procedures established for their use by the Head of Police Component and shall not be in conflict with the laws of the host State. All information designated for use by the intelligence authority shall be submitted on the designated report form and reviewed by the officer's immediate supervisor prior to submission.

51. **Criminal intelligence cycle: general principles.** Significant information flows shall be available as a result of regular exercise of police duties, enabling the United Nations police to obtain, store and catalogue information on crime patterns and prolific offenders. Once acquired, information shall be analyzed focussing on patterns in the crime data and on connecting events or evidence to potential offenders and groups. This analysis should be disseminated to relevant decision-makers and form the basis for prioritizing the criminal events that should be addressed most immediately. In the next stages, decisions are acted on, e.g., more patrols directed to hotspots of criminal activity or the proactive arrest of serious repeat offenders. Evaluation seeks to identify ways in which any stage of the cycle can be improved and should occur throughout the process, not just at the last stage.

[6] Successful police investigations often rely on specific information provided by confidential informants that is simply not available from other sources. However, confidential informants should be used with the utmost caution and only by agencies with the requisite skills, resources and controls. The International Association of Chiefs of Police has published guidance on this topic: Confidential Informants and Information Concepts and Issues Paper (June 1990) and Model Policy on Confidential Informants (1 December 1989).



52. **Collecting criminal intelligence.** The Deputy Police Commissioner for Operations shall have the overall responsibility for the direction of criminal intelligence operations; coordination of personnel; and collection, evaluation, collation, analysis and dissemination of criminal intelligence information and products. Criminal intelligence investigations or files may be opened by the Chief/CIU with sufficient information and justification. This includes but is not limited to the following types of information:

    i. subject, victim(s) and complainant as appropriate; summary of suspected criminal activity;
    ii. anticipated investigative steps to include proposed use of informants, photographic, or electronic surveillance;
    iii. resource requirements, including personnel, equipment, travel costs, etc.;
    iv. anticipated results; and
    v. problems, restraints or conflicts of interest.

53. **Analysis and prioritization.** The CIU shall establish and maintain a process to ensure that information gathered is subjected to review and analysis to derive its meaning and value. Where possible, the above-described process should be accomplished by trained analysts. Analytic material (i.e., processed criminal intelligence) shall be compiled and provided to authorised recipients as soon as possible where meaningful trends, patterns, methods, characteristics or intentions of criminal enterprises or individuals emerge. This strategic criminal intelligence forms the basis for policy and mission plans to enable effective and efficient mandate implementation.

54. **Receipt/Evaluation of information.** Upon receipt of information in any form, Chief/CIU shall ensure that the following steps are taken:

    i. Where possible, information shall be evaluated with respect to the reliability of the source and validity of the content[7]. While evaluation may not be precise, this assessment must be made to the degree possible in order to guide others in using the information. A record shall be kept of the source of all information, where known.
    ii. Reports and other investigative material and information received by the police component shall remain the property of the originating entity, but may be retained by the police component. Such reports and other investigative material and information shall be maintained in confidence, and no access shall be given to

[7] There are different methods for evaluating information based on the reliability of the source of information and the degree to which the source has direct knowledge of the information. Please refer to Chapter 4 of the UNODC Criminal Intelligence Manual for Analysts (2011) for specific guidance.

another entity except with the consent of the originating entity/ Head of the Police Component.

iii. Information having relevance to active cases or that requires immediate attention shall be forwarded to responsible investigative or other personnel as soon as possible. Analytic material shall be compiled and provided to authorised sources as soon as possible where meaningful trends, patterns, methods, characteristics, or intentions of criminal enterprises or figures emerge.

55. **File status.** Criminal intelligence file status shall be classified as either "open" or "closed." Criminal intelligence files that are actively being worked on shall be designated as "open." In order to remain open, officers working on such cases must file criminal intelligence status reports covering case developments at least every 180 days. "Closed" criminal intelligence files are those in which investigations have been completed, where all logical leads have been exhausted, or where no legitimate police or other law enforcement interest is served. All closed files must include a final case summary report prepared by or with the authorization of the lead investigator.

56. **Classification of criminal intelligence.** Strategic criminal intelligence will provide the Head of Mission (HOM) and the Mission Leadership Team (MLT) with an incisive understanding of issues, trends and threats and their implications for strategic and operational decisions that may impact mandate implementation and the security of UN personnel, assets and premises. Criminal intelligence files shall be classified as "confidential," "strictly confidential" or "unclassified."[8] The classification, handover and purging of criminal intelligence files will be addressed in future specialized guidance.

D.5 INVESTIGATIONS AND SPECIAL OPERATIONS

57. **United Nations police investigations.** Investigation is a process of gathering facts and information that can be presented as evidence to determine if a crime has been committed or the precise circumstances under which it was committed, and lead to the identification of the perpetrator(s). The relationships between the police and other law enforcement agencies and the judiciary vary from country to country and from jurisdiction to jurisdiction, for example, in systems of common law, which is adversarial, or civil law, which is inquisitorial, as well as hybrid justice systems. Police investigations may operate completely independently of prosecution or be guided and overseen by the prosecution. The United Nations police shall conduct investigative activities in accordance with the mission mandate, the legal framework in the host State and international human rights norms and standards. Investigations conducted as part of the mission's mandate are distinct from administrative investigations that may be conducted into allegations of misconduct by United Nations personnel, including police personnel, under specific applicable procedures.

58. **The United Nations police investigations element.** The Deputy Police Commissioner for Operations shall have the overall responsibility for the initiation of investigations; coordination of personnel; collection and evaluation of evidence; and submission of cases for prosecution, in accordance with the mission mandate. The day-to-day investigative function shall be exercised by units at the police station level and by the Investigations Unit (IU) for more serious crimes, headed by the Chief of Unit and working under the overall direction for criminal investigations as established by the Deputy Police Commissioner for Operations.

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[8] See Secretary-General's bulletin on Information sensitivity, classification and handling (ST/SGB/2007/6) for more information.

59. **Prioritize crime prevention through proactive investigations**. Investigation can be reactive, i.e., applied to crimes that have already taken place, or proactive, i.e., targeting a particular criminal(s) or preventing a criminal activity planned for the future. Facts and information within a peacekeeping environment may be gathered, collated, analyzed and presented as a criminal threat assessment with regard to individuals and/or groups inciting, planning or conspiring, or committing or having committed criminal acts which are or continue to be underlying or aggravating sources of the current conflict.

60. **The cornerstone of United Nations police investigations.** One of the fundamental principles of United Nations police investigations is the presumption of innocence, as enshrined in international human rights law, including the Universal Declaration of Human Rights. The presumption of innocence requires that a person charged with a crime has the right to be presumed innocent until the prosecutor, with whom the burden of proof lies, proves that the person committed the crime beyond a reasonable doubt. The presumption of innocence applies throughout the period of criminal investigation and trial proceedings, including the appellate processes. At the start of the mission, the Head of the United Nations police component shall establish procedures to ensure the legality and integrity of investigations to be undertaken by the United Nations police in the implementation of its mandate and in accordance with human rights norms and standards, including:

    i. Procedures for ensuring facts and information collected for the purpose of evidence is limited to crimes or intended crimes, perpetrators or intended perpetrators (including parties to the offense), criminal act or conduct, or activities that present a threat to the community;
    ii. Procedures for evidence collection and handling, including its safe custody and, where necessary, additional examination by qualified personnel;
    iii. Rules and regulations on the recording and maintenance of detailed descriptions of the types or quality of physical evidence and methods for handling and handing over evidence to host-State authorities;
    iv. Rules on the keeping and disposing of investigation files;
    v. Procedures for the utilization and sharing, including with mission and external actors, of criminal investigation results or processes;
    vi. Procedures for ensuring the protection of victims, witnesses and other sources.

61. **Preliminary investigation.** Any person may report orally, in writing or by technical means of communication to a United Nations police officer the commission of an act of a criminal nature. All United Nations police officers must know and be able to recognize a crime within the jurisdiction. Most investigations begin with the preliminary investigation conducted by a patrol officer. Depending on the nature and severity of the crime and complexity of the crime scene, a follow-up investigation conducted by the police component's IU or the host-State police and other law enforcement authorities, as mandated, may be initiated. Activities during the preliminary investigation shall center on the protection of persons (victims, witnesses), collection of evidence, apprehension of suspects at or near the crime scene, and solving of the reported crime. During the preliminary investigation, officers shall perform the following duties in the order and to the degree deemed appropriate:

    i. Secure the crime scene.
    ii. Notify the Police Operations Centre concerning injured parties and any dangerous conditions present, and request appropriate medical assistance and additional equipment, services or personnel, as needed.
    iii. Assist the injured pending the arrival of emergency medical personnel. In serious

cases, an officer shall be assigned to accompany the victim or the suspect to the hospital and remain with him or her to record information on the incident.

iv. Take written notes and conduct voice and video recordings whenever possible.

62. **Covert or technical measures of surveillance.** On the basis of criminal intelligence, the United Nations police shall conduct special operations targeting the most serious criminal threats. When mandated, the United Nations police may use covert or technical measures of surveillance in order to prevent, detect and investigate crimes and to ensure public safety. However, the use of covert or technical measures shall be clearly spelled out in the legal framework and carried out in accordance with international criminal justice and human rights standards and norms. Typically, a judicial authorization shall be required to undertake the following covert or technical measures:

    i. Interception and recording of communications;
    ii. Interception of communications by a computer network;
    iii. Covert photographic or video surveillance in private premises;
    iv. Covert search of letters, packages, containers and other parcels;
    v. Controlled delivery of letters, packages, containers and other parcels;
    vi. Covert monitoring and recording of conversations;
    vii. Simulated purchase of an item;
    viii. Simulation of a corruption offence; and/or
    ix. Disclosure of financial data.

63. **Some covert or technical measures of surveillance are routine police tasks** and may not require judicial authorization, depending on local legislation:

    i. Covert observation and surveillance in public places; and/or
    ii. Use of tracking or positioning (GPS) devices.

64. **Covert or technical measures of surveillance without authorization.** The legal framework should also prescribe situations in which the United Nations police may commence the implementation of the measures without judicial authorization. These may include instances when authorization cannot be obtained in time and there exists a substantial risk of delay which could result in the loss of evidence or endanger the lives or health of people. In the case of an executive mandate, the SRSG shall decide when covert surveillance may be conducted.

65. **Preliminary investigation case management.** Patrol officers shall pursue preliminary investigations to the full extent of their available time and investigative training. In most minor property crimes, patrol personnel shall assume responsibility of the crime scene and conduct any on-scene and follow-up investigation deemed necessary. The patrol officer's supervisor shall review, approve and forward the preliminary investigative report to the Investigative Unit as soon as practicable.

66. **IU personnel at the crime scene.** IU personnel shall be notified if there is a need for immediate investigation at the crime scene. Requests for investigative service assistance at the crime scene shall be based on the following primary factors:

    i. Seriousness or complexity of the crime.
    ii. Where a "hot" lead requires immediate attention.
    iii. Security situation at the crime scene.
    iv. Level of patrol officer expertise in crime scene processing and the availability of appropriate crime scene processing equipment for photography, evidence collection and related tasks.

v. Where the crime may serve as a link to another crime.

67. **Power to stop persons.** The legal framework should clearly spell out the rules of stops and searches and be made available through training and pocket cards to all United Nations police officers. In situations in which the United Nations police have an executive mandate, the United Nations police should be able to stop and question any person when there are reasonable grounds to believe that information with respect to a crime may be obtained. Any person stopped should be informed of their responsibility under the existing legal framework to provide personal information such as name and address and reasonably assist the United Nations police. The United Nations police shall identify themselves when requested by any citizen, and when questioning an individual the United Nations police officer shall provide his or her full name, police ID number and location of assignment. All United Nations police shall wear clearly visible and readable (including in local languages) name tags.

68. **Identification.** United Nations police officers should be authorized to take all proportionate measures necessary for the identification of a person for the purpose of preventing danger, serious crimes, imminent attacks, or around sensitive sites. In order to do so, the United Nations police may detain a person for the time necessary for identification. In case the identification of a person under this provision is not possible by other means, the United Nations police may take fingerprints, photos, samples for DNA analysis, or other biometric information as necessary. Information obtained may not be disclosed for the purposes of criminal investigation or prosecution; must be deleted after the person has been identified; and must be obtained in accordance with national laws. Persons taken into custody shall be treated in accordance with the standards set out in the DPKO-DFS Interim Standard Operating Procedures on Detention in UN Peace Operations (Ref. 2010.06).

69. **Search of persons.** The United Nations police shall conduct searches of persons in a respectful manner. The search shall be conducted by a person of the same sex as the suspect. If there is no United Nations police officer of the same sex as the suspect at the place at which the search is to take place, the United Nations police officer may request, authorize and instruct any suitable person of the same sex to perform the search. The legal framework should foresee circumstances under which the search of a person may be conducted without a warrant, for example, following an arrest or on reasonable grounds that the suspect is in possession of an object that in itself constitutes a crime or is related to a criminal act. Guidance on searching detained persons may be found in the abovementioned interim standard operating procedures.

70. **Physical examination.** The legal framework should also establish circumstances under which a physical examination of the suspect or accused may be conducted without his or her consent, e.g. if such examination is necessary to establish facts that are of importance for the criminal proceedings, and where no detriment to his or her health is to be expected. Physical examination shall be conducted by a doctor, nurse or other professional with appropriate medical qualifications, under circumstances allowing for maximum privacy and with full respect for the dignity of the person. When necessary, hair and follicle samples, saliva, urine, nasal swabs, swabs of skin surface, fingernail and under-fingernail samples and other similar samples that do not entail bodily intrusion can be taken during the examination pursuant to the requirements outlined in the relevant national legislation.

71. **Bodily intrusions.** The legal framework should also introduce human rights safeguards that would require the United Nations police to obtain a judicial permission to perform bodily intrusions, such as the taking of blood samples. Where permission for a bodily intrusion in relation to a minor has been granted, the procedure shall require the

presence of the parents, legal guardian or closest relative of the minor and shall be executed with full respect for the rights of the minor. Blood samples or other body cells taken from the person during the examination may be used only for the purposes of the criminal proceedings for which they are taken or in other criminal proceedings pending, or in instances where the samples establish a link between the suspect and other cases. They shall be destroyed without delay as soon as they are no longer required for those uses, in accordance with host-State legal requirements.

72. **Molecular, genetic and DNA analysis.** Molecular, genetic and DNA analysis shall require a judicial authorization. Materials may be subjected to molecular and genetic examinations, insofar as such measures are necessary to establish descent or to ascertain whether traces found originate from the suspect or the accused or the victim. Examinations may also be carried out on trace materials that have been found, secured or seized. For the purposes of establishing important facts in criminal proceedings, cell tissue may be collected from the suspect or the accused to identify DNA code. Information other than that required to establish the DNA code may not be ascertained during the examination. Cell tissue shall be destroyed without delay once the judgment becomes final.

73. **Examination of mental state.** Judicial authorization should always be required where an examination of the mental state of the suspect is necessary in the course of an investigation. Any examination ordered shall be conducted by a doctor. If no doctor is available, a medical professional with experience in the field of mental health or a qualified psychologist may conduct the examination.

74. **Major crimes.** IU shall assume responsibility for oversight and completion of investigations of all major crime scenes as defined by the Head of Police Component. The investigative officer in charge shall have complete authority to establish priorities and make decisions regarding witnesses and suspects, the recording of statements and collection of physical evidence, on-site arrests, applications for warrants, and all other activities germane to a comprehensive investigation. Circumstances permitting, the Deputy Police Commissioner for Operations or his or her designate may assign patrol officers to assist IU personnel. In such instances, these officers are responsible to the on-scene investigative officer in-charge.

75. **Evidence chain of custody.** Evidence is defined as pieces of information that, when taken together, determine whether a crime was committed and by whom. Proper evidence handling means recording enough information to identify the exhibit, the chain of custody (i.e. where it was moved and by whom, where it was obtained, and when it was handled). Evidence must be collected and kept in a manner that maintains the nature of the evidence, and handled in a manner that leaves no doubt that it could not have been accidently or deliberately altered or substituted. In accordance with the mission mandate, the United Nations police shall follow standard procedures for logging, labelling and packaging evidence and exhibits for handover to the host-State authorities or the competent prosecutorial body. Each mission police component shall establish specific guidelines relating to the chain of custody.

76. **Case management.** The Chief/IU shall review the preliminary investigation and make a determination of additional investigative activities that are required. He or she shall assign cases based on their seriousness and in accordance with priorities established by the Head of Police Component. When a case is assigned, the frequency of follow-up reports shall be established. This determination shall be based on the severity of the crime and the overall caseload of the investigator assigned. Cases shall remain open as long as leads have not been exhausted and resources are not needed for more serious cases. Officers working on such cases should file status reports covering any new developments at least every 180 days.

77. **Case records.** Each case file shall be assigned a number identical to the original complaint number. As follow-up reports are completed, the original shall be filed in the police component's Records Division. Copies of all follow-up reports from active cases shall be filed in the IU and shall be accessible to all IU personnel unless otherwise instructed by the Chief/IU. The Chief/IU shall maintain a case status log, based on the following definitions:

    i. Cleared: A suspect has been identified and charged with the commission of the offense in question and turned over to the court for prosecution.
    ii. Exceptional Clearance: The identity and address or exact location of the offender is known and sufficient evidence exists to charge the offender.
    iii. Open: An ongoing investigation. If the investigation has exhausted all leads, yet the possibility remains that new facts may come to light given ongoing inquiry, the case shall remain open.
    iv. Unfounded: The offense did not occur or there is no case in a legal sense.
    v. Inactive: When all potentially fruitful leads have been exhausted an investigation may be classified as inactive. An investigation may be reactivated and assigned to an investigator's active caseload if sufficient new leads are developed.
    vi. Closed: The statute of limitations has passed, for example.

78. **Progress reporting.** Monthly activity or productivity reports shall be provided by investigators, and monthly summary reports of case status and unit productivity shall be developed by the IU in accordance with the instructions issued by the Head of Police Component. Both victims of crime and preliminary investigating officers shall be kept informed of the status of case investigations.

79. **Coordination with CIU.** The IU shall maintain close coordination with the CIU. Particular emphasis shall be placed on the identification of crime patterns suitable for making informed tactical decisions on human-resource assignments. Investigative services shall establish, as a priority, the arrest and prosecution of repeat offenders. Proactive targeting of repeat and violent offenders – using such tactics as stakeouts, surveillance and informants – shall also be emphasized and directed by the Chief/IU in co-operation with the CIU.

80. **Forensic examinations.** In conducting serious investigations, the United Nations police may be required to perform forensic examinations. The police component shall therefore be required to have a forensic specialist (or specialists), either internationally or locally recruited, to fulfil these tasks. Upon the completion of an examination, the forensic specialist shall issue a detailed report in accordance with professional standards[9], including all of his or her observations and opinions. The forensic specialist shall not issue any conclusion relating to the legal responsibility of any suspect or any other individual. As an official of the United Nations, the forensic specialist shall be immune from criminal or civil liability based on any opinion, observation or testimony provided in his or her professional capacity. This rule operates without prejudice to applicable law on professional negligence.

81. **Witness protection.** The United Nations police deploy to areas where grave crimes have been or are being committed. Successful prevention and investigation of crimes requires appropriate protection and support of victims and witnesses. It is imperative to create circumstances whereby witnesses are able to testify to the best of their ability.

[9] International forensic standards are not yet available. Missions are encouraged to use materials developed by UNODC (https://www.unodc.org/unodc/en/scientists/publications_manuals.html) and/or ASTM International (http://www.astm.org/Standards/forensic-science-standards.html), available in English, French and other languages.

The United Nations police play a major role in ensuring witnesses' right to life and physical integrity as well as other fundamental human rights. If mandated, the United Nations police component shall establish a specialized witness protection unit (WPU) under the direct supervision of the HOPC. When appropriate, the WPU shall liaise and request advice from the human rights component. The WPU shall undertake the full cycle of witness protection, including identification, protection and, if required, relocation as a last resort. The WPU shall record all data on intimidation, harassment, threats and acts of violence against victims and witnesses and inform the HOPC about any patterns or trends in the field.[10]

D.6 PUBLIC SAFETY

82. **Strike a balance in policing.** Contributing to public safety is a key task of the United Nations police. Public safety is achieved through effective patrolling, public order management, road traffic safety and border management and control. Post-conflict environments are often characterized by the breakdown of public institutions, widespread human rights abuses and a dearth of policing services. The HOPC and the Deputy Police Commissioner for Operations – in consultation with the host-State actors and civil society – need to identify priority areas in cases where the assistance of the United Nations police is required. At the same time, some communities may have experienced victimization from the police and other authority figures. In these neighborhoods, the United Nations police should adjust their tactics and appearance by avoiding overly militaristic gear or equipment and working to reassure the community.

83. **Police-military cooperation**. Particularly during the stabilization phase of a peacekeeping operation, the complementary actions of both military and police facilitate outreach and engagement and restoration of safety and security. Examples of such cooperation include checkpoints, joint patrols[11] and protection of civilians activities. Mission-specific guidance shall be developed that outlines modalities of cooperation and clear circumstances that indicate when transitions of responsibility take place. These shall be developed in the planning phases for each mission and approved jointly by the HOPC and the Head of the Military Component (HOMC). Joint training and exercises shall take place on a regular basis.[12]

84. **Public order management.** The primary focus of public order management is to facilitate the population's exercise of fundamental rights without disturbance or unjustified hindrance and to reconcile the right to peaceful assembly with public safety. The United Nations police maintain or re-establish public order within a certain perimeter, either in support of the host-State police or alone in cases of an executive policing mandate or demonstrations against United Nations personnel or facilities. Public order management is the key competence of FPUs[13] and shall be applied within strict human rights legal frameworks, using force only when strictly necessary and to the extent required for the

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[10] The United Nations witness protection bill, OHCHR Manual on Human Rights Monitoring chapter on protection of victims, witnesses and other cooperating persons (2011) and the Handbook on Good Practices for the protection of witnesses in criminal proceedings involving organised crime (UNODC, 2009) provide detailed guidance in this area.

[11] United Nations Infantry Battalion Manual Vols. 1 and 2, August 2012, p. 19.

[12] The Policy on Command and Control Arrangements in United Nations Peacekeeping Operations (2008.04) clarifies the authority and command control arrangements for the uniformed components of United Nations peacekeeping operations.

[13] See the DPKO-DFS Policy (Revised) on Formed Police Units in United Nations Peacekeeping Operations (Ref. 2009.32) and the forthcoming revision for detailed guidance on operational matters related to FPUs.

performance of their duty. The execution of public order management tasks requires sound planning based on threat assessments; dialogue with stakeholders (such as host-State actors and, wherever possible, representatives of affected citizens groups) and other mission components, including the military and civilian components; and the establishment of a clear chain of command leading to a senior United Nations police officer. Where threats exceed these limits or become threats of a military nature, United Nations police shall hand over responsibility to United Nations military peacekeeping forces, using a predefined disengagement concept.

85. **Notice of public gatherings.** In situations in which the United Nations police have an executive mandate, the United Nations police component shall establish, in agreement with the host-State authorities, a legal framework that shall guide the conduct of public gatherings. This framework, upon agreement between the host-State authorities and the United Nations, may be an existing local law. The legal framework (whether host-State or transitional) should require the organizer(s) to inform the United Nations police of their intention to hold a public gathering, including the time, place and purpose of the event. The dispersal of assemblies should only be done as a last resort and in accordance with the lawful restrictions as expressed in the International Covenant on Civil and Political Rights and other applicable human rights instruments. The legal framework should also foresee clear criteria under which the United Nations police may prohibit or terminate the holding of a public gathering, e.g., when the United Nations police are not in a position to ensure the safety of people or property during the course of the public gathering; or when it is reasonably expected that public safety would be threatened by the gathering.

86. **Public disorder.** The United Nations police shall take all necessary measures to contain a disorderly public gathering. An assessment of the seriousness of the situation and the impact on the community must be made in order to determine the appropriate level of response, including the tactics and resources required, e.g., FPU reinforcements, military forces, etc. The commander shall also ensure that the Police Operations Centre is notified as soon as possible.

87. **Use of force.** The use of force by the United Nations police, including FPUs, is regulated by the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (hereafter "Basic Principles"), the Code of Conduct for Law Enforcement Officials (hereafter "Code of Conduct"), and mission-specific guidance, such as Directives on the Use of Force and Firearms. The deployment and operations of the United Nations police, including FPUs, shall always be based on the principles of necessity, proportionality/minimum/gradual level of force, legality and accountability. All actions of the United Nations police shall be aimed at the protection and preservation of human life, property, liberty and dignity. Instances when a firearm has been discharged or when injury or death has been caused shall be promptly reported and investigated. Excessive use of force can lead to disciplinary or criminal accountability measures against the police personnel involved.

88. **Gradation of force principle.** Gradation of the level of response and early involvement to prevent possible escalation of the situation are the norm. Dialogue and mediation must be applied whenever possible. In accordance with the Basic Principles, an escalation in the level of force should only take place if preceding measures have proven ineffective or hold no promise to achieve an authorised objective. Forceful means are only to be introduced when they are strictly necessary for the maintenance of public order, so as to protect life and property and to prevent a serious deterioration of the security situation.

89. **Electoral security.** The United Nations police support electoral processes by either directly contributing to the provision of security or by supporting the host-State police in their role through advice and capacity-building. In cases of executive mandates, the United Nations police may have direct overall responsibility for providing security during

electoral processes. Depending on the mandate, the United Nations police may only be responsible for certain aspects of security such as public order management. Planning for security in electoral processes shall begin well in advance; shall leave room for flexibility, given some degree of volatility in post-conflict settings; shall be coordinated with the mission's electoral component, if one exists; shall be informed by an analysis of the human rights situation; and shall be provided with impartiality and in compliance with international human rights norms and standards.[14]

90. **Protection of UN personnel and facilities.** FPUs shall provide protection for armed and unarmed United Nations police and other civilian mission personnel, as well as facilities and equipment. This can include protection of convoys, relocation or evacuation of staff and intervention where necessary for the protection of staff and in accordance with FPU capabilities. FPUs may be involved in providing protection to military personnel (military observer team sites) or military units, particularly enabling units, which may have a limited capability to deal with the types of incidents to which FPUs might typically respond. Specific tasks shall be defined in each mission in accordance with crisis management arrangements stipulated in the DPKO-DFS Policy on Authority, Command and Control in United Nations Peacekeeping Operations (Ref. 2008.04).

91. **Static guard and close protection.** Static guard duties, which may reduce the operational intervention capability of an FPU, should only be provided by the FPU in exceptional cases and keeping in mind that an FPU should not be broken down further than its smallest deployable unit. Close protection and VIP escorts for the benefit of the United Nations, international or national officials, may be provided – again keeping in mind the need to maintain the smallest deployable units intact and without prejudice to the presence of dedicated specialized units.

92. **Road traffic safety.** Low-income countries, to which most post-conflict societies belong, are particularly prone to high rates of accidents and mortality on the roads. Putting in place the foundations for an effective system of vehicle and road traffic safety is an important task of the United Nations police for fostering sustainable law and order. The Hadden Matrix (below) presents a clear array of measures that United Nations police professionals in the field of road traffic safety may take to effect positive change. Of particular importance is the role of the United Nations police in tackling reckless human behavior through education and enforcement. Officers should focus on four key dangers: failure to wear seat belts; failure to wear helmets; excessive or unsuitable speeds; and driving under the influence of drugs or alcohol. The legal framework should provide the United Nations police with a set of sanctions that it can impose on individuals violating the law. Outreach to communities should be prioritized on par with rigorous enforcement.

Phase	Human factors	Vehicles and Equipment factors	Environmental factors
Pre-crash	• Information • Attitudes • Impairment • Police	• Roadworthiness • Lighting • Braking • Speed management	• Road design and layout • Speed limits • Pedestrian facilities

[14] See the DPKO/DFS Guideline on United Nations Police Support to the Provision of Security in Electoral Processes (Ref. No. 2013.03) for guidance on this topic.

	enforcement		
Crash	• Use of restraints • Impairments	• Occupant restraints • Other safety devices • Crash-protective design	• Crash-protective roadside objects
Post-Crash	• First-aid skills • Access to medics	• Ease of access • Fire risk	• Rescue facilities • Congestion

E. TERMS AND DEFINITIONS

Capacity-building:	Efforts to strengthen the aptitudes, resources, relationships and facilitating conditions necessary to act effectively to achieve an intended purpose. Capacity-building targets individuals, institutions and their enabling environment.
Criminal intelligence:	Processed information on crimes and criminality, to plan, prioritize and allocate resources in undertaking crime-reduction strategies.
Formed Police Unit (FPU):	Cohesive mobile police units that provide support to United Nations operations and ensure the safety and security of United Nations personnel and missions, primarily in the area of public order management.
Individual Police Officer (IPO):	Police or other law enforcement personnel assigned to serve with the United Nations on secondment by Governments of Member States at the request of the Secretary-General.
Law enforcement official:	All officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention. In countries where police powers are exercised by military authorities, whether uniformed or not, or by State security forces, the definition of law enforcement officials shall be regarded as including officers of such services.
Police and other law enforcement agencies:	Includes police, gendarmerie, customs, immigration and border services, as well as related oversight bodies, such as ministries of the interior.
Police component:	All United Nations police officers in a given mission, i.e., Individual Police Officers (IPOs) and/or Formed Police Units (FPUs).
Police development:	Efforts to strengthen a host-State police service through reform and restructuring, as part of capacity-building.
Public order management:	Police actions aimed at facilitating the population's exercise of their fundamental rights without any disturbance or unjustified hindrance and preventing assemblies from threatening or actually harming public safety.
Public safety:	Day-to-day security that allows full freedom of movement; virtual absence of crime and disturbances.

Rule of law:	Principle of governance in which all persons, institutions and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency. (Report of the Secretary-General, S/2004/616).
Special operations	Police operations that require specialized skills including explosive ordinance disposal, special weapons and tactics teams (SWAT), small arms and light weapons disarmament and disaster response.
United Nations police:	Includes both Headquarters staff in the United Nations Police Division (inclusive of the Standing Police Capacity) and mission staff in United Nations police components.
United Nations police component:	United Nations police organized within a peace operation.

F. REFERENCES

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- United Nations Policy on Human Rights Screening of United Nations Personnel, 2012
- OHCHR/DPKO/DPA/DFS Policy on Human Rights in UN Peace Operations and Political Missions, Ref. 2011.20, 01 September 2011
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G. MONITORING AND COMPLIANCE

The Police Adviser to the Department of Peacekeeping Operations and Director of the Police Division shall monitor compliance with this document.

H. CONTACT

Chief of the Strategic Policy and Development Section, Police Division, Office of Rule of Law and Security Institutions, Department of Peacekeeping Operations.

I. HISTORY

APPROVAL SIGNATURE:

DATE OF APPROVAL:

APPROVAL SIGNATURE:

DATE OF APPROVAL