



TRAINING REPORT
ENHANCING HUMAN RIGHTS
PROTECTIONS IN THE SECURITY
SECTOR IN THE ASIA PACIFIC

IN PARTNERSHIP WITH



THE UNIVERSITY OF
SYDNEY



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REPORT: REVIEWING HUMAN RIGHTS TRAINING FOR SECURITY FORCES

1. PURPOSE AND BACKGROUND

This report has two aims: (1) to provide a critical overview of existing human rights training developed for security forces and (2) to develop some principles for how actors involved in funding, developing and delivering training could make it more effective.¹ Despite the extensive investment of resources and effort in human rights training across the world, there is, surprisingly, no comprehensive database of training. Nor has there been a broad and robust debate about the principles and practices of effective training. As such, this report is intended to act as a catalyst for collecting and compiling training resources. It is also intended to invite actors from international organisations, non-government organisations, national human rights institutions and the training sections of security organisations to enter a critical and sustained conversation. This conversation should focus on two questions: What are we doing when we train for human rights? And, what types of practices and principles ought to guide our work?

The research for this report was conducted in the course of undertaking a larger project on the prevention of the improper use of force in the security sector: Enhancing Human Rights Protections in the Security Sector in the Asia Pacific.² The aim of this larger project was to identify more effective approaches to preventing the improper use of force, with a particular focus on strategies to develop the capacities of personnel in security agencies to address and prevent such practices. In the course of conducting research on the improper use of force, we arrived at the view that the type of human capacity building that would be most effective needed to go beyond education and training, as these have been traditionally understood. Nevertheless, historically, capacity building in the field of human rights has been largely taken the form of education and training. Accordingly, as part of the process of devising our own approach, we felt that it was important to examine and analyse existing human rights training material and approaches that has been developed internationally for the security sector.

Once we began to examine and critically analyse the material that we collected, however, it became apparent that there was a need to attend to human rights training for the security sector as a distinct stand-alone research topic. On the one hand, our research indicated that the provision of human rights education and training for security personnel has become a widespread trend internationally; on the other, we found a dearth of discussion about the quality of this material, its impact or the politics of the training field. Human rights training resources and programs have been and continue to be funded and developed and delivered by a range of international organisations, civil society organisations and in-house training institutes, and human rights training constitutes a frequently recommended form of action to states in relation to compliance with their human rights obligations. Unfortunately, the statistics on funding for human rights projects that focus on training and education in the security sector that would be required to draw conclusions about the extent of the effort are unavailable and as such, we cannot accurately calculate how widespread such training programs are, or the level and proportion of resources that is invested in them. Nevertheless, we do know, both from our initial review of the material and from the place that training and education plays in the work of human rights organisations, that they are, and are increasingly, assumed to be amongst the basic strategies for protection and promoting human rights. For example, training for law enforcement and military personnel forms one of the articles of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)³ and accordingly frequently appears amongst the recommendations of the concluding observations of the CAT Committee in response to periodic reports.⁴ Moreover, as exemplified by the recent adoption by the UN General Assembly of the *United Nations Declaration on Human Rights Education and Training*⁵, and the growing number of NGOs involved in human rights education and training, this aspect of human rights work is receiving increasing emphasis and

¹ For the purposes of this report, the terms 'the security sector' and 'security personnel' will be used to cover both police and military.

² In our own project, we adopted the term 'the improper use of force, rather than the language of torture or torture and cruel, inhuman or degrading treatment and punishment, as used in the international convention and international human rights law. This choice was based on several factors that are discussed in Enhancing Human Rights Protections Project, *Introduction to the Issues Papers*, 2014. In this report, we use the more traditional language of torture as this is the language that training materials uses.

³ "Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment." (Article 10.1)

⁴ One can examine almost any concluding observations to find this but for some recent and relevant examples see: Concluding observations on the combined fifth and sixth periodic reports of Poland, CAT/C/POL/CO/5-6, 23 December, 2013; Concluding observations on the second periodic report of Kyrgyzstan, CAT/C/KGZ/CO/2, 19 December, 2013; Consideration of reports submitted by States parties under article 19 of the Convention, Concluding observations of the Committee against Torture, Sri Lanka, CAT/C/LKA/CO/3-4, 8 December, 2011.

⁵ A/Res/63/137, 16 February 2012.

attention. A recent special issue of the Journal Of Human Rights Practice dedicated to human rights education and training is illustrative of this trend.⁶

And yet, once we entered into the process of reviewing and analysing training material for security personnel, two deficiencies became apparent. First, although there exists a large body of resource material, there exists no comprehensive study or database of existing training done around the world.⁷ Thus, although the same material often circulates and is replicated in new training programs, the channels through which training experiences are spread seem to be ad hoc and largely the result of personal or organisational networks. Given that a large number of human rights and security organisations seek, at different points, to develop their own training curricula and resources, a more rigorously organised and comprehensive compilation of training material in a central site, a type of 'training commons' would provide a ready at hand body of resources on which they might draw. Several years ago, and in recognition of this gap, there was an initiative to establish a database of resources and a network of trainers under the auspices of the Council of Europe's 'Police and Human Rights – Beyond 2000' programme. Unfortunately, organisational restructuring and a lack of resources meant that this initiative was not realized. *Accordingly, one of the purposes of the current report is to lay the foundations for the establishment of this type of open access database.*⁸

Second, there exists no comprehensive or robust set of criteria for what counts as effective human rights training for security personnel, nor any comparative analysis of different types of trainings' impact.⁹ Indeed, even at the level of individual trainings, one rarely sees robust forms of impact evaluation that would provide useful information about which types of approaches bring about which types of change (in, for example knowledge, attitudes or behaviours). This is despite the fact that many newer training packages or resources draw on material that has already been in circulation and one sees occasional reference to 'best practice', without explanation as to why the particular approach was used. 'Best practice' seemed to simply mean, 'doing what everyone else is doing' without there being any broader discussion of what works and what does not. The failure to conduct adequate impact evaluation at the level of individual trainings is thus replicated at the meta-level. This seriously impedes our understanding of what works and what could be usefully taken up or adopted elsewhere. *Accordingly, the second purpose of this report is to begin to establish some principles to guide the design of trainings and according to which they could be evaluated.*

This report claims neither to provide a comprehensive database of trainings, nor to develop definitive principles for design and evaluation. It is rather intended to commence a much-needed conversation amongst practitioners and scholars working in human rights and education in the security sector, including members of the forces themselves. The establishment of a comprehensive and living database, which this report strongly recommends, will require an institutional home as well as foundational and ongoing resources. Similarly, the development of principles will require the participation of a network of practitioners.

2. METHODOLOGY AND THE CHALLENGES OF CREATING A TRAINING COMMONS

This section sets out the main methods that we used to collect resources. In addition, because this report recommends the establishment of a comprehensive database of training materials, as well as presenting these methods, we also discuss the difficulties that we faced in putting together a comprehensive collection. Making explicit the reasons that it is so difficult to access and analyse material will, we hope assist the human rights community in understanding and overcoming the barriers to the type of sharing and analysis that would benefit the field.

We gathered information about training using three main methods. The first was a simple collection of publicly available training material. Immediately upon entering the field it became evident that most training on the

⁶ The special issue was *Volume 5 Issue 2 July 2013* and can be found at <http://jhrp.oxfordjournals.org/content/5/2.toc>, accessed July 18, 2014.

⁷ In 2004, a report on was commissioned to examine a number of police reform processes undertaken by various UN agencies and focusing on human rights trainings. The report does not include primary material but does provide a useful overview of some of the major issues. In fact, although conducted ten years ago, many of its findings concur with those made in this study. William G. O'Neill, *Police Reform and Human Rights: A Hurist Document* (New York: Joint Human Rights Strengthening Programme of the United Nations Development Programme and the Office of the High Commissioner for Human Rights (HURIST), 2004). A broader review of all human rights training modules developed by UN agencies or departments (including but not limited to police) was also conducted 2002.

⁸ We note in this regard that UN Women has an on-line data base of resources on trainings on gender based violence at <http://www.endvawnow.org/en/tools/search/#/1/police/4-496/>

⁹ The field of evaluation in human rights practice has burgeoned in recent years after being virtually ignored. For early discussions see for example Carr Center, "Measurement and Human Rights: Tracking Progress, Assessing Impact,"(Carr Center Project Report, 2005). For a more recent overview of the field see Emilie Marie Hafner-Burton and James Ron, "Seeing Double: Human Rights Impact through Qualitative and Quantitative Eyes," *World Politics* 61, no. 2 (2009). With respect to evaluation of human rights education and training more narrowly, a highly comprehensive resource can be found at Equitas and UN Office of the High Commissioner for Human Rights (OHCHR) *Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators*(2011).

prevention of torture formed part of broader human rights trainings and as such, we widened our scope to human rights training in general, with a focus on those parts concerning torture and ill treatment. As part of this first method, we supplemented publicly available training materials by following up with people working in the field identified through our research, or using a passive snow balling technique, with others in the field, and asking them to provide us with copies of training material. A small number of interviews were also conducted with select experts who have developed or delivered this training material. In addition, in our two case study countries (Nepal and Sri Lanka) we attempted to identify all the relevant organisations conducting training and to obtain copies of their training material.

While training material developed by the larger agencies such as the United Nations High Commissioner for Human Rights (UNHCHR) and the Organisation for Security and Co-operation in Europe (OSCE) is generally available on open access sites, accessing and collecting material that has been developed at a more local level proved more difficult.

Accessing all of the training material that exists provide difficult for a number of reasons. First, resources are developed and training is conducted by a wide array of organisations at different levels (international, regional, national and local) and in different spheres (Inter-Governmental, Non-Governmental, Governmental, National Human Rights Institutions, Universities, security agencies themselves). Similarly, funding comes from multiple, uncoordinated sources and is usually not subject to broad publicity. As such, there is no single forum in which information about training material is likely to exist.¹⁰ Second, and in part because there is a competition over funding, there remains amongst some agencies a sense of propriety over such resources. Combined, these factors impede the development of an open network where material could be shared with a view to both spreading the intellectual capital and developing common principles.

As a counter example, the organisation *New Tactics for Human Rights* has established itself as the site of a database of a large range of human rights material, and actively encourages practitioners to share their approaches, resources and reflections. New Tactics held a specific on-line dialogue on **Training Law Enforcement for Prevention of Ill-Treatment and Torture**, which proved enormously useful, providing extensive contacts and links that we subsequently pursued.

The conflict between concerns about intellectual property, funding and status on the one hand, and the benefits of open access on the other, is not one that is easily resolved. Nevertheless, given that the *universal* promotion of human rights is an explicit principle endorsed by all actors in the field, and that in other spheres (such as higher education) open access is increasingly being advocated, the move towards greater and more systematic open access would seem to be one we ought to be vigorously debating. One practical step in this direction would be for funding agencies to require that resources developed by programs they fund be placed on open access sites as a condition of funding.

The second method that we adopted to collect resources was designed to specifically target training developed and run by police and militaries themselves. Our searches indicated that the last attempt to compile and analyse human rights training material for security forces was in the mid 1990s.¹¹ This study drew primarily on a confidential survey of 137 countries conducted by the University of Utrecht in 1991. Of the 65 responses obtained, 52 indicated that human rights training was mandatory for all new recruits – a statistic that in itself tells us little about what type of training this was. Indeed, when we obtained the original survey data and interviewed the author, it transpired that the process for collecting the data been sending surveys to country embassies rather than to security forces or ministries and that the responses had comprised nothing beyond highly standardised and formalised answers. The data included no information on the content, approach or format of the trainings, nor any indication that they had been evaluated.

In order to obtain more substantive and accurate data on human rights training and education resources and processes internal to militaries and police across the world we created a self-report survey. The survey (attached as Appendix A) sought information on the types of training conducted, content, mode of delivery, frequency, aims, the categories of personnel trained and who does the training, evaluation and any external training the organisation conducts. Noting that one of the impediments to getting accurate information is the difficulty in obtaining accurate contact information for, and making contact with the correct personnel within security forces,

¹⁰ In practice, the multiplicity of players is a source of another problem, namely the lack of coordination and duplication in a single site where interventions are taking place. O'Neill uses the example of El Salvador to illustrate the pathologies generated by the presence of multiple uncoordinated donors landing in a country and offering various police reform projects. He notes that as well as the UN, Spain, the US, Canada, Sweden, Holland, Japan, Brazil, Taiwan, France, regional bodies including EU and the Inter-American Institute of Human Rights (Costa Rica) were all involved. See O'Neill, *Police Reform*, 49.

¹¹ Edy Kaufman, "Human Rights Education for Law Enforcement," in *Human Rights Education for the Twenty-First Century*, ed. George J. Andreopoulos and Richard P. Claude (Philadelphia: University of Pennsylvania Press, 1997). 278 – 94.

we attempted in the first instance to obtain this information through embassies and through networks of National Human Rights Institutions (NHRIs). As both of these approaches proved unsuccessful, we were required to use publicly available contact information and a snowballing technique. Surveys were sent to 286 police forces, militaries and/or training colleges, where appropriate translated into French and Spanish. The survey included a request for a follow up interview and several interviews were conducted with people involved in training.

While this method yielded some data (20 survey returned), the low response rate, combined with the unreliability of self-response data meant that we could not draw robust conclusions about the type of training that is in fact conducted across the world. In this case, the impediments to accessing reliable material were not simply associated with intellectual property or competition over funding. Rather, the traditionally closed organisational structures and cultures of security organisations combined with the need for high-level permission for the public release of any information or even permission to speak with outsiders makes accessing information very difficult. Moreover, as one interview subject indicated, training material concerning the unacceptability of torture may be embedded in training about interrogation techniques endorsed by the particular security organisation.¹² The latter highly confidential information will not however be shared beyond the organisation, in almost all cases even with other security sector organisations.

The impediments to the establishment of a broad human rights 'training commons', and one which would include material produced and used by security forces themselves are even more difficult to overcome than those noted above. State classification of information concerning security forces remains a principle and practice unlikely to be moderated by the interest of the free flow of information or improving practices concerning human rights protection internationally. Realistically, access to this type of information and resources will only be made available once other thick relationships of trust are built up with security sector organisations. In other words, we should think in the first instance of developing human rights and security networks that include security force organisations, with a view to those networks becoming forums in which members are, in the long term, more likely to share information in good faith that it will be used for a common purpose.

Despite the difficulties in accessing the full breadth of training material that has been developed and utilised across the world, the resources gathered through these two methods did, as we will discuss below, provide some valuable insights into the type of training that takes place. As the follow up interviews confirmed however, formal training guidelines or resources, or data garnered from self-reporting does not necessarily reflect what goes on at the actual training scene. As became evident during follow up interviews with experienced trainers, formal training guidelines do not capture everything that takes place in the actual training sessions and in fact some of what is most valuable in the encounter escapes such formal documentation. For example, as we will discuss below, training guidelines frequently suggest that difficult ethical questions (for example about the limits of the use of force) should form prompts for further discussion. A reader who has not observed the trainings is left wondering how *in practice* training facilitators deal with the responses that such questions might provoke, especially when little guidance is included in the training manuals or guidelines for trainers about how to handle different types of responses. Concerns about how these discussions are mediated are heightened by the fact that many of those who acts as trainers have had little in the way of training for themselves in dealing with ethical dilemmas, value conflicts and complex group dynamics.¹³

Another limitation of written material alone in the absence of observing actual trainings, as revealed in follow up interviews with training personnel from military and police organisations, is that the data garnered through self-report surveys does not always accurately reflect what occurs in practice. For example, although most of the surveys indicated that a range participatory methods was utilised, on further probing, almost all interview subjects acknowledged that lectures formed the predominant teaching method.

Accordingly, and to address the fact that what written texts or people say report as happening and what is actually *done* can be often quite different - we adopted our third method, which was, where possible, to observe training sessions. In Sri Lanka, one of the two countries where we were working, we were given access to observe and, as discussed below, in some cases participate in trainings.

While this methodology is no doubt the one that will generate the most reliable data, allowing for no disparity between self-reporting, or abstract curricula and actual delivery, it is also the most difficult to access. If authorities are generally unwilling to provide access to documentation of training, they are even less willing to allow civilian researchers into training schools. We are aware of a very limited number of some other studies of

¹² Interview with the Group Captain Ian Henderson, Director Military Law Centre, Deputy Director Asia-Pacific Centre for Military Law, 19 April 2012.

¹³ This is the case not only for trainers in security organisations but also for human rights experts, whose expertise is likely to be thematic rather than in group process.

this type. One is Ruth Blakely's study of the Western hemispheric Institute for Security and Cooperation (WHINSEC), the replacement for the notorious School of the Americas.¹⁴ Blakely was granted access to conduct interviews at the Institute and to conduct observations over a two-month period. Another is Quirine Eijkmann's study of human rights and policing in Costa Rica, where she spent a month doing observation the Basic Police Training Course at the Central Dependence of the National Police School José Francisco Orlich B in San José and also observed training classes for more experienced law enforcement officials.¹⁵ This type of extensive observation, although difficult to conduct, certainly provides the most robust information not only about the content of trainings, but also about how they look in practice.

In the case of our project, we were given access to trainings in Sri Lanka as part of the larger objective of observing what was currently being done to see how our own project could contribute to enhancing and adding to this. In doing so, however, we also offered to conduct training in areas where our project team had, or could access, expertise in specific areas that were of interest to the security organisations. In this way, we were both learning and offering something back and thereby facilitating relationships of trust and cooperation. Rather than simply being seen as researchers who wanted to learn about what was going on (for our own purposes), this type of involvement provided an ethical exchange where all parties were having their needs met.

3. THE CURRENT STATE OF TORTURE PREVENTION TRAINING: CONTEXTS AND ACTORS

In order to comprehensively analyse training, it is not only the content that matters, but also the contexts in which it takes place and the actors who are involved in advocating, developing and delivering training. These more process-oriented factors will significantly affect the impact and reception of training on security forces. In this section, we consider both of these.

i. Contexts for training

Before entering into a discussion and analysis of the actors involved in human rights training or of the materials, it is worth pausing to reflect on the context in which human rights training is introduced into security agencies. How, in other words, has human rights training come to be part of what happens in security organisations?

Human rights training manuals frequently assert that human rights are intrinsic to good law enforcement or security sector operations.¹⁶ The implicit message here is that training in human rights follows as a matter of course as part of basic training for security personnel and its presence in security organisations is self-evident. When one speaks with security personnel however, it becomes apparent that such assertions are more an expression of aspiration than an observation of historical realities. Human rights have not in fact historically been considered part of the core business of militaries or police and were not traditionally integrated into their standard training. In fact, from the perspective of many security personnel, human rights are in conflict with, if not anathema to their military or policing objectives.¹⁷

The inclusion of human right in training curricula is thus generally instigated from the outside and provoked by some event or circumstance. Such circumstances or events include post-conflict or transitional justice settlements and arrangements, a State's becoming party to an international convention, or a State's being publicly criticized for non-compliance with international human rights commitments as part of the reporting process of treaty committees, special rapporteurs or Universal Periodic Reviews. In other cases, human rights training for the security sector is embedded in a larger development process, and fostered under an international development program.¹⁸ In other words, some external agency, be it a supra-national body, an international NGO or civil society organisation or even other branches of the national Government, insists that reform is required.

With respect to the introduction of torture prevention training in particular, the catalyst may be the push to conform with the specific article under the Convention Against Torture and Other Cruel, Inhuman Or Degrading

¹⁴ Ruth Blakely, "Still Training to Torture? US Training of Military Forces from Latin America," *Third World Quarterly*, 27, no. 8 (2006). 1439 – 1461.

¹⁵ Quirine Eijkman, *We Are Here to Serve You! Public Security, Police Reform and Human Rights Implementation in Costa Rica*, vol. 24, Utrecht University School of Human Rights Research (Utrecht: Intersentia, 2007), 5.

¹⁶ For example, Handbook prepared for Police in Macedonia with technical assistance from the Danish Institute for Human Rights, *Respect for Human Rights by Law Enforcement Agencies Actually Enhances the Effectiveness of Those Agencies* (2014).

¹⁷ In the course of conducting our project, once we moved beyond the formalities of agreeing that human rights are important, the perception that there was in fact a conflict between security and human rights imperatives was one that we witnessed repeatedly amongst the security personnel with whom we worked.

¹⁸ This has been the case, for example, in the case of Palestine, the OHCHR has been involved in police training under the oversight of the UN Special Coordinator in the Occupied Territories, but also in cooperation with other bilateral donors such as the European Union Police Coordinating Office for Palestinian Police Support (EUPOL COPPS) involved in police development Sector Working Group on the Police.

Treatment and Punishment (CAT) concerning the requirement to conduct training on the prohibition of torture.¹⁹ Alternatively, it may be a response to publicity over an event involving a serious violation or an organisational crisis, for example the police reforms recommended by the *Macpherson Report* following the murder of Stephen Lawrence in the UK. Or it may be in response to longer-term institutional violations, or in the context of political transitions, as in the case of the Patten Report and the reform of the Police in Northern Ireland.²⁰

What do such contextual factors imply for the actors involved in providing training and the stake that they are likely to have in performing it effectively? On the one hand, the fact that training and education initiatives are catalysed by interventions from external agencies need not result in their being rejected or resented by security organisations. Indeed, under certain conditions and with certain types of leadership from security organisations, we found that once the process of introducing human rights training has commenced, the security organisation itself subsequently takes ownership of this responsibility (Northern Ireland being a case in point), and shows a significant commitment to embedding a human rights based approach. Nevertheless, whether or not this is the case will depend on several factors. Thus, the context in which training occurs, including who is doing the training (a local or international NGO, internal personnel, other branches of government), the signals given by the higher echelons of the organisation about the value that such training has in terms of core security objectives and responsibilities (i.e. human rights training is an important part of police or military professionalism or a tokenistic nod to external demand) and where human rights training is placed within the overall training curriculum will all have a significant influence on whether it is taken seriously by trainees.

ii. Principal actors in the training space

The contextual and situational catalysts for human rights trainings also help to explain why certain organisations have been particularly involved in their development and implementation. The first group of actors that has been involved in developing training resources comprises international organisations with a mandate in the protection and promotion of human rights and particular human rights treaties.²¹ Within this group, various UN agencies and bodies have been involved in the development and implementation of trainings as part of their mandate in peacekeeping and development in post-conflict settings and as part of the process of police reform and establishing human rights and the rule of law. In its engagement in post conflict setting in particular, the UN's emphasis on police training has been motivated by the need to transform police forces from agents of repression and violence, as they may have been during the conflict or under a pre-transitional repressive regime, into agents capable of backing up other institutions established to protect and promote human rights. In this context, the Office of the High Commissioner for Human Rights in particular has been involved in supporting training for national police forces, for UN CIVPOL²², and as part of its Programme of Technical Cooperation in the Field of Human Rights.²³ The UN Manuals on Human Rights Training for Police (along with the associated pocketbook and trainers' manual) form part of the OHCHR professional training series in support of the implementation of human rights treaty obligations.

Other international organisations that have been major players in the field include:

- The International Commission of the Red Cross (ICRC), which has developed resources to support security personnel in respecting human rights and humanitarian law in line with its basic mandate under the Geneva Conventions;
- The Council of Europe, which has developed resources to support implementation of European Convention on Human Rights standards in relation to policing
- The OSCE, which under its mandate for stability and democracy has undertaken to support democratic policing in its 56 members states and most particularly in those of South-eastern Europe, Southern Caucasus and Central Asia, and;
- The Commonwealth Secretariat, which in accordance with the commitment made by its members under the 1971 *Singapore Declaration* and the 1991 *Harare Declaration*, develops resources and programs to

¹⁹ "Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment" (Article 10).

²⁰ The Report of the Independent Commission on Policing for Northern Ireland, *A New Beginning: Policing in Northern Ireland* (1999) (the 'Patten Report') recommended that 'Every member of the police service should have, as soon as possible, a course on the impact on policing of the new constitutional arrangements for Northern Ireland' (Recommendation 141).

²¹ One might also include here foreign affairs offices or departments that develop resources as part of their diplomatic and development mandates. An example is the manual produced by Bob Denmark, *Ethical Investigation: A Practical Guide for Police Officers* (London: UK Foreign and Commonwealth Office).

²² The United Nations Training Program on Peace-Keeping, Human Rights and Humanitarian Assistance for Military and Civilian Police Trainers is run at the UN Staff College Project in Italy by the OHCHR, the Department of Peace- Keeping Operations and the UN High Commissioner for Refugees, provides training on human rights for trainers of national CIVPOL contingents.

²³ For a comprehensive survey of UN police reform processes see O'Neill, *Police Reform and Human Rights*.

support Commonwealth countries in respecting democratic participation, equality and non-discrimination, respect for the rule of law, and the fulfillment and protection of universal human rights.

The second group of actors involved in developing trainings comprises NGOs, including large international NGOs such as Amnesty International, regional NGOs such as Forum Asia and more local NGOs working in particular country contexts such as the Legal and Human Rights Centre in Tanzania. In this group we also include the International Association of Police Chiefs (IAPC), a non-for profit membership organisation of police executives. Their involvement similarly follows their mandate of ensuring that nation states adhere to international and domestic human rights standards and in assisting States and their agencies to put in place the reforms and processes required to do so in practice.

Two NGOs in particular have been major players in the development of resources: Amnesty International (AI) and the Danish Institute (formerly Centre) for Human Rights. In 2000, AI Netherlands established the Police and Human Rights Program (PHRP), initially to build the capacity of AI membership to deal with policing and human rights issues, but over time as a source of materials for civil society actors to use in engaging with police to support greater compliance with human rights standards in their national contexts.²⁴ The AI materials display some particularly unique features. First, they focus on educating civil society about the nature and organisational features of police forces and the contexts in which police work so that they can be effective in interacting with them. In this regard, AI was an early leader in recognising that the effectiveness of civil society organisations working to promote the observance of human rights standards by police will be undermined to the extent that they are ignorant of or insensitive to the realities and perceptions of police personnel and of the material, organisation and cultural context in which police are operating. Second, as discussed below, AI showed a sophisticated understanding of the challenges of developing effective training interventions and of the methodological approaches that are likely to render training more effective. AI's *12-Point Guide for Good Practice in the Training and Education for Human Rights of Government Officials* for example, acts as a type of meta-guide for other NGOs to assist them in developing effective and robust training materials and methodologies, based on an empirically based assessment of the mistakes that are often made.

As the other major player in this space, the Danish Institute for Human Rights (DIHR) has also been the source of a range of training resources. These resources have been developed principally for police in countries that are recipients of Danish international aid, including South Eastern European countries such as Macedonia, and African countries such as Mali and Niger. Through its long experience in the field, the Danish Institute has similarly developed a grounded understanding of the need to develop highly contextualized training resources in cooperation with local police actors so as to ensure maximum relevance and ownership. As such, although one can see in those international trainings the footprint of the DIHR's expertise, increasingly their approach is to ensure that the local police take the lead in the form and content of training material so as to ensure local ownership and relevance.²⁵

The third group of actors comprises academics, whose role usually takes the form of expert assistance in developing resources for International Organisations or security organisations. Some of the academics working on resources for human rights trainings were formerly police officers or members of the military, or worked in human rights international or non-governmental organisations, this being indicative of a strong degree of overlap across the spheres. In some countries, police training in human rights actually takes place through academic institutions, as is the case more generally with police training in some countries. We also found that human rights academics are frequently called upon expert trainers. As well as authoring or delivering training resources, academics are also involved in this space insofar as they analyse human rights training material and processes.²⁶

The final group of actors comprises security organisations themselves, or more accurately the training branches within security organisations. As noted earlier, the resources for such trainings can generally not be obtained in their complete form, although we were able to obtain copies of some training material, in particular in the two countries in which we did field work. In this context, we also note that training manuals adopted by security

²⁴ For a discussion of the way in which this new form of 'amicable' relationship between human rights organisations such as AI and police reshaped the discursive and institutional field, see Julia Hornberger, "Human Rights and Policing: Exigency or Incongruence," *Annual Review of Law and Social Science* 6(2012): 259-83.

²⁵ For a discussion of the Danish Institute's approach, see Lone Lindholt et al., eds., *Human Rights and the Police in Transitional Countries* (The Hague: Kluwer Law International, 2003). Particularly illuminating is the discussion of the "DCHR manual project launched in 1998- establish a network, "based on locally established project coordinators and resource groups (rather than international experts) which would elaborate manuals... explore various teaching methodologies, and evolve evaluation tools" (175).

²⁶ See for example "2010," *Police Practice and Research: An International Journal*, 12, no. 4.

agencies are in fact often prepared by one of the former categories, such as UN agencies, academics or NGOs, working closely in cooperation with security organisations.²⁷

4. THE CURRENT STATE OF TORTURE PREVENTION TRAINING: CONTENT AND APPROACHES

Moving now to look at the actual training resources, two linked dimensions of trainings require analysis. The first is the substantive content of training, that is, the material that is included in training resources. The second are the pedagogic approaches that are suggested by training resources and that trainers adopt, that is, how the teaching is done and how the learning is supposed to take place. Beyond these two dimensions of the training itself lie a broader set of questions about how human rights trainings are located within a larger context or system of strategies adopted to address human rights violations in security organisations. From one perspective, this broader set of questions may seem to be beyond the scope of an analysis of torture prevention and human rights trainings. As many commentators have observed, however, the question of how effective human rights trainings will be in achieving their objectives cannot be determined by a purely internal analysis of training material or style, because their success will also be shaped by their location in a broader system of strategies. This will be treated separately in the next section.

Given the number of manuals and the range of training resources that have been developed, a comprehensive representation of the material and pedagogic approaches lies beyond the scope of this report. As such, we will describe the principal features of training resources, taking note also of developments that have taken place in the field based on evaluations and pointing out some of the variations that are apparent. We will also explicitly point to some of the more unusual and interesting material that may be of particular interest to those looking for innovative and creative approaches. In this section, the focus will be on the content, although inevitably we will also raise issues about how that content is delivered. In the next section we focus more specifically on pedagogic approaches.

We can observe a number of 'pillars' that are common to, or characterise the vast majority of human rights training resources and some of the principle approaches that are taken in training resources. In considering each, we consider also that contribution that this pillar is supposed to play in achieving the training objectives and what its inclusions indicates about the approach taken to this task.

i. What are human rights and why are they important?

Most training manuals begin by setting out *what human rights are* and *why they are important*.

The discussion of *what* human rights are may include:

- A description of the principles of human rights, for example, that they are universal, inherent, indivisible and inalienable;²⁸
- A discussion of the history of human rights, usually linking back to the history of the formation of democratic states and the protection of the rights of citizens (for example through the French revolution);²⁹
- An emphasis on the principle of non-discrimination and the equality of all persons, irrespective of race, colour, gender, class, religion or nationality;³⁰
- An overview of the main categories of rights (for example civil and political and social and economic, rights of specific groups).

The discussion of *why* they are important is likely to include a combination of normative and instrumental reasons. Normative reasons are those that assert that respect for human rights flows from the inherent character of human beings as beings of dignity and right. Instrumental reasons by contrast justify respect for human rights as a necessary condition for achieving other objectives extraneous to human rights themselves but valued for other independent reasons. In this context, the types of instrumental reasons invoked generally concern the objectives and values of the security organisations concerned. In the case of police, these may include the following:

²⁷ For example, as O'Neill, *Police Reform and Human Rights*, 32 notes, the human rights curriculum material in the Egyptian police academy was developed by the Human Rights Capacity Building Project in Egypt, operated jointly by UNDP and the Ministry of the Interior. For an example of police and academic cooperation see Sydney Centre for International Law (SCIL), *Human Rights in the Criminal Justice System in Nepal: Law Enforcement Trainer's Manual* (Kathmandu and Sydney: Kathmandu School of Law, 2009).

²⁸ See for example Commonwealth Secretariat, *Commonwealth Manual on Human Rights Training for Police*(2006), 14-16.

²⁹ For example, (SCIL), *Law Enforcement Trainer's Manual*, 6.

³⁰ For example, United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights for the Police* (Office of the High Commissioner for Human Rights, Centre for Human Rights Professional Training Series No. 5, 1997), 16.

- Human rights violations have the negative effect on public confidence in the police;
- When police violate human rights, this impedes the work of building good relations with the community, and this in turn undermines their ability to solve crimes;
- Violating the human rights of suspects can lead to charges being thrown out by judges or magistrates and so lead to the failure of prosecutions;
- The exposure of human rights violations poses a threat to the public image of police before the media and the international community;
- Individuals who order, commit or condone human rights violations may face punishment.

Training material developed at the international level will present this material in a more general manner, whereas more locally developed training material may make reference to particular issues relevant to the country. For example, in discussing the importance of a police force embracing a human rights based approach, reference might be made to a recent transition to democracy or a history of conflict or repression and the changing role of the security forces in this transition or post-conflict period. Reference also may be made to particular legal or constitutional provisions as reasons why security personnel are required to respect human rights.

At the point of introducing the subject of human rights, it is notable that some training resources exhibit a particular sensitivity to the importance of bringing the target group on board by explaining at length why human rights are important for *them*, as opposed to being important in general. After all, the idea that part of their job is to respect and even promote human rights is likely to be alien to many security personnel, especially in countries where the police or military have played a role in repression of citizens.

As noted above, the arguments about why human rights should matter may be made in terms of values or principles (what is right or ethical) or in terms of achieving other objectives, which in themselves have nothing to do with human rights. In fact, as the OHCHR Trainers' Guide discusses at some length, one of the issues that trainers will almost inevitably face is the view of security personnel that the protection of human rights undermines law and order and thus the demand that they respect human rights makes it more difficult for them to do their jobs.³¹ Various training guides suggest lists of reasons that can be offered to counter this view and render human rights compatible with security objectives.³²

A good example of this type of expansive attention to the concerns of police is the Manual *Ethical Investigation: A Practical Guide for Police Officers*, developed under the auspices of the UK Foreign and Commonwealth Office. In introducing prohibitions concerning the use of torture, the guide sets out thirteen reasons why police should not use torture on suspects. These reasons range from the highly principled ("Persons in police custody are in effect defenseless and the abuse of defenseless persons is contrary to all recognised moral or ethical codes of conduct"), to the self-protective ("It is increasingly common for those who abuse human rights to be investigated, prosecuted and punished for their misdeeds not only by their own courts, but also by international tribunals"), to the highly instrumental ("Torture is an ineffective investigative tool. There is incontrovertible evidence to show that confessions and admissions made under duress are likely to be false or unreliable").³³ The attention that this manual brings to ensuring that trainees can make a link between the position and behavior advocated in the training and their own concerns, values and interests of the trainees is consistent with the orientation that it establishes in its introduction:

*"Police officers all over the world are suspicious of lawyers, of academics, of their critics in the media, of people who tell them how they should do or not do their job - often people who have never had to face an angry man without the option of backing away, or tell a family that a loved one has been murdered, or see a criminal they have worked hard to catch escape justice by manipulating and exploiting rules designed to protect the innocent."*³⁴

Referring to the author of the manual, himself a long-term police officer, it then states:

³¹ Ibid., 16.

³² In workshops conducted as part of our project in Nepal and Sri Lanka and research on that project, it became clear that part of the reason for this perceived conflict is that security personnel may have an inaccurate understanding of what human rights actually entail. Some for example expressed that view that if a military officer respected human rights, he could never shoot anyone.

³³ See Denmark, *Ethical Investigation*, 39-42.

³⁴ Ibid.

“Bob Denmark, who compiled this manual, has been just as wary of people preaching at him during his thirty years as an operational police officer, as anyone else..... He does not want to preach at anybody, but just to share the knowledge he has been lucky enough to get from others.”³⁵

The question of how human rights are presented at this general theoretical level raises larger issues about the overall orientation of human rights trainings for security personnel. As this last cited manual recognizes, the reality is that training material will be received by individuals with pre-existing values, interests and frameworks. Acknowledging this means appreciating that if it is to be effective from an educational perspective, training has to take into account how the men and women in its audience will receive it, pitching arguments using reasons that are meaningful to them. As people working in the field increasingly appreciate, and as we certainly found in our own workshops with security personnel, a training approach that simply preaches and that ignores the realities of its target group is unlikely to be effective and may even have the effect of heightening hostility to human rights.³⁶ A review of human rights training in Northern Ireland remarked on precisely this point:

“The materials too often portrayed human rights and equality issues as forced on the police service from outside. This was likely to contribute to students feeling alienated from these ideals. In a similar vein, the implication that respect for human rights and ethical behaviour were something new for PSNI members could, of itself, be construed as alienating.”³⁷

By contrast, it is a basic principle of adult learning and more particularly human rights education that the starting point for the educational encounter needs to be the experience and concerns of the target audience.³⁸ How to achieve this in an actual training situation, where one might be dealing with personnel who are quite hostile to human rights and whose starting point may in fact be quite antithetical to human rights is a challenge that we discuss below.

ii. An emphasis on normative standards and relevant international law

A significant portion of most training manuals is usually dedicated to setting out the relevant normative and legal human rights standards that security agencies ought to be following.³⁹ The international human rights instruments from which standards are drawn usually include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the UN Standard Minimum Rules on the Treatment of Prisoners, the UN Code of Conduct for Law Enforcement Officials, the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the UN Basic Principles of Justice for Victims of Crime and Abuse of Power. They may also include the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Discrimination Against Women and other associated treaties or resolutions.

These international legal instruments may be supplemented by regional instruments (such as the European Convention on Human Rights or the Inter-American Convention on Human Rights), as well as by national constitutions, Bills of Rights or domestic human rights and anti-discrimination laws, as well as organisational domestic codes of practice.

Content on the substance of human rights laws and principles may also be supplemented by a discussion of the machinery for enforcement at the international, region and/or national level.⁴⁰ This may include the monitoring functions of international treaty bodies, procedures for petitioning international bodies and procedures for complaint, prosecution and compensation of victims at the national level.

³⁵ Ibid.

³⁶ The series of resources developed by Amnesty International provides a clear example of this type of recognition of the need to recognize the realities of policing. See in particular, Anneke Osse, *Understanding Police: A Resource for Human Rights Activists* (Netherlands: Amnesty International 2007).

³⁷ Northern Ireland Human Rights Commission, "Course for All," in *Human Rights in Police Training Report Series No. 4*, (2004), 25-26.

³⁸ "The importance of appropriate regard for the self-esteem of adult trainees cannot be over-emphasized. Professionals will bring to the classroom their own professional expertise and practical experience, which should be acknowledged and tapped for the benefit of the course. The extent to which the trainer does so will largely determine the trainee's reaction to the training exercise.... Trainers should seek to create a collegial atmosphere where exchange of expertise and experience is facilitated, the professional knowledge of trainees recognized and professional pride encouraged." United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*.

³⁹ 100% of the respondents to our survey of human rights training by security organisations indicated that their training included information on international legal standards.

⁴⁰ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, chapter VII.

In most cases, this material is set out as a series of paraphrased statements about what the law says, or what standards are required, or provisions from the relevant instruments or laws. General standards such as the basic principle of civil and political rights or non-discrimination may be set out in introductory material, with more specific standards presented within the context of their sphere of application. In addition, some manuals include the relevant instruments in their entirety as appendices.

The prominence that training resources give to normative standards and laws is even more evident if one looks at tools such as laminated pocket guides for the police or summaries of the core UN human rights principles translated into national languages that, as O'Neill observes, "have become almost automatic parts of police reform efforts."⁴¹ In these reduced or concentrated resources, all that is presented are the relevant laws and standards.

Thus for example, OHCHR's *Pocket Book on Human Rights for the Police* comprises a series of statements of rights. It frames its purpose as follows:

*"This "pocket book" is the third global contribution of the Centre's police training programme, and is designed to provide a readily accessible and portable reference for police committed to the lawful and humane performance of their vital functions in a democratic society. It contains hundreds of relevant standards, reduced to common language and point-form, and drawn from over thirty international sources."*⁴²

An example relevant to torture is under the heading "Use of Force":

*"Use of force is to be always proportional to lawful objectives."*⁴³

This strong emphasis on norms and standards as the heart of training material raises important questions about the theory of change that traditional trainings have taken. In simple terms a theory of change explains what one thinks is the cause of the problem that is the target of the intervention and how the intervention proposed is understood to solve the problem.⁴⁴ In the context of training, a theory of change would explain the types of changes that training will bring about such they trainees will better respect human rights and how it brings about those changes.

As a starting point in working out what this theory of change is, we might note that foundational documents on human rights education (such as those developed in the UN World Program on Human Rights Education) specify that the goals of human rights education are to bring about changes in *knowledge*, changes in *attitudes* or *values* and changes in *behaviour*.⁴⁵ Presumably then, the basic theory of change is that insofar as educational and training processes bring about increases in knowledge about human rights, attitudes towards human rights and behaviours involving compliance with human rights, they will lead to greater compliance with human rights. Indeed, the OHCHR guide for trainers makes this explicit by setting out a formula: effective training will improve knowledge + skills + attitudes to contribute to appropriate behaviour.⁴⁶ This still leaves open the question of how the actual training processes bring about changes in knowledge, attitudes and behaviours.

Leaving this aside for a moment, we can already observe that training material and training practices are dominated by the transmission of information about rules and laws. This raises an immediate question about the attention paid to the two latter components - values/attitudes and behaviours, as opposed to the first - knowledge. More pointedly, it would appear that often training is in fact an exercise in transmitting information about rules, with the possible effect of increasing trainees' knowledge about the content of human rights (and this result would only be achieved if this transmission is achieved effectively). Far less, if any consideration is given to what is required to bring about changes in attitudes, values, skills and behaviours. Worse still, the transmission of information about the content of rules in itself may provide trainees with no assistance at all in working out what it means to put the rules into practice in actual policing or security situations. An assumption at

⁴¹ O'Neill, *Police Reform*, 9.

⁴² United Nations, *International Human Rights Standards for Law Enforcement, A Pocket Book on Human Rights for the Police* (Office of the High Commissioner for Human Rights, Centre for Human Rights, 1996), 1.

⁴³ *Ibid.*, 7.

⁴⁴ For a good discussion see Dannielle Stein and Craig Valters, *Understanding 'Theory of Change' in International Development: A Review of Existing Knowledge* (Asia Foundation and Justice and Security Research Program, 2012).

⁴⁵ For example, the second phase (2010–2014) of the World Programme for Human Rights Education: A plan of action for human rights education in higher education and for human rights training for civil servants, law enforcement officials and the military provides that: "In planning human rights teaching, define the human rights skills and competencies to be acquired and give equal importance to cognitive (knowledge and skills) and social/affective (values, attitudes, behaviours) learning outcomes." United Nations, *World Program for Human Rights Education: Plan of Action*, (New York and Geneva: Office of the High Commissioner for Human Rights, 2012), HR/PUB/12/3, 28c(iv).

⁴⁶ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*.

work here seems to be that respecting human rights in practice is a fairly simple matter and flows naturally from knowing what the relevant principle or law is.

One particularly evocative example of this assumption that changes in knowledge will, through some unspecified process, bring about changes in practice was found in a manual for police training that we examined.⁴⁷ The resources included a number of slides with a description of the famous Milgram and Zimbardo experiments on the situational nature of violence. These experiments demonstrated the extent to which 'ordinary' people could be brought to commit violent acts on others through being placed in situations where such behaviour was normalised. In other words, they demonstrated that violent actions are not necessarily the outcome of bad intentions or evil character, but are the outcome of situations and best understood in terms of obedience and conformity.

Recognising that violence is situational and not only the outcome of individual intention is certainly an important insight into the causality of human rights violations. One might however question whether knowing that one's behaviour is shaped by situational factors in itself defuses the impact of those factors. One can only surmise that the theory behind including slides explaining the experiments was that *understanding* that one can commit immoral acts when placed in situations where such behaviour is normalised will diminish the effect of the dynamics of conformity or obedience. But the very point of these experiments is that behaviour is shaped situationally and not cognitively. This does not rule out the possibility that understanding could create a reflexivity that would allow one to alter the way in which one interprets and thus responds to the situation. But this would be a complex process, unlikely to be achieved through a couple of slides. What is so interesting about this example is that it indicates that people involved in developing training resources are aware of the role that situational dynamics play in shaping behaviour and of the importance that this dynamics plays in the very problem they are seeking to address. How to translate this understanding into training tools that will address the non-cognitive determinants of violations is, however, a much more complex question.

Coming back to the emphasis on the transmission of information about human rights in training manuals, one could imagine that this type of material could be very useful, were it clearly understood as a type of reference guide to be consulted for factual information or to clarify questions. The content would however need to be supplemented with a range of other pedagogic techniques that were explicitly designed to work on attitudinal change and skills development. In many cases, however, our interviews indicated that the manual, which is a compilation of normative standards, becomes the content and shapes the form of the training.

A similar observation was made in a review of the training of Human Rights Field Officers:

"There is increasing emphasis on the preparation of manuals, and the term is used to cover a very broad range of documents, sometimes referring merely to photocopies of the Universal Declaration of Human Rights and the two International Covenants. It continues to occur, by way of "training", that in-coming personnel (usually CIVPOL, although sometimes human rights officers too) receive such a compilation with the sole instruction that it should be read.

...Regardless of how practical and targeted a manual may be, human rights officers and senior HRO staff (as well as senior CIVPOL officials) have suggested that there is a tendency to over-rely on manuals as training tools."⁴⁸

Indeed, one might observe that the very name 'manual' is something a misnomer if applied to a compilation of rules and facts. If one thinks of a car manual, for example, one would expect that it would provide advice on how to solve problems along the lines of: 'If your car stops, check the following. If you find X, then do Y'. Were the manual simply to describe the history of the development of the car or how the car ought to function, it would be little use to anyone who did not already know how to fix it.

It is also worth observing that this type of emphasis on abstract principles, norms and knowledge, at the expense of the practicalities of how to realise the norms seems to be a particular pathology of human rights training, less evident in other areas of police training. One sees this in a striking manner if one compares different sections of *Good Practices in Basic Police Training – Curricula Aspects*, a guide developed by the OSCE that provides police educators with a core curriculum for police recruits in democratic societies.⁴⁹ The section on human rights is fairly typical – providing information on the significance of human rights and the contents of human rights laws

⁴⁷ This training manual was provided to us confidentially and so cannot be named.

⁴⁸ Karen Kenny, *Towards Effective Training*, (Dublin: International Human Rights Trust, 1996), 10.2.2.

⁴⁹ Senior Police Adviser to the OSCE Secretary General, "Good Practices in Basic Police Training – Curricula Aspects," *SPMU Publication Series 5*(2009).

and principles. In this case, the reference material comprises normative and legal documents such as the UDHR. The learning outcomes are indicative of the approach we have been discussing:

“The trainee will learn about human rights instruments (international, regional and state instruments and non- treaty documents), the principles of non-discrimination, and the groups requiring special protection or treatment. Trainees will learn to identify situations in which the uniformed police may legally restrict an individual’s right to liberty. Trainees will also learn the role of the police regarding human rights and be able to identify the fundamental human rights principles involved in police investigations. Finally, trainees will become acquainted with the laws protecting human dignity.”⁵⁰

In other words, the objective of this section is to know the concepts and principles of human rights. By contrast, the learning outcome for the public-police partnership section is as follows:

“Trainees will learn the concept of police-public partnership and outline the principles associated with it. They will gain an in-depth understanding of possible ways to implement the concept. Further, trainees will be introduced to a problem-solving model and learn to apply it to a real situation.”⁵¹

The material that follows includes not only normative statements but a great deal of information about *how* to initiate change – including what types of activities might be helpful (meetings with particular groups), how internal practices might need to change (devolving responsibilities, mentoring), the implementation process and new skills building (community based problem solving techniques).

These problems have certainly not evaded people working in the field themselves and indeed they already became evident in evaluations done of early human rights trainings for security personnel.⁵² In a reflective piece on the UN’s human rights trainings, for example, a human rights specialist from the OHCHR noted three characteristics of the UN’s early training style that were found to be problematic and that fall precisely along these lines: an overly theoretical style in terms of both content and delivery; an emphasis on negative indictments rather than positive guidance; and, a failure to provide sufficient practical guidance as to how human rights can be integrated into day to day policing.⁵³

The current UN Training manual takes the need to move beyond theoretical knowledge as a starting point, arguing in its introductory sections:

“Of course, police must know the rules. Yet this was clearly not sufficient, in and of itself, to meaningfully affect police behaviour. According to the report of one parliamentary commission investigating violations at one country’s police stations, when confronted with evidence of abuses: ‘...the police said that they lacked understanding about interrogation methods and techniques, that they carried out interrogations by outdated methods, and that they did not know how interrogations were carried out in democratic and developed countries. In order to compare their methods and improve them, they wanted to have the chance to do research and make observations on interrogation methods in democratic countries.’ Such quotes reveal...important areas of focus for police trainees... police in the real world want to know not just what the rules are, but also how to do their job effectively within the confines of those rules. Training efforts which ignore either of these areas will likely be neither credible nor effective.”⁵⁴

In his analysis of UN Human rights training for police, O’Neill makes a similar point:

“Most police officers in most places know already that they are not supposed to beat or torture people, extract bribes or become involved in trafficking of any kind- drugs or people. And most people know that the police should not do these things. Training and increased knowledge of rights alone will not change behavior or prevent human rights violations by the police.”⁵⁵

The questions that we need to ask then are, ‘how have those developing human rights training resources responded to these critiques?’ and ‘have the practices of actual trainings changed as a result?’ the answer to the

⁵⁰ Ibid., 12

⁵¹ Ibid., 13-14. Emphasis added.

⁵² The OHCHR carried out a number of evaluations of early trainings. For example, United Nations Centre for Human Rights, *Report on the Conduct of Training Courses on Human Rights Monitoring and Law Enforcement for Civilian Police Monitors of the United Nations Transitional Authority in Eastern Slavonia* (1996); M. O’Reilly, *Report on Project Evaluation Mission to Bosnia and Herzegovina and Eastern Slavonia*, 1997; *Final Report of the Human Rights Training Project for Civilian Police Monitors in Bosnia and Herzegovina* (1998).

⁵³ Francesca Marotta, “The Blue Flame and the Gold Shield: Methodology, Challenges and Lessons Learned on Human Rights Training for Police,” *International Peacekeeping* 6, no. 4 (1999): 71.

⁵⁴ (OHCHR) and Centre for Human Rights, *A Manual on Human Rights Training*, vi.

⁵⁵ O’Neill, *Police Reform*, 9.

second question is difficult to provide without direct observation of what happens in the training setting. Our analysis would indicate that in many trainings normative statements and lectures on rules remain the norm there. Nevertheless, as we discuss below, there are resources that point to approaches that go beyond abstract knowledge and the transmission of information.

iii. Human rights and operational aspects of security

Recognising the importance of teaching human rights in a manner that is not overly abstract and that can inform the actual practice of security personnel, one approach that numerous training resources have taken is to integrate human rights training into key operational areas of police work. A common model is to provide some introductory material on what human rights are, including where they come from (philosophically and historically), how they are justified (ethically and pragmatically) followed by a series of modules that track basic policing functions such as arrest, detention, the use of force, investigation, public order. These are then followed by several special chapters on vulnerable groups such as women, children and young people and minorities.

As the manual goes through information relating to each topic, it will generally cite or paraphrase the relevant human rights standards. Manuals developed at the more local level will complement international standards with references to national laws as well as codes of conduct or other internal guidelines for the relevant organisation.

An example is the Commonwealth Manual, which acknowledges the danger of teaching human rights in a manner that cannot be integrated into actual practice, and suggests that the best approach is to weave human rights throughout the training curriculum:

“The challenge and the opportunity to police trainers is to feed human rights vocabulary, concepts, content and standards into the existing curricula, rather than to add on a small subject in human rights to already full curricula. The idea is thus that rather than ad hoc occasional training workshops on human rights, there be ongoing and sustained human rights content in standard police training. In this way, human rights considerations and obligations will be in-built in the structures, habits, culture and operational functions of the police.”⁵⁶

Adopting the model described above, it then describes what it would look like to carry out basic policing functions in a manner that is human rights compliant. In the chapter on the use of force and firearms, for example, the manual sets out the relevant norms or laws that need to be respected by law enforcement personnel, including the right to life as established by the ICCPR, the general principle of necessary force as set out in the Basic Principles, the UN Code of Conduct for Law Enforcement Officials, and the prohibition of torture in the CAT.⁵⁷

This more operationally oriented approach would seem to address the criticism articulated above, that manuals are heavy on knowledge, but light on practical guidance that could inform behaviours. Nevertheless, they may still fall short in a number of ways. First, and most simply, setting out the principles that ought to be integrated into operational areas, or negative indictments of how not to carry out certain functions (arrest, detention, search) is not the same as teaching the skills required to do this. Police personnel interviewed as part of our research confirmed that they saw deficits in various skills such as interviewing suspects as one of the reasons that police personnel commit violations. In other words, the prohibition of behaviours that violate human rights in specific operational areas may expose skills gaps, but this in itself does not fill those gaps.

Some of the manuals that we found also explicitly recognised that what security officers need are skills in carrying out their duties in a way that complies with human rights standards. In the introduction to *Ethical Investigation: A Practical Guide for Police Officers* for example, Silvia Casale, the President of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment writes:

“This manual has been written for police officers by a former police officer...Drawing on his practical experience, the author offers what to some may be new ideas and new ways of approaching investigative problems.”⁵⁸

Indeed, some trainings focus primarily on skills development, with relatively little mention of human rights at all. One might capture this approach in the adage – ‘teach the right to prevent the wrong’. This was the approach taken, for example, in a torture prevention project for the police in China. This training was focused exclusively on enhancing police interviewing skills, with the objective of developing the capacities of police personnel to use

⁵⁶ Commonwealth Secretariat, *Human Rights Training*, 5.

⁵⁷ For example *ibid.*, 65-66.

⁵⁸ Bob Denmark, *Ethical Investigation*, iv.

information-gathering interviewing models that would inhibit coercive techniques.⁵⁹ The training comprised discussion of existing interview techniques in China and Europe and the theories that underpin them, demonstrations of non-coercive interview techniques and then the opportunity through discussion and role plays to develop specific skills required for carrying out non-coercive interviews. Respect for human rights was, in other words, not made explicit in the training, but was understood as the intended consequence of the positive skills that were being built.

Even then, however, there may be a shortfall between the skills development that takes place in the training situation and the feasibility of the application of those skills in the contexts where security personnel will be working. As became evident in our work with police personnel working in difficult, under-resourced and remote contexts, training often recommends behaviours without adequately grappling with the concrete contexts that might render reform difficult or with the historical, organisational or cultural factors that might impede their uptake. This was recognised in the review of the human rights training for police in Northern Ireland cited earlier:

“A further concern was the extent to which the course materials appeared to understate the nature and depth of the difficulties faced by the police in gaining the trust of different sections of society. Issues of sectarianism or past human rights abuses, for example, did not feature. In ignoring the historical and current context, the course failed to lay a proper foundation for the lessons it wished to impart. It would have been useful to identify the obstacles to problem-solving with the community and to spend some time grappling with negative experiences of policing in different areas.”⁶⁰

Building the capacities of security personnel to realise human rights principles within the historically, culturally and materially fraught situations in which they actually work represents a far more significant challenge. In this regard, we might consider how trainings seek to deal more explicitly with the dimensions of values/attitudes and behaviours or skills.

iv. Values

Consistent with the formula cited above, that changes in knowledge + skills + attitudes lead to changes in behaviours, a number of training guides acknowledge that one of the objectives of human rights training needs to be to transform the attitudes and values of participants. More exactly, part of what needs to take place in the training situation is a process whereby trainees' attitudes and values are questioned and, if appropriate, altered in a manner that is consistent with respect for human rights. As the OHCHR trainer's guide puts it:

“The goals of courses developed by the Office are not limited to the imparting of standards and practical skills, but also include exercises designed to sensitize trainees to their own potential, however unwitting, for violative behaviour.”⁶¹

Changing values and attitudes is not, however, a simple process. Indeed, researchers in a range of fields, from human rights to public health or social psychology, have long struggled with how to shift entrenched attitudes to, amongst other things, ethnic or religious minorities, environmental protection, refugees, substance abuse, sexual violence and consumer behaviour. Moreover, just as bringing about attitudinal change is difficult, so too is evaluating if the process one has adopted has successfully brought about changes in actual attitudes and values. As a result, evaluations often focus on changes in knowledge rather than actual changes in attitudes and values.⁶²

In this regard, one important conclusion of research on attitudinal change is that simply knowing more about an issue is not sufficient to generate a change in attitudes or values.⁶³ What people *know* seems to be less important than what they believe is expected of them. Indeed, research consistently confirms that there is often a considerable gap between an 'espoused theory', that is, how we explain to others what we *would* do, or how we wish to be seen, and 'theory in use', that is, what actually governs our actions in practice. As the originators of this distinction put it:

⁵⁹Chen Weidong and Taru Spronken, eds., *Three Approaches to Combatting Torture in China* (Insentia: Cambridge, 2012).

⁶⁰ Northern Ireland Human Rights Commission, "Course for All," 23.

⁶¹ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, 4.

⁶² For a discussion of some difficulties in evaluation see Cheryl Merzel and Joanna D'Afflitti, "Reconsidering Community-Based Health Promotion: Promise, Performance, and Potential," *American Journal of Public Health* 93, no. 4 (2003).

⁶³ See Martin Fishbein and Icek Ajzen, *Belief, Attitude, Intention, and Behavior: An Introduction to Theory and Research* (Reading, MA: Addison-Wesley, 1975).

*"When someone is asked how he would behave under certain circumstances, the answer he usually gives is his espoused theory of action for that situation. This is the theory of action to which he gives allegiance, and which, upon request, he communicates to others. However, the theory that actually governs his actions is this theory-in-use."*⁶⁴

Recognising this gap between the values we espouse or publicly embrace and our entrenched values and attitudes, researchers have developed a more sophisticated understanding of how individual attitudes and values are formed and how they can be reformed.⁶⁵ In seeking to conceptualize how attitudinal and behavioural changes might actually be achieved through some type of education intervention, the Fishbein-Ajzen theory on motivation, for example, analyses how motivation is shaped. The simplified explanation we give of their theory here provides some indication of how complex motivation and judgment about the right way to act in fact are.

This theory proposes that a person's attitude to performing a certain act is influenced by her beliefs about the consequences of performing the action, as well as by her evaluation of those consequences. Further, a person's motivation to act in a particular way is underpinned by her evaluation of what others whom she considers significant believe should be done. In other words, I look to those people who are my 'referents' to work out what I ought to do. How and how much my motivations are shaped by what they think depends on how I evaluate what they think and how motivated I am to comply with what they think. One might imagine here that in relatively closed environments like security organisations, particularly under conditions of conflict, there is a high motivation to comply with others (and indeed this is what the research tells us).

Alongside the role that personal attitudes and social norms play in motivation, a person's emotional responses to the behaviours being encouraged is also a determining factor. In other words, motivation cannot simply be read through an objective calculation of the costs and benefits that flow from performing it, but must be understood subjectively. What do I think is going to happen if I behave in a certain way? How do I evaluate those outcomes? What do the people whose views matter to me think about what I am doing? And finally, how do different patterns of action make me feel?

Attitudinal and value change is then not something that is achieved simply at the level of the individual, because individuals' attitudes and values are shaped by social norms and are always contextual. This complex interaction between individual attitudes and values, group attitudes and values and social norms has led public health practitioners to insist that effective value and attitude transformation requires intervention at multiple levels, that is, at the level of the individual, social networks, and the community environment.⁶⁶ Indeed, one of the most important principles and practices developed in the public health literature is that one of the best ways to change a person's attitude is to change the attitudes and behaviours of the people to whom they look for guidance, or their referents.

While a review of the literature on effective strategies for bringing about attitudinal change is beyond the scope of this review, we do strongly recommend that the field of human rights education draw more strongly on developments in public health in seeking to walk a similarly difficult path of bringing about attitudinal and values change.

Let us look then at how human rights training resources suggest that the attitudes and values of security personnel can be altered within the context of the training situation. Several methods are suggested.

The first, as discussed above, is by explaining why human rights are important or why they should be important to security personnel. Indeed, this notion that attitudes can be changed by explaining that they ought to be changed, despite being completely refuted by the literature discussed above, still seems prevalent in human rights training. In the introductory sections of the guide for trainers, for example, the OHCHR resource provides that:

"Address attitudes as well as knowledge (what is important, why it is important for the audience and how they can use that knowledge for their betterment). Having exposed the audience to the relevant standards and practice, you must explain how and why present attitudes and behaviour must change.

⁶⁴ Chris Argyris and Donald A. Schon, *Theory in Practice: Increasing Professional Effectiveness* (San Francisco: Jossey-Bass, 1974), 6-7.

⁶⁵ See for example, Fishbein and Ajzen, *Belief, Attitude, Intention, and Behavior*.

⁶⁶ See for example James F. Sallis, Neville Owen, and Edwin B. Fisher, "Ecological Models of Health Behavior," in *Health Behavior and Health Education: Theory, Research and Practice* ed. Karen Glanz, Barbara K. Rimer, and K. Viswanath (San Francisco: Jossey Bass, 2002);

Kenneth McLeroy et al., "Ecological Perspective on Health Promotion Programs," *Health Educ Q* 15, no. 4 (1988).

*Emphasize why it is important for, and in the interest of, the target audience to respect the standards and follow the practice.*⁶⁷

Were this as far as trainings go, one would certainly have reason to conclude that human rights training resources fail dismally when it comes to providing effective tools for transforming attitudes and values. Thankfully, there are several other approaches, albeit relatively thinly developed and inadequately evaluated.

The next technique then is explicit discussion of 'difficult topics'. The review of human rights training for police in Northern Ireland cites some positive examples in this regard:

*"Policing materials from the Council of Europe, John Jay College and elsewhere suggest to tutors that they invite participants in this kind of session to reflect upon cases where they may have breached ethics or witnessed colleagues do so. The scenarios which emerge through these carefully crafted exercises are rooted in the experience of participants and render the whole discussion much more meaningful."*⁶⁸

Note that the suggestion here is not simply that trainings include scenarios of ethical failure or conflict. It rather insists that the material used to stimulate discussions about ethics and values and the exercises designed to draw out trainee's views need to be carefully crafted. The training resources reviewed suggested a number of methods that could be adopted for triggering such discussions including the use of real life examples, questioning participants about their own experiences, round table discussions, case studies and role plays.

Drawing on lessons from ethics education, and more particularly training in military ethics, we might suggest some characteristics of well-crafted material for stimulating critical reflection on values and attitudes.⁶⁹ It should present trainees with real life situations, or scenarios that are close to real life situations. It should raise issues where the actors have some control over the outcomes, thus allowing that individuals' choices can have an impact on what transpires. Human rights norms or principles should be evidently relevant to the types of problems and choices involved so that the material links with the more abstract concepts of rights and formal laws that have been learned. Finally, and most importantly, the material should present a situation in which the actors face a dilemma.

Our review of training material did not always find that the material used to provoke discussion or reflection had been crafted with these components in mind. In one national level training for police for example, the material includes a number of very short case studies of torture in the country concerned, followed by the simple training note: "Ask participants whether they have ever come across examples like these, and how they felt about it."⁷⁰ This example is certainly not an outlier in the resources we surveyed. Simply asking a question that may provoke answers revealing of people's experiences and attitudes certainly fails to meet the standard of a 'carefully crafted' exercise. As presented, the 'exercise' provides no guidance at all to the trainer or facilitator about how to handle the subsequent discussion. This is deeply worrying given what might come up in the discussion and the high level of skill that would be required to handle contention material. What, for example, should a trainer do if one of the participants says that he thinks that what happened was necessary and that those sorts of people deserve such treatment? Neither correcting the participants for his unacceptable attitudes, nor allowing a comment of this nature to go by would be conducive the attitudinal change.

We might conclude that ensuring that discussions about 'difficult issues' provide a forum in which training might effectively transform attitudes and values requires two components: first, good materials on which such discussions can be based and second, facilitation skills required to moderate discussions and draw out material from discussions to as to effect attitudinal change.

In the material that we examined, we did not find extensive examples of such well-crafted material, although some of the case studies and role plays (discussed below) did provide the foundations for the type of complex discussions that would flesh out values and attitudes, raised important human rights issues and allowed for the recognition of ethical complexity. Even more worrying was the absence of guidance for facilitators about how to handle difficult discussions and how to work with conflicting attitudes and values. In some cases there is guidance, but only of a fairly limited nature, given the depth of skill actually required. The Facilitators' Guide for the Human Rights Training for the New Zealand Police, for example states in its "Delivery tips":

⁶⁷ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, 10.

⁶⁸ Northern Ireland Human Rights Commission, "Course for All," 3.29.

⁶⁹ See for example Simon Longstaff, *What Is Ethics Education or Training* (Sydney: St James Ethics Centre, 1995).

⁷⁰ (SCIL), *Law Enforcement Trainer's Manual*, 28

“Human rights training can lead to heated debate and raise strong emotions in participants....to be effective in delivering his package, it is important to:

- *Encourage frank and open discussion Participants may not agree, however being exposed to many different viewpoints and experiences may cause gradual change to ingrained attitudes.*
- *Avoid a dogmatic, defensive approach to facilitating the material and training. Participants are entitled and encouraged to discuss their views on various aspects of the HR Act and human rights in general. However at the end of the day the HR Act is law and participants are required to uphold the law and apply the HR Act in policing.”⁷¹*

Indeed, we can conclude that if facilitators do in fact have those skills, it is most likely as a result of their having developed them elsewhere and not because the resources they are given as human rights trainers to assist them in developing these capacities. We saw no evidence of the requisite skills building of trainers themselves that would prepare them for the types of challenging and complex encounters with participants describes above. Moreover, given that many human rights trainers in the security sector are themselves drawn from those very organisations, and that the skills required to facilitate discussions around value conflicts are specialized, it is not unreasonable to guess that few of those in the position of facilitating training have them. In other words, relying on prior skills and expertise in facilitating value change through discussion, rather than training trainers in those skills, is probably equivalent to accepting their absence.

Others who have reviewed trainings similarly provide a fairly dismal picture of how this technique is put into practice. The review of police training in Northern Ireland for example found that

“Further thought should have been given as to how to address the key themes likely to arise from discussion in this session. Such preparation could have resulted in a more challenging and reflective session than many proved to be.

...During these sessions, there were also a number of remarks made by participants which tutors did not deal with effectively: “In England they got in trouble over the stop and search figures cos it was all blacks being stopped. The cry went up, ah that’s not fair, it couldn’t be all us committing the crimes but it was them. They relaxed the stop and search and crime escalated.” Generally tutors did not intervene to explore or challenge comments of this nature. This is not to imply that they necessarily agreed. However it does indicate that a high degree of skill is required to facilitate a session of this nature in a way which does not reinforce skewed perceptions or perpetuate unhelpful stereotypes. In very many instances, this was lacking in the observed sessions.”⁷²

In our own observations of trainings, we found a similar failure to effectively steer discussions in a way that might positively effect attitudinal change. Thus, even as they espoused human rights values at an abstract level during lecture period, when participants expressed values and attitudes that ran diametrically contrary to human rights values, trainers in Military and Police settings that we observed failed to probe those attitudes and values, to challenge them, or to facilitate group discussions in a manner that encouraged participants to challenge and question each other. Indeed, in some cases, we observed trainers themselves explicitly expressing attitudes during discussions that were in direct contradiction with those that they had espoused when officially ‘teaching’ (i.e. lecturing on) human rights.

This should hardly come as a surprise, given that within security organisations. trainers usually come from the same milieu as those whom they are training, and indeed this compatibility of background is understood as one of the factors that makes them more acceptable to their target audience. By contrast, representatives of human rights organisations, or other outsiders, who are more likely to challenge attitudes and values or to encourage robust discussions that will throw up challenges to the values expressed by the majority of trainees are less likely to have an influence over them, because they are seen as outsiders and as lacking an understanding of the contexts in which security personnel work. There may also be issues associated with organisations allowing access to outside trainers who are seen as antagonistic or overly critical. **Striking a balance between have the legitimacy lent by the right type of insider-identity and being able to bring other perspectives and values to the table in a constructive manner is certainly a challenge, but a critical component in selecting and training trainers if values transformation is to occur.**

A third method that we found for seeking to bring about changes in values and attitudes was bringing participants into contact with members of the groups towards whom they have problematic or discriminatory

⁷¹ p. 9.

⁷² Northern Ireland Human Rights Commission, “Course for all,” 3.10 and 3.15.

attitudes. Here we should note that while this method is mentioned in some discussions of trainings, and some of those we interviewed mentioned having used it, there is little explicit discussion of when or how this has been used, or its impact. The OSCE includes this approach, for example in its methodology section:

“Representatives, from various vulnerable groups, and those with a history of abusive police encounters in particular, are invited to training sessions. This allows them to present their concerns, needs, cultural traditions and their perception of the police. It also facilitates an exchange of views between these groups and the police about responsibilities and the benefits of co-operation.”⁷³

The theory of change underlying this approach is based on the assumption that negative attitudes are often based on untested stereotypes and reinforced by membership in a group where those views are not challenged by discourse or experience. As such, one way to break down negative attitudes to people from outside one's own dominant group is to come into contact, under carefully facilitated conditions, with members of the other group.⁷⁴ The hypothesis here is that such direct individual-to-individual exposure will challenge stereotypical views and allow participants to humanise each other. Research on this methodology indicates, however, that the inter-group interactions need to be carefully managed and mediated by a number of principles if they are to lead to positive change.⁷⁵

We could find little discussion in the literature on human rights training in the security sector on how this approach has been used and whether those using it have drawn on the principles articulated in other spheres where inter-group interaction has been adopted as a tool for attitudinal change. Telling, however, was an interview we conducted with experienced trainers in the Philippines who had initially adopted and then rejected this approach. Initially they believed that the best way to encourage police officers to empathise with victims of their violations would be to bring members of the so-called 'enemy' forces, in this case communists, into the room to interact with police and to give them an opportunity to show the police how they had been affected by the human rights violations they had suffered at police hands. What transpired, however was that the police officers became even more convinced that the interests of those promoting human rights were to protect terrorists, and that in doing so, human rights activists were only making their job more difficult and failing to appreciate their perspectives. In other words, their negative attitudes to human rights and to the 'enemy' were hardened. These trainers subsequently developed a very different, though (so far as we could find) little documented process of exploring with the police participants where they had experienced human rights violations in their own lives, thereby encouraging them to recognise that human rights applied to everyone and that they had good reason to value them.

O'Neill, in his review of trainings, mentions a similar approach taken as part of the "Human Rights Cities Program" sponsored by the UNDP in Rosaria, Argentina. Here, as well as discussing the human rights of those with whom they come into contact, discussion topics included the rights that police themselves have, including to jobs, housing and medical care. As O'Neill notes:

“This was a crucial step and one that helped the police feel comfortable with the issues and not automatically react defensively. This tactic also worked as we have seen in Timor Leste: show the police that they have rights and that they are in a great position to defend and protect others' rights.”⁷⁶

It would be worthwhile to find out if there are other examples where this approach has been adopted and if it was effective in opening security officials up to consider the value of human rights.

Finally, we need to acknowledge that not everyone is of the view that attitudinal/value change is a necessary condition for changing behaviours amongst security personnel. In her study of the transformation of the Public Order Police (POP) unit of the South African Police Service in Durban, for example Monique Marks concludes that:

“The case of the Public Order Police unit in Durban demonstrates that it is possible to bring about significant changes in police organisations – particularly at the behavioural and structural level.

⁷³ Organisation for Security and Co-operation in Europe (OSCE), *Guidelines on Human Rights Education for Law Enforcement Officials* (Warsaw: ODIHR, 2012), 42.

⁷⁴ Inter-group contact theory was first suggested by Gordon Allport, *The Nature of Prejudice* (Cambridge, MA: Perseus Books, 1954).

⁷⁵ Principles for designing comprehensive approaches to improving race relations based on a broad literature review can be found at <http://www.tolerance.org/supplement/strategies-reducing-racial-and-ethnic-prejudice-essential-pr>, viewed July 22, 2014.

⁷⁶ O'Neill, *Police Reform*, 45.

*However, changes in attitudes, values and assumptions often lag behind more mechanical behavioural change.*⁷⁷

Such behavioural change in the absence of attitudinal change is highly dependent, in her view, on close supervision of the operations of rank and file members, accompanied by careful and exact strategic planning and monitoring before and during operations. She quotes one experienced POP trainer:

*"You need to think of the need for supervision of a unit like this. Imagine you have a pack of vicious and aggressive dogs. What do you need to ensure that all hell does not break out? You need to see that these dogs are chained to a person who can control them. You don't just let them loose and then see what happens."*⁷⁸

One needs to read this skepticism about the need for attitudinal change with caution however. Delving deeper, Marks goes on to conclude that the behavioural change that can be achieved in the absence of attitudinal change will not be long term or sustainable. This type of transformation requires that changes in behavior be embedded in values and belief systems. As Marks puts it:

"Change in police organisations is largely dependent on the attitudes that officers have toward change, and these attitudes do not change spontaneously..... Real change within police organisations will only take place if the attitudes of both management and rank-and-file officers are altered, and this involves a constant review of the successes of changed police conduct and responses."

Indeed, her final conclusions point well beyond the apparently modest conclusion that behavioral change can occur in the absence of attitudinal change. Marks goes on to argue that the type attitudinal change that will support deep and sustainable changes in behavior can itself only occur if the organisation goes through a change process that attends not only to personnel's values concerning human rights, but more expansively to the structure of relations within the organisation.

*"In order for police to engage with new value systems and belief systems, an environment needs to be created where all police members are able to actively participate in change processes. This requires a fundamental shift away from traditional and typical management styles and structures in police organisations towards more participatory forms of management (Reiner, 1992; Bayley, 1994)."*⁷⁹

This observation once again points to the fact that the objectives of human rights training can only be achieved if such training takes place in the context of a suite of other organisational reform processes, as discussed below.

v. Developing Skills

Returning again to the formula that changes in behaviour require changes in knowledge, values/attitudes and skills, we turn now to look at how training resources seek to provide trainees with the skills required to ensure respect for, and protection of human rights in their workplace. Separating 'skills' out from values and knowledge in this context is somewhat difficult, as the skills in question will only in part be technical, with the larger part of the skill set being associated with the capacity to undertake a process of practical reasoning in the face of difficult and complex situations. For the purposes of this discussion then, we can distinguish two types of relevant skills: technical skills and ethical problem solving skills. Technical skills are those required to undertake operational aspects of the job in a manner that is human rights compliant. Ethical problem solving skills are those required to work out how human rights standards can be translated into practical actions in difficult situations.

Looking at 'technical' skills first, human rights trainings may involve the development of the skills required to carry out various functions in a manner that is human rights compliant. That is, as well as seeking to ensure that personnel know the human rights principles that should guide them in carrying out various functions, trainings may seek to develop the skills that they will need to do so on practice. Learning to conduct an arrest or search in a manner that does not involve the excessive use of force may, for example be facilitated if personnel have developed certain mediation or communication skills. Role plays might be used here for example as a way of personnel acquiring practical knowledge or skills in handling specific situations.

⁷⁷ Monique Marks, "Transforming Robocops? : A Case Study of Organizational Change " *Society in Transition* 31, no. 2 (2000): 159.

⁷⁸ Ibid.

⁷⁹ Ibid., 160. References in original quote.

This type of practical skills development, or ‘learning to do right as a way of avoiding doing wrong’ was evident in a number of trainings we found that focused on developing interviewing skills that would allow personnel to obtain information without using force. The training in interview skills developed in the China human rights project discussed above, or trainings in the PEACE method of interviewing suspects would be examples of skills development towards human rights compliance.

The methods that we found prescribed in manuals for developing such skills include:

- Lectures, setting out the skills components;
- Discussions of the application of the skills by experts with question and answer sessions where trainees can probe experts about how to use the skills;
- Demonstrations of the skills;
- Role-plays where participants get to try out the skills themselves.

Most of the resources we examined did not go past describing and discussing the skills, with little opportunity for practical exercises. Interviews and observations indicated that these limitations (discussed further below) are not only the result of traditional approaches to training and education, but also of the large numbers of students who are put through a training course and the paucity of time dedicated to training, combined with high student/trainer ratios, inadequate training spaces. These practical factors often serve to rule out the type of intensive small group work that would support practical skills development. Our survey did indicate that a few training guidelines recommend the use of role plays, but there is a dearth of available material providing trainers with model scenarios, and - perhaps even more importantly - with guidance as to how to facilitate role plays.

The OHCHR guide for trainers provides the following general statement on role-plays:

“These exercises require participants to perform a task or tasks in a realistic situation simulating “real life”. Simulation or role play exercises may be used to practice a skill or to enable participants to experience hitherto unfamiliar situations. A written account of a factual situation is distributed in advance and each participant is allocated a role (the police officer, the victim, the witness, the judge, etc.). During the exercise, no one is allowed to depart from his or her assigned role for any reason. This technique is particularly valuable for sensitizing participants to the feelings and perspectives of other groups and to the importance of certain issues.”⁸⁰

In the training manual there is, however, only one detailed role-play dedicated to skills development. We reproduce it in full:

“Detention

Role play on visits to prisons and detention centres

The Process: This exercise requires participants to perform certain tasks in a situation simulating “real life”. It will be used to practice skills relating to visits to places of detention in the mission area. A written factual situation is set out below (“the problem”). Each participant will be allocated a particular role (the CIVPOL officer, the detainee, the local police official, the witness, etc.). During the exercise, no one will be allowed to leave his or her assigned role for any reason. The process will then be discussed by the entire group at the end of the role play. This technique is intended to enable the participants to practice the necessary skills, to understand the perspectives of the various actors and to recognize the importance of certain issues likely to arise in such assignments.

The Problem: Under an agreement between the Government and UNSAME, and following from certain terms of the peace agreements, United Nations CIVPOL offices are to be given “reasonable access to places of detention” for the purposes of interviewing “selected detainees”, inspecting facilities and advising the local authorities. You have received information about abuses at a local police detention centre, known as “Z-21”. It has been alleged that conditions are sub- standard and that a certain detainee named Steven K. has been subjected to torture. The commander of Z-21, Exland Police Commander Jones, is known to be a particularly ruthless official in his treatment of detainees and generally opposed to “interference from outsiders”. You seek access to inspect the prison and interview Steven K.

The Roles:

CIVPOL Officer Smith (who seeks to inspect Z-21 and interview Steven K.) **Commander Jones** (who wants neither “outside interference” nor additional attention to Z-21) **Detainee Steven K.** (who has allegedly been mistreated in custody)

⁸⁰ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, 7.

Witness (former detainee) David W. (who claims to know of the abuse and conditions)
ICRC delegate Henri D. (who has himself visited Z-21 under a separate agreement)
United Nations human rights monitor Nelson R. (who has information on prison conditions in general and who is charged with channeling complaints to United Nations human rights mechanisms)
The Tasks: CIVPOL Officer Smith should commence the investigation, collect preliminary information, negotiate access to Z-21 and the terms of the visit, and take appropriate follow-up action as necessary. He should refer to the main inter-national instruments regulating prison conditions and should seek information on each of the standards contained in those instruments."

Given the potential that role plays have not only for skills development but also for provoking value and attitudinal change, the development and sharing of role-plays would certainly benefit the field. In this regard, *it would be enormously beneficial if there were available an open access database of role plays, including both basic scenarios and guidelines and practice notes on how they have been used and guidance for facilitators.* In our project, some of the police and military personnel with whom we worked developed such role plays that will be disseminated as part of our overall project. These could form the starting point for a broader collection. For example, one of our HRPFs in Sri Lanka developed an extensive road block simulation exercise in which he asked training participants to take different roles – some as civilians from an array of backgrounds, some as military personnel responsible for operating the road block and some as observers. Using this simulated scenario the trainers encouraged participants to reflect on the professional, legal and ethical issues that might arise in a roadblock situation, introduced them to the relevant organisational and legal standards they were required to follow and gave them the opportunity to practice applying these in practice.

The second type of skill-set concerns the capacities required to ethically solve problems and determine courses of action in the face difficult situations. Before addressing the specific question of how the skills required for ethical problem solving are developed in the context of human rights training, it is important to point to some broader issues about the place that this type of ethical decision making has in security organisations more generally.

Traditionally, we think of security organisations has having a highly hierarchical command structure, where independent decision-making is tightly constrained and reserved exclusively for people in official leadership positions. However, as military and police personnel find themselves in the increasingly complex and diverse situations typical of twenty first century policing or military life, this traditional distribution of responsibility for decision making across a hierarchy of roles is breaking down. There is ample evidence that security organisations are recognising that in the light of contemporary realities, they need to equip their personnel with the capacity to not only follow orders, but to make sound decisions when faced with novel situations.⁸¹ Such moves towards supporting the development of autonomous decision-making skills no doubt stand in tension with the traditional command structure of security organisations. Nevertheless, at least in some countries, professional security organisations are coming to recognise that a balance needs to be struck between enforcing the importance of obedience and the chain of command, and both empowering and equipping individuals to think through the consequences of their choices and actions themselves. As a document written for the US Army War College puts it:

"We believe that providing students with the fundamentals of how to think about the challenges at the strategic level is vitally important because of the unpredictability of both the internal and external environments in which we operate."⁸²

To support the development of such capacities, training programs are increasingly likely to include content on strategic decision-making, incorporating the ethical components of decision-making.⁸³ Moreover, security organisations (like other organisations that have been moving in this direction) are also coming to understand that teaching people about codes of ethics or the laws that ought to regulate their decisions will not be sufficient to ensure that their decisions appropriately include ethical considerations.⁸⁴ Certainly, laws or ethical codes can provide guidance, but it would be a mistake to believe that they can simply be applied, like a formula, to produce ethically correct decisions and actions. In real life, security personnel are likely to be faced with situations that

⁸¹ See for example T. Van Baarda and D. Verweij, eds., *Military Ethics: The Dutch Approach: A Practical Guide* (The Hague: Martinus Nijhoff Publishers, 2004); Desiree Verweij, Gerard Cloin, and Erhan Tanercan, "Ethical Decision-Making in the Military Decision-Making Process," in *JSCOPE Conference - Moral Considerations in Military Decision Making* (2000); Royal Military Academy Sandhurst, "An Officer and a Problem Solver: Developing Problem Solving and Thinking Skills in Officer Cadets at Sandhurst," *Occasional Paper* 6(2011).

⁸² Charles D. Allen, "Creative Thinking for Individuals and Teams: An Essay on Creative Thinking for Military Professionals," *US Army War college* (2009).

⁸³ Some materials on ethical decision making developed for the Military context are listed in appendix A.

⁸⁴ There has been a burgeoning in this field and there is now a well developed body of literature on teaching ethical decision-making across a range of professional fields. That said, of course teaching ethics goes back to the ancients and Aristotle's virtue ethics remains one of the core theories.

are ethically unambiguous, or that involve a conflict between ethical considerations and other tactical, practical or security considerations. Once someone leaves the training room and enters the field, there may be a great deal of uncertainty, and the complexity might be such that competing demands cannot simply be weighed against each other to produce a logical calculus. In such cases, something more than knowing the laws and codes is required. A literature review on Moral and Ethical Decision Making prepared for the Canadian Department of National Defense makes this point very well:

“Military laws and standards, in theory, should provide some basis for military personnel to be able to make sound moral and ethical decisions in armed conflicts. In practice, however, this is more difficult than it might seem given the new operational challenges over the past two decades. Troops are often deployed, not in the conventional war fighting capacity, but more often as peacekeepers on behalf of the United Nations (UN) or NATO. During operations, they make not only operational decisions but often decisions of a moral and ethical consequence.”⁸⁵

Looking broadly across training curricula, (for Militaries in particular), one now finds a range of approaches for developing the distinct set of reasoning skills (and some would say character strengths or virtues) that will support individuals in making ethical decisions. These include teaching theories of ethics, providing models of ethical decision-making and, perhaps most importantly and commonly, case studies.⁸⁶ When it comes to self-defined human rights training, however, resources are fairly light on specific materials or processes that will support the acquisition of the distinct skills required for ethical decision-making.

When human rights training does attend to the development of this skill-set, it does so most frequently through the case-study method. Here, training participants are provided with a case study that presents them with a scenario in which choices about how to act need to be made in the face of a difficult situation. The underlying rationale here is that rehearsing and practicing the process of assessing the issues, working out what the principles at issue are, weighing the consequences of different courses of action and then making quick and difficult choices in a hypothetical situation will make it easier for security personnel to move through this process when they are faced with an actual ethical dilemma and difficult real life situation. Certainly, it is unlikely that the choices they face will be those that they have worked through in the case study scenario, but the case studies should allow them to practice the intellectual and affective processes they will need to go through when faced with novel dilemmas.

Unfortunately, although several guides note the importance of using case studies, few are actually published or discussed. The OHCHR trainer’s guide includes an extended case that is revisited over several parts of the course, and exploited to explore a range of issues relevant to different aspects of human rights policing. Probably the most extensive attempt to tie human rights training in with cases is the Council of Europe’s *Police and Human Rights; A Workbook for Practice Oriented Teaching*. Although the cases are not written with the specific aim of teaching decision making skills, this publication, perhaps more than any other actively seeks to link theoretical material about human rights standards with case studies so that trainees can see how the standards would shape their actions in concrete situations they might face.

The text is structured around a series of key rights relevant to policing (the right to life, to freedom from torture for example) and for each area provides three types of resources. The first is a simple citation of the human right as expressed in the Universal Declaration of Human Rights and in the European Convention on Human Rights as well as reference to any non- treaty human rights instruments relevant to the protection of that human right and addressed specifically to police. The second section provides a series of case studies for group discussion centred on the specific human right or rights covered in the chapter. Each case study is set out on a separate page or pages of the text to facilitate replacement or amendment in the event of the adoption of additional human rights instruments, subsequent findings and decisions of treaty bodies, and new challenges arising that confront police. The final part provides guidelines for teachers and other resource persons on provisions of instruments, relevant findings and decisions of treaty bodies, and particular "human rights and policing" issues raised by the human right or rights under consideration. This third part is intended to provide guidelines and ideas to facilitate the preparation of teaching notes and the delivery of presentations in teaching sessions.

The inclusion of case studies in this resource certainly goes some way in moving from abstract discussion of rights to a consideration of the complexities of application. Nevertheless, their value in teaching ethical decision making skills is very limited. Looking for example at the chapter on torture, there are two case studies, one of

⁸⁵ Michael H. Thomson, Barbara D. Adams, and Jessica A. Sartori, "Moral and Ethical Decision Making Literature Review," *DRDC Toronto No. CR-2005-105* (2005): 5.

⁸⁶ One could also include in this list activities aimed at building character in a way that is, on certain theories understood as the foundation of ethics. This may include building loyalty, moral courage, leadership and empathy.

which describes jurisprudence on torture and inhuman treatment, and the other of which describes a case where a man is brought into police custody and beaten until he produces a confession. Each is followed by a series of fairly straight forward factually oriented questions, the answers to which draw more on knowledge about human rights law than they do on ethical decision making capacities. Some of the questions do require participants to think about skills that would be required to protect human rights.⁸⁷ Others require them to think about what types of structures and systems they would need to put in place to reduce the risks of violations.⁸⁸ Questions that would support the development of ethical decision making skills, that is, questions that demand that the participants think through how they would weigh principles and dilemmas, or deal with conflicts, are, however all but absent.

A comprehensive review of reform efforts to support democratic policing finds a similar failure to provide adequate resources of training for the development of capacities for ethical decision making:

“Current training in law and ethics relies very much on the lecture method of instruction, with emphasis on written standards. Greater effort must be made to relate international standards to the ambiguous situations that CIVPOL personnel will encounter in the field. Role-playing, for example, would help to draw out the operational problems in applying standards to the real world. Trainers should also be sensitive to the cultural and professional differences between themselves and the people they train. Their audiences may be unprepared to recognize why particular practices are not acceptable.”⁸⁹

In summary, if the development of ethical decision making skills is understood to be an important component in ensuring that those trained develop the capacities to respect human rights, resources should pay greater attention to the development of those skills, drawing on appropriately developed case studies and training notes. Acquiring knowledge about formal standards will not be sufficient to develop such capacities. Rather, trainees need to be involved in the work of developing practical reasoning skills – work that will require their active participation.

In an attempt to address this gap we have been trialing a ‘problem solving’ approach to the discussion of legal cases relevant to law enforcement personnel. For example, in Sri Lanka, police officers are often taught the case of *Faiz vs. Attorney-General*⁹⁰ to demonstrate the legal responsibility of police to prevent torture and arbitrary detention. In that case two police officers were found to be directly responsible for the violation of Mr Fiaz’s fundamental rights due to the fact that they did not prevent him being beaten in police custody by influential local politicians. In response we have observed police expressing frustration and resentment at what they perceive as the legal system’s failure to take account of the practical difficulties they face in such a situation. As a result, we have been testing an approach where we encourage police officers to try to approach the Faiz case systemically: what were the various legal, political, cultural, organizational and individual factors that led to this situation arising? Once we have done this we initiate a discussion about the possible levels at which individual police officers (depending on their rank) could intervene. This is then followed by a brainstorming exercise with the group about possible practical actions they might take that would allow them to fulfil their professional, legal and ethical responsibilities to individuals in their custody while reducing the risk of negative consequences that might arise from resisting an influential figure such as a local politician. While there is always a risk that participants will be unable to identify workable strategies (which is why we have tried to draw on our own research findings to provide examples for discussion), thus far this has not happened. Instead the exercise has allowed the discussion to move from abstract moral and legal obligations towards pragmatic but also potentially effective strategies that might be used in practice.

vi. Responding to the context

The issue of contextual sensitivity in human rights training is not a simple one. On the one hand, human rights are supposed to be universal and in many cases absolute, thus allowing for no derogation on the basis of contextual (cultural, social, economic) factors. On the other hand, if the aim of training is to make an actual difference for the people who are being trained, it cannot ignore the situation in which they are working. Too rigid an insistence on absolute principle can lead to training being rejected by participants as insensitive to the realities of their working conditions. It can also create unrealistic and artificial binaries.

⁸⁷ For example, “What technical policing skills need to be developed in police officials in order to reduce the possibility that they may mistreat detainees whilst interrogating or interviewing them? How can you promote the development of those skills?” p. 28.

⁸⁸ “What supervisory techniques and systems can be adopted to prevent this type of mistreatment of detainees from occurring?” p. 29.

⁸⁹ David H. Bayley, “Democratizing the Police Abroad: What to Do and How to Do It,” *U.S. Department of Justice Office of Justice Programs* (2001): 58.

⁹⁰ 1995 1 Sri.L.R 372.

Training resources developed at an international level generally give a fairly formulaic nod in recognition of the importance of context, allowing that context needs to be taken into account by adding in reference to national laws or codes of practice and by encouraging trainers to draw on local examples. The OHCHR trainer's guide is illustrative:

"Trainers are encouraged to adapt the material as far as possible to local conditions. This means that:

- *References should be made to relevant constitutional guarantees or any bill of rights that is in force in the jurisdiction;*
- *Emphasis should be placed on the relevant provisions of the international human rights treaties in force;*
- *Suitable concrete examples and cases from the jurisdiction should be employed whenever possible; and*
- *The "Questions" and "Exercise" sections should ultimately be adapted to include examples and situations that are likely to arise in the jurisdiction.*⁹¹

There is, however, more to context than local laws and examples. A richer understanding of context is one that takes into account what it actually means to work under certain political, cultural, social and material conditions. For example, training police officers in the PEACE method will be meaningless if they do not have rooms in which to conduct interviews. By extension, providing a module on the importance of tolerance to police officers working in the context of intense and violent ethnic hatred, or on anti-corruption in a context where there are high levels political interference is likely to strike the participants as naïve or irrelevant.

Recognising the constraints of context does not mean that one should omit such topics, but rather that the training has to be delivered in a way that helps participants identify realistic strategies for pursuing the objectives in question (stemming corruption or ensuring non-discriminatory treatment for example). Our review suggested that training often recommends behaviours without adequately grappling with the contexts that might render reform difficult or with historical, organisational or cultural factors that might impede their uptake.

In our interactions with security personnel, we found that one of the sources of their scepticism about human rights training was precisely the insensitivity to context that they had experienced in human rights trainings. This was expressed in the form of a frequent retort that people who come in to teach them human rights do not appreciate what it means to carry out their jobs under the actual conditions under which they are working – often without basic resources, with certain types of expectations from superiors and the community and so on. This scepticism was particularly pronounced in relation to international trainers, who are perceived as coming from contexts free of the types of material and political constraints with which they have to deal every day.⁹² Again, trainers need to work with care to strike the right balance in responding to claims about context. On the one hand, human rights trainers need to be mindful of the danger that people can use context to justify the continuation of human rights violations, when one of the core objectives of human rights training is to challenge habitual ways of acting and seeing. Inevitably, challenging the status quo will provoke resistance. On the other hand, as organisational change experts insist, change that demands that people leap over their existing practices or understandings, or that fails to take into account the actual conditions under which they are working is almost certainly going to be rejected.⁹³

The review of human rights training for police in Northern Ireland concluded that insensitivity to contextual realities was one of the failings of the training:

*"A further concern was the extent to which the course materials appeared to understate the nature and depth of the difficulties faced by the police in gaining the trust of different sections of society. Issues of sectarianism or past human rights abuses, for example, did not feature. In ignoring the historical and current context, the course failed to lay a proper foundation for the lessons it wished to impart. It would have been useful to identify the obstacles to problem-solving with the community and to spend some time grappling with negative experiences of policing in different areas."*⁹⁴

Without watering down its strong message of commitment to human rights principles, training should then include a realistic appreciation of the myriad structural, cultural, material and political challenges to reform. As

⁹¹ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, 27.

⁹² In a workshop in Nepal, for example, one participant repeatedly referred to the fact that here the international experts came from, we all worked 36 hour weeks and received pay for holidays and illness.

⁹³ See for example Michael J. Austin and Jenette Claassen, "Impact of Organizational Change on Organizational Culture: Implications for Introducing Evidence-Based Practice," *Journal of Evidence-Based Social Work*, 5, no. 1/2 (2008): 321-59.

⁹⁴ Northern Ireland Human Rights Commission, "Course for All," 2.3.

discussed in section 6 below, it also needs to be mindful of the likelihood that the messages it is conveying about respect for human rights may not be consistently upheld in the practice in other parts of the organisation. Overlooking this likely disjuncture or internal contradiction risks reinforcing participants' perception that training is unrealistic. Even more seriously, the failure to engage with the contradiction and tensions that participants will need to negotiate when they return to their working life will leave them without any tools they can actually use. A carefully crafted engagement with context can, by contrast, build a bridge between ideal attitudes, skills and behaviours and those that are currently in place, making movement in this direction a real option.

Already in this section on the substance or content of training, we have raised a number of issues concerning how human rights are taught and some of the limitations of existing approaches. In this section, we focus more specifically on questions of pedagogy and teaching methodology. These methodological questions are of equal importance in considering impact and effectiveness.

5. The Current State of Human Rights Training: Pedagogies and methodologies

We organise the material in this section under four headings: "What types of teaching methods are used?; Who should do the training?"; "Who should be trained?"; and, "Should human rights training be integrated into more general training?"

i. What types of teaching methods are adopted in human rights training

As noted above, in her analysis of the early efforts to deliver human rights training to police, Francesca Marotta noted that both the content and style were overly theoretical and that there was insufficient emphasis on what human rights meant in practice. No doubt in response to such critiques, as well as in recognition of principles of effective adult learning, most of the well developed manuals, such as those developed by the OHCHR, now contain introductory sections that insist that effective training will require that trainers do not simply lecture on the content, but employ varied teaching methods and interactive pedagogical techniques. Such techniques tend to include panel discussions, group work, case studies and role-plays. Similarly, the vast majority of respondents to our survey on how military and police organisations conduct their human rights training indicated that they used a range of participatory teaching styles.

The secondary literature reviewing trainings, for example the review on UN human rights trainings discussed earlier, also noted the formal adoption of a range of participatory techniques. In their discussion of the project that the Danish Institute for Human Rights facilitated developing human rights manuals in Africa, Lindholdt et al. note some particularly creative techniques developed in the context of particular cultures and local learning styles:

*"[R]esource groups identified various participatory adult learning methodologies that are particularly applicable to within a non-Western educational culture, and as a vehicle for training through dialogue. Examples include "Write a Human Rights Poem" Sing a Human rights Rap", "Dance a Human Right Dance", "Tell a Human rights Story", and so on."*⁹⁵

An examination of the actual teaching resource material, however, combined with interviews with trainers and observations of actual trainings, suggests that things may look very different in practice. As already described, the manuals that comprise the principal teaching resources are overwhelmingly replete with information about human rights standards and normative statements about how security personnel ought to behave in order to comply with human rights. What this means is that despite admonishing trainers to use participatory methods, the manuals include little material that would assist them to use such participatory approaches, particularly case studies and role plays (as discussions could simply follow from material that is provided).

Indeed, when we probed trainers working with security organisations about how the training actually takes place, we found that most of the training takes the form of lectures. Worse still, at least a good part of training is likely to comprise someone standing at the front of a very large hall in front of hundreds of security personnel, delivering a lecture on human rights standards and norms. In some instances, where human rights have been seriously embraced by the security organisation (as in Northern Ireland), there was evidence of more intensive and varied methodologies. Similarly, some of our interviews with trainers who had been brought in by international organisations indicated that they had the opportunity to work for short intensive periods with smaller groups, supporting more participatory techniques. Our data is not sufficiently comprehensive to assess how often this takes place, but it would seem to be in the minority of cases.

⁹⁵ Lindholdt et al., *Human Rights and the Police in Transitional Countries*, 5.

It is important to recognise that ensuring that human rights training adopts more engaged and effective adult learning techniques is not simply a matter of will or acceptance that these methods will be more effective. Active participatory teaching requires both material and human resources that are not generally available in security organisations, particularly in the global south. Where large numbers of personnel need to be trained, where the time allocated for training them is very short, where training is to take place in physical locations where there are only large halls, where there are not enough trainers and where trainers have themselves not been trained in participatory techniques, we can be almost sure that the teaching method embraced will be the lecture. Moreover, if inadequately trained trainers are only given resources that set out laws and norms, they are unlikely to adopt teaching techniques that require the support of well-crafted resource material such as case studies and teaching notes on facilitating discussions.

To achieve more effective teaching through the adoption of more engaged teaching methodologies will thus require a significant injection of human and other resources. To some extent, this will require changes within the training institutions of different security organisations, and their commitment to developing the skills of their trainers and the resources they make available for human rights training. It will also require international and non-government organisations providing external trainings focusing their efforts. A more systematic collation and the dissemination of a rich body of case studies, teaching notes and reflections on how more participatory techniques have been used in different security contexts would certainly assist all parties involved in training – be they external or internal actors. These will not solve the problem, but they will go some way in supporting a shift towards the broader use of such methodologies. Of particular value here would be case studies and accompanying teaching notes that have been developed in a broader range of regional and political contexts. Cases that deal with resource poor or post-authoritarian contexts for example would be helpful.

ii. Who should the trainers be?

Most training guides are silent on the question of who will conduct the training, but some training guides, such as the one developed by the OHCHR explicitly recommend that a team comprising both people from the relevant professional field and people with specific human rights expertise conduct training.⁹⁶ Others, such as the Commonwealth and Foreign Office's guide on ethical investigations, implicitly make clear the importance of trainers clearly displaying an intimate understanding of the context in which the people they are training work and have to operate. While our survey on training in security organisations does not provide robust data on this question, the majority of respondents indicated that training is conducted by a combination of insiders (members of the forces including those working in training institutes) and outsiders, including representatives of human rights organisations and other subject experts. The inclusion of academic and NGO representatives in human rights training was also observed in our target countries and has been noted by a number of commentators in the literature.⁹⁷

The balance between internal and external trainers remains a tricky one to get right. In our observation of a particular training conducted with armed forces personnel by a human rights academic we found that while he was initially accorded greater respect than his counterpart from within the forces this quickly dissolved when he was faced with practical questions from the trainees and responded by simply returning to abstract legal principles. At this stage his military co-trainer stepped in and responded based on his own personal experience as a senior army officer. In this case it actually seemed that the external trainer proved more of a liability than an asset. Moreover as Rachel Wahl points out in her analysis of human rights training in India, the dual role of human rights practitioners as both critics of security personnel and as trainers can make it very difficult to build genuine trust and engagement.⁹⁸

Looking at this question from a more normative point of view, the general consensus in the literature, including relevant literature in the field of democratic policing, is that particularly in the context of security organisations, the credibility of the trainer is critical, and that to have credibility, trainers need to be seen as having an intimate and experiential understanding of the organisations in which they are conducting the training. In other words, outside experts who have not worked in the military or the police and who are not intimately familiar with the local context, are likely to be rejected and their contribution devalued by participants. This implies that

⁹⁶ United Nations, *Human Rights and Law Enforcement, a Manual on Human Rights*, 8.

⁹⁷ Rachel Neild, "Lessons of Police Reform from Central America and Haiti," in *Human Rights and the Police in Transitional Countries*, ed. Lone Lindholt, et al. (The Hague: Kluwer Law International, 2003).

⁹⁸ Rachel Wahl "Doing Without Believing: The tension between internal socialization and compliance with human rights norms among law enforcement officers in India" Paper presented at the International Studies Association annual Convention, San Francisco, April 2013.

membership in the same type of organisation (i.e. being or having been a policeman) and being a co-national or at least from the same region will be important in establishing credibility.

At the same time, skillfully conducting human rights training in a manner that will bring about transformation in the trainees requires significant expertise and skills, including, as discussed above, the skills to challenge the values and dominant cultures in security organisations. This means that trainers should also (as OHCHR recommends) include representatives from organisations outside the forces themselves. In this regard, a number of commentators recommend that representatives of human rights NGOs or members of groups to whom security personnel may not normally be exposed have a useful role to play in training. In reflecting on lessons from police reform in Latin America, for example, Rachel Neild discusses the complex relationship between two roles that the trainer needs to play – condemning abuse and encouraging reform. In this regard, she notes that police rarely listen to outsiders or take human rights issues seriously unless they come from their superiors and leaders and that as such, NGOs involved in training have been relatively ineffective in directly shifting behaviours or attitudes. Nevertheless, she notes that there may be a less direct impact in their involvement, insofar as the training scenario opens a space for dialogue that is usually not available for closed corporatist organisations.⁹⁹ Irrespective, representatives of NGOs or academics who do come into security organisations to conduct training must, as Amnesty International emphasises in its various resources for NGOs working with police, have a firm grasp on the operational and cultural realities of those organisations.

iii. Who should be trained?

Once again, training resources themselves do not provide information on who is or ought to be trained. Our surveys also did not produce a uniform picture of who gets human rights training, with some respondents indicating that training is provided across the organisation, and others indicating that training is targeted to specific groups, such as new recruits or people at particular levels of seniority.

Addressing this question from a normative point of view, one might think about the appropriate level of training in terms of the dynamics of organisational change. Just as organisational change needs to be driven and endorsed at the level of the leadership and embraced by the rank and file, so too training needs to take place at all levels. The implication then would be that, for different reasons, it is critical to train leaders and the rank and file. At the same time, this training must be tailored to the different target audience. As observed in the Enhancing Human Rights Protections *Issues Papers 4 and 5* and Sri Lanka and Nepal, the responsibilities, capabilities and risk factors relevant to different levels within the organization mean that it will be inappropriate and useless to deliver the same material in the same manner. Yet our observations have been that this is precisely what happens.

That said, practical constraints may demand a more targeted approach. In this case, priority should be given to training those in leadership positions, and in particular those with direct face to face leadership roles. This type of more targeted approach is in keeping with the consistent finding in the literature on organisational change in general, and in security organisations in particular, that the messages that leaders give the rank and file about what type of behavior is acceptable are absolutely critical in shaping their behavior.¹⁰⁰ As Marotta puts it in her review of police human rights training:

“To provide training on human rights without involving the senior/command level can be futile, or even counterproductive as it may create situations in which low-level officials try to implement the principles learned through the training and are punished or contradicted by supervisors who are not aware of or convinced of the value of the same standards. Training of senior officers should therefore be an integral component of police assistance programmes. It should aim at injecting human rights concerns into police command and management, and at developing management skills which are adequate to ensure the implementation of policies and practices consistent with human rights standards.”¹⁰¹

Nevertheless, we need to treat this focus on training leadership with some caution. The principles that underpin focusing on leaders are that they do exercise authority over their juniors, that they will take responsibility for guiding them and for what their juniors do and ensuring that they act in a manner that they would be willing to act themselves. It also assumes that their juniors see them as role models. This may not always be the case. Moreover, there are a number of independent reasons why training should be provided, to the extent possible for the lower ranks, especially if the introduction of human rights is part of a broader organisational change effort. As O’Neil puts it, there are real dangers in change being ‘decreed’ from above:

⁹⁹ Ibid., 206.

¹⁰⁰ In his review of democratic policing efforts for example, Bayley concludes that “Sustained and committed leadership by top management, especially the most senior executive, is required to produce any important organizational change.” Indeed, he continues: “This is probably the most frequently repeated lesson of reform management”. Bayley, “Democratizing the Police Abroad.” 18-19.

¹⁰¹ Marotta, “The Blue Flame and the Gold Shield,” 39.

“The rank and file must have a say and be listened to, otherwise reform efforts will not take root. For example, in a study of efforts to implement community policing, some of the best ideas came from the police themselves and not from the outside “experts” or the police hierarchy. This “bottom-up approach” must be combined with skillful and committed leadership who set clear standards on what is proper behavior and what will not be tolerated in the new police.”¹⁰²

In this context, it is also important to remember that it will often be junior personnel who are in the frontline of contact with the public and thus at risk for committing human rights violations. In this sense, if compliance with human rights requires that they develop specific skills (interviewing for example), or if there is a significant culture of discrimination or stigmatisation that is likely to effect the ways in which junior personnel interact with certain groups with whom they regularly come into contact, then targeted training on these areas will be important.

In sum, the ideal scenario would involve comprehensive training at all levels of the organisation. Where this is not possible, priority should go to leaders, and in particular those who are going to be leading groups of personnel in their day to day tasks. Where training can extend to the rank and file, it should be carefully targeted to the development of the attitudes, values and skills that are most relevant to the work they carry out and the contexts in which they operate.

iv. Should human rights training stand alone or be integrated?

As discussed above, the model adopted in many training manuals is one where the topic of human rights is initially introduced and then trainees are taken through a series of modules based on operational areas such as arrest or detention, with human rights principles integrated into each topic area. Even where this occurs, all of this still takes place under the official heading of ‘human rights training’.

Because research sought out only training resources that were explicitly placed under the label of human rights, we cannot draw any conclusions about the extent to which security organisations are integrating human rights into their regular curricula in a more comprehensive manner. Were they working in this type of integrated manner, the label human rights may not even show up, as the effect of fully embracing a human rights based approach may be that police are simply trained to carry out their functions in a manner that complies with human rights. One might speculate that this type of ‘training to do right’ approach may be more effective than training that conveys messages about what must not be done or training that explicitly speaks about human rights, given historical resistance to this framing.

From a normative point of view, commentators in the field consistently recommend that human rights training be integrated into regular training and not be relegated as an add on. As O’Neill argues on the basis of a comprehensive review of UN trainings:

“If respect for human rights is to be seen as a normal requirement of professional police forces, human rights training must be integrated into the regular curricula of such forces. While specialized courses on human rights are definitely required to create a capacity for long-term training within the police (through a train-the-trainers approach as described above), human rights must not remain a ‘special’ separate subject: it should be integrated in the teaching of other technical policing topics - management skills, crowd control, police investigations, etc. Such an approach is pursued by the OHCHR in Palestine, where the core group of police trainers trained by the OHCHR, and the OHCHR staff themselves, are already engaged in integrating human rights teaching into other on-going training programmes for new recruits, middle-ranking officers and senior officers.”¹⁰³

For this to happen in a comprehensive manner, the role of human rights experts within the training institutions of security organisations cannot be limited to developing and delivering specific human rights modules. Rather, they would have to be fully integrated into the development of the entire training curriculum.¹⁰⁴ Indeed, as we discuss below, the consensus in the literature is that to be fully effective, human rights training needs not only to be integrated across the training curriculum, but to be embedded in a far broader set of reforms across the organisation. It is to this that we now turn.

¹⁰² O’Neill, *Police Reform*, 10.

¹⁰³ See for example *Ibid.*, 34.

¹⁰⁴ The only context in which this seemed to be the case was Northern Ireland, where there is a dedicated human rights expert responsible for ensuring that human rights is integrated across the curriculum.

6. HUMAN RIGHTS TRAINING AND THE BROADER CONTEXT OF ORGANISATIONAL CHANGE

So far our analysis has focused exclusively on the substance and approach of human rights training and their impact on the effectiveness of training in contributing to respect for human rights in the organisation. As a number of commentators in the field have observed, however, effectiveness is not achieved according to what happens in one part of the organisation (training); an effective outcome will be the product of a broader range of reforms and capacity building processes that are being undertaken across the organisation, as well the *consistency* between the messages conveyed in training and processes taking place elsewhere. The strength, appropriateness and consistency of the range of human rights reforms impact on the effectiveness of training because what is happening elsewhere in the organisation signals how seriously the organisation takes its commitment to human rights and as such, how seriously it, and trainees, should take human rights training. If trainees are taught that they must respect human rights when they are in a training institution and then they come out and their operational supervisors convey, through explicit messages and their own behaviour, that they consider human rights irrelevant, the lessons will stay where they were taught - in the training institution.

This was well documented in an Australian study of the effectiveness of a new training aiming to ensure that new recruits embraced a model and ethos of community policing. The study found that while the training itself provided strong messages about the desirability of a new style of policing, negative attitudes amongst senior and operational police to this new style hardened the attitudes of new recruits against it and undermined the lessons taught in the academy.¹⁰⁵ The researcher's conclusion is worth quoting at length, because it raises the issue of the relationship between training and the broader organisational culture, as well as pointing to the entrenched quality of organisational cultures and the difficulties in shifting them.

"This suggests that where training curricula are backed up by organizational policies, training objectives are more likely to be realized. The converse is also suggested by the case study: where training curricula are at odds with organizational policies, training objectives are likely to be frustrated. ... The bridging of that [academy-field] divide is therefore a matter not only of linking theory to practice – although that is an important prerequisite – but also establishing some kind of consensus throughout the organization about 'why things are done the way they are' (Sackmann's [1991] axiomatic knowledge). As Sackmann's research suggests, debating and negotiating axiomatic knowledge is the key to changing organisational culture, because axiomatic knowledge defines the organisation's 'purpose, its strategic intention, its design and characteristics of preferred members'. Once organisational processes are set up to implement the new axiomatic knowledge, changes in other dimensions of cultural knowledge follow."¹⁰⁶

No matter how well crafted or delivered, training in human rights will never touch upon more than a fraction of the factors that create risks for human rights violations occurring or, more positively, the factors that will inhibit human rights violations. In her analysis of human rights trainings for security personnel, based on her long experience developing, delivering and evaluating trainings for the OHCHR, Marotta makes this same point:

"Training is only one of the various possible forms of assistance employed to support police reform efforts. As highlighted below, in order to be most effective, training must be used in combination with other forms of assistance — both to the police directly and to other sectors of the country concerned."¹⁰⁷

In a similar vein, in his analysis of UN sponsored human right trainings for police O'Neill concludes:

"Training in human rights is necessary but not sufficient. Much more effort, money and attention needs to be directed toward strengthening the police as an institution. Oversight mechanisms, rewarding integrity and good performance, transparency in all hiring and firing, accountability for the budget and modern methods of administration, management and procurement are as important to police reform as any training program in human rights."¹⁰⁸

And further:

"Put simply, improving human rights performance in the police is too important and complex to be left to human rights or police experts alone. Those steeped in management, personnel, logistics, communications, procurement, data management, institutional reform, psychology, sociology, criminology, public information

¹⁰⁵ Janet Chan, "Organizational Socialization and Professionalism," in *Fair Cop: Learning the Art of Policing*, ed. Janet Chan, Christopher Devery, and Sally Doran (Toronto: University of Toronto Press, 2003).

¹⁰⁶ *Ibid.*, 315.

¹⁰⁷ Marotta, "The Blue Flame and the Gold Shield," 90.

¹⁰⁸ O'Neill, *Police Reform*, 4.

*campaigns, anthropology and community relations must also participate. It is not enough merely to bring in a human rights expert to lecture on international human rights standards to a group of cadets in a police academy, or for a police expert to discuss how to conduct a "stop and frisk." Police reform is a multi-faceted, multi-disciplinary effort that takes careful coordination among many actors and will require many years and lots of money.*¹⁰⁹

In our own work in Sri Lanka and Nepal, we were similarly repeatedly told by law enforcement agencies that the commission of systematic human rights violations by police personnel had to be located in a broader context. This context includes factors within the organisation itself, including inadequate basic facilities, inadequate resources for investigations or holding detainees, poor mechanisms for ensuring accountability of police performance, poor recruitment, transfer and promotions practices and poor data management systems (for more on this see Enhancing Human Rights Protections Project, *Issues Papers 3 and 4*). Some of these may appear to have a scant connection with human rights, but improvement in broader administrative and financial systems may well have a greater impact on police behavior and even police attitudes that training in how to comply with human rights and human rights values.¹¹⁰ Even beyond these, research on human rights violations by security forces consistently indicates that those violations can only be understood or prevented by looking to and transforming the broader context in which police are working, including excessive delays and corruption in broader legal processes, hostility from the community and high levels of political interference.

One way of thinking about the broader context in which training occurs is to think about the 'scope conditions' for effective training. Thus, as well as asking about what is internal to training, one might ask, are there specific conditions that need to be in place for human rights training to make a difference? Or, turning this around, are the conditions, the absence of which will undermine any human rights training efforts? These would be the minimal conditions for defining the scope for *any* effective training. If these conditions do not exist, then no training is likely to be effective.

Asking about the scope conditions raises broader and far more difficult questions about the very premise of training itself. By definition, training assumes that people's behaviour can be altered by what they learn in a training situation. Where what they learn primarily consists of a set of legal or normative rules about how they ought to behave, the assumption is even stronger: it is that how they behave will be determined by what they individually believe and value. The problem with this assumption is that the social science literature consistently indicates that how individuals behave, particularly in institutional settings, is largely shaped by situational factors (for more on this see *Issues enhancing Human Rights Protections Project, Issues Paper 3*). This finding goes back to the early experiments discussed above by Zimbardo and Milgram showing that how individuals acted had more to do with the situation than individual disposition, knowledge or attitude.¹¹¹ A number of studies specifically on torture have found that it is group level factors, including insularity and group hazing that generate and normalise torture.¹¹²

If this is the case, then training directed at changing individuals' dispositions, knowledge or attitudes towards more human rights friendly behaviours may be overwhelmed by the situational factors that push them in a very different direction. Indeed the International Committee of the Red Cross also found that that neither knowledge about, nor abstract attitudinal commitments to human rights norms, were sufficient to prevent violations.¹¹³ Drawing on their own ICRC research and broader social psychological studies, the study argued that soldiers violated norms mainly because they were morally disengaged, dehumanised the enemy, conformed to the group, habitually obeyed leaders, were traumatised by combat, and felt humiliated within their own group.

None of this should lead to the conclusion that training can't make a difference. Training is one of the principal sites at which an organisation transmits its values to its personnel, and more distinctly where it inducts new members.¹¹⁴ It is also through training that an organisation has the opportunity to explicitly build certain

¹⁰⁹ *Ibid.*, 11.

¹¹⁰ A similar close analysis of policing and human rights violations is provided in Alice Hills, "The Dialectic of Police Reform in Nigeria," *The Journal of Modern African Studies* 46(2008).

¹¹¹ Phillip G. Zimbardo, Christina Maslach, and Craig Haney, "Reflections on the Stanford Prison Experiment: Genesis, Transformations, Consequences," in *Obedience to Authority: Current Perspectives on the Milgram Paradigm.*, ed. Thomas Blass (Mahwah, NJ: Lawrence Erlbaum, 2000)

Stanley Milgram, *Obedience to Authority: An Experimental View*, 1st ed. (New York: Harper & Row, 1974).

¹¹² Martha K. Huggins, Mika Harito-Fatouros, and Phillip G. Zimbardo, *Violence Workers* (Berkeley, CA: University of California Press, 2002); Mika Harito-Fatouros, *The Psychological Origins of Institutionalized Torture* (London and New York: Routledge, 2003).

¹¹³ Daniel Munoz-Rojas and Jean-Jacques Fresard, "The Roots of Behavior in War: Understanding and Preventing IHL Violations," *International Review of the Red Cross* 86 (2004).

¹¹⁴ Indeed, this is why it is so important that the treatment of personnel during training is respectful and does not itself enact abusive relationships and forms of treatment. On this see Andrew M. Jefferson, "Prison Officer Training and Practice in Nigeria: Contention, Contradiction and Re-Imagining Reform Strategies," *Punishment & Society* 9, no. 3 (2007).

knowledge and skills. As such, what happens in training institutes will constitute one part of the broader set of systematic interventions necessary to ensure that personnel respect and protect human rights. Necessary, but not sufficient, independently important, but not immune to the effects of other dimensions of organisational practice, the most effective training will draw on the most effective resources and methodologies for bringing about behavioral change within a broader system of coherent practices that support respect for human rights across the organisation.

7. IDENTIFYING 'BEST PRACTICE'

The most rigorous way to identify best practice in human rights training for security personnel would be to evaluate actual trainings in terms of the results that they produce. The most useful evaluations would provide a differentiated account of which aspects of training produced which types of results. Unfortunately, our research indicated that evaluation is one of the most neglected aspects of training. Some of the training resources indicated that evaluation ought to be done, and respondents to our survey indicated that they did do some evaluation of their trainings, although none were willing to share those evaluations with us. Anecdotal evidence indicates that the evaluations that are carried out are generally limited to questionnaires filled out by participants that probe their satisfaction and self-rated changes in knowledge, attitudes and skills. In some cases, pre- and post-training surveys may also test specific knowledge areas.

While such methods are not completely without value, they constitute the lowest levels of evaluation, providing us with information about reactions and at best a limited amount of information about what is learned. Drawing on Kirkpatrick's four level model of evaluation, these two, 'reaction' and 'learning' proceed, and ought to be complemented by evaluations of how behaviour in the world is transformed as a result of training and evaluation of the broader impacts or results, in this case on respect for human rights.¹¹⁵ Undoubtedly, there are a number of challenges in conducting these higher levels of evaluation. Evaluating how well complex capacities have been learned, or how values and attitudes have been transformed is far more difficult than measuring how well technical skills have been learned. Evaluating changes in behaviour and impact after training is even more difficult, not only because their measurement requires multi-dimensional longitudinal data collection, but also because of the multiple variables that could have brought about behavioural change or impact. Nevertheless, in recent years, the field has seen the development of excellent resources for designing and conducting evaluation and their application in practice would now make a significant contribution to our understanding of what works and what we need to change.¹¹⁶

In the absence of this type of empirical basis for determining best practice, however, we suggest a number of guiding principles drawn from our analysis:

1. Training needs to be shaped with a view to effecting change in knowledge, attitudes and behaviours. The different dimensions of change, in knowledge, attitudes/values and skills need to be distinguished and approached using pedagogic tools appropriate to each.

In this regard, training needs to be designed using the logic of transformative education, rather than being seen as a process for transmitting information.

Choices about what material is included should be made on the basis of whether the material will actually facilitate or enable behavioural and attitudinal change rather than simply because it seems relevant or because it is interesting to those with a background in human rights. For example, one might ask how a lecture on the history of torture practices or about the origins of human rights provides participants from the police in a developing country in a post conflict situation with tools to resist, condemn or curtail the practice of torture.

Where experts in human rights training lack expertise in particular aspects of the process of training, for example in attitudinal change, they should look to other cognate areas for lessons learned and best practice. The field of public health in particular provides a rich evidence based body of literature on attitudinal and behavioural change. For example, prevention projects focusing on high risk activities such as drug use or unprotected sex or on violent behaviour have developed some effective strategies for attitudinal and behavioural change by focusing on peer and role model attitudes and behaviours or on bystander interventions.¹¹⁷

¹¹⁵ Donald L. Kirkpatrick, *Evaluating Training Programs: The Four Levels*, 3rd ed. (San Francisco: Berrett-Koehler, 2006).

¹¹⁶ A remarkably good resource is Equitas and UN Office of the High Commissioner for Human Rights (OHCHR) *Evaluating Human Rights Training Activities*.

¹¹⁷ For further discussion see Danielle Celermajer and Kiran Grewal, "Preventing Human Rights Violations 'from the Inside': Enhancing the Role of Human Rights Education in Security Sector Reform.," *Journal of Human Rights Practice* 5, no. 2 (2013).

2. Training resources should include a rich body of carefully crafted material to support participatory forms of learning and practical exercises aimed at attitudinal change and skills development.

Simply admonishing trainers to use participatory methods, especially where they do not have a background in creative pedagogies, will be unlikely to result in their doing so. Training resources should include a body of case studies and role-plays that could be used in different contexts, or adjusted to suit the context by trainers and participants. As well as providing case studies and role-plays, resource materials should also offer careful and practical guidance for trainers about how to use them and what to do in different situations that might arise.

3. Training should include the development of capacities for critical thinking and ethical decision-making.

Knowing what ought to be done in the abstract will rarely assist personnel when they are facing complex and difficult situations where human rights principles come into conflict with other interests, practical demands or felt imperatives. To assist personnel to work out the best course of action in a way that respects human rights principles, training needs to develop their capacities to think critically and strategically about problems from an ethical and practical point of view. This will need to be tailored to the particular target audience with due regard to their duties and rank within the organisation. As a result generic material cannot be used here but rather requires the training designer to do some sort of research into their target audience. This leads to the next point.

4. Training needs to be carefully attuned to the context in which it is being delivered.

First of all, this requires that a needs analysis of the particular environment within which the trainees are operating be conducted (rather than training being developed in the abstract). This needs analysis should look at:

- What training has already been done with this group? How will this training contribute to other training they have received?
- What do we know about this group: their attitudes (which may vary depending on the diversity within the group), their skills, their education level, their reasons for entering the organisation and for participating in this training, their duties, their concerns?
- How does this training fit within the curriculum of the organisation? Is it an 'add on' and if so, is there consistency between this training's central message and the message being conveyed within other aspects of the curriculum? Can links be drawn?

Attention to context requires more than using local trainers and examples and including reference to local standards. It means presenting material and developing learning processes that will allow participants to make sense of how they can respect human rights principles and laws within the context in which they are working. This may include developing their strategic and problem solving skills, their skills in working with peers, superiors or juniors who may be resistant to human rights and assisting them in practical ways to develop pathways towards better protection. The only way in which this can be ascertained is through first conducting some research into the training audience.

Attention to context also means being mindful of how the messages in training could be reinforced in other aspects of organisational practice and also of where this is not the case, and assisting participants in negotiating such conflicts.

5. Trainers need to have the skills, capacities and sound resources to assist them in facilitating conversations around attitudes and values.

Just as there has been too great a focus on conveying knowledge within the bulk of human rights training, so too trainers are too often selected on the basis of their knowledge of human rights or perhaps the organisation's occupational culture not on their training skills. To illustrate, in a discussion with human rights trainers in Sri Lanka we discovered that only one person had received any sort of formal training on how to conduct effective professional training and that was done in the context of the corporate world, not human rights. It is therefore perhaps unsurprising that many human rights trainers have little familiarity with pedagogical theory.¹¹⁸ It is too often assumed that merely raising difficult issues and evoking responses from participants will shift 'problematic' attitudes and norms. The theory of change underlying this assumption is however not self-evident. One might

¹¹⁸ See for example Felisa Tibbitts, "Transformative learning and human rights education: Taking a closer look", *Intercultural Education* 16.2 (2005): 107-113.

ask, for example, how a discussion about the 'ticking bomb' scenario where participants may support the use of torture is supposed to lead their questioning or shifting their views? Such a shift would require highly skilled facilitation. Again, training and the provision of resources that will guide facilitators will be critical here. Beyond assisting trainers to moderate these difficult conversations, personnel who have been trained will also benefit from developing their own capacities to moderate such conversations, especially if they are returning to workplaces where there is resistance to human rights.

6. A robust evaluation that includes, where possible, evaluation of the transfer of the training to participants' behaviour and on their organisations should be developed from the outset in developing and planning trainings.

Evaluation cannot be something that we think of once everything is planned and printed. As all good evaluation guides insist, knowing the outcomes one wants to achieve, how to achieve them and how you will measure if you have achieved them should be part of the process from the outset and as such, evaluation will be built into training design. This is undoubtedly difficult when dealing with complex problems like torture where long-term behavioural changes are difficult to measure. Significant work will need to be done in this regard.

* * * * *

We hope that these guiding principles will form the beginning of a robust and productive conversation between the different stakeholders involved in human rights training in the security sector, including security sector organisations themselves, international organisations, non-government organisations and scholars. While these different groups have importantly different perspectives and may enter the training enterprise with different objectives and priorities, it may well be the interaction of these different perspectives and experiences that will furnish the most effective and informed set of guiding principles and resources to operationalise them.

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