

IPCAN

INDEPENDENT POLICE COMPLAINTS
• AUTHORITIES' NETWORK •

Declaration June 2020

We, members of the Independent Police Complaints Authorities' Network,

- Commissaire à la déontologie policière (CANADA-QUEBEC)
- Office of the Ombudsman (CROATIA)
- Independent police complaints authority (DENMARK)
- Chancellor of Justice (ESTONIA)
- Parliamentary Ombudsman (FINLAND)
- Défenseur des droits (FRANCE)
- Ombud (GREECE)
- Protector of the Citizens of Serbian Republic Ombud of Serbia (SERBIA)
- Public Defender of Rights (SLOVAKIA)
- Organe de Médiation de la police (Republic and Canton of Geneva)
- Independent Police Complaints Commission (UNITED KINGDOM - ENGLAND AND WALES)

Gathered, in Paris, on the 17th and 18th October 2019, for the fifth time, at the initiative of the Defender of Rights and with the support of the European Agency for Fundamental Rights at the seminar entitled “*Police population relations: challenges and practices*”.

Having discussed on this occasion the issues of discriminatory identity checks and profiling, the management of public demonstrations, and the reception and protection of victims and groups in vulnerable situations with a number of experts, public authorities, international and European organisations, NGO's, victim support services, researchers ...;

Having identified together a certain amount of difficulties and challenges faced by the different stakeholders involved and ways in order to overcome them on the basis of practices and experiments that have been implemented;

Recalling the Preamble of the Charter of the United Nations proclaiming the commitment of the Member states to the Fundamental Rights, to the dignity and value of the human person,

Recalling the international and European standards, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms,

Recalling the provisions of the European Charter of Fundamental Rights of the European Union;

Recalling the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin;

Recalling Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 laying down minimum standards on the rights, support and protection of victims of crime ;

Recalling ECRI's General Policy Recommendation No. 11: Combating racism and racial discrimination in policing;

Recalling also the provisions of the Recommendation 10 (2001) of the Committee of Ministers of the Council of Europe on the European Code of Police Ethics, under which,

- the trust of the population in the police is closely linked to the attitude and the behaviour of the latter towards this same population, and in particular to the respect for the human dignity and for the liberties and the fundamental rights,
- the police must provide assistance and services to the population,
- the police must be responsible to the State, the citizens and their representatives and must be subject to effective external control;

Emphasizing in this regard the fundamental role of independent oversight mechanisms of the security forces in our democracies, which ensure, in an impartial way and within their mandate, the observance of the rules of ethics and fundamental freedoms and rights by the security forces,

Emphasizing their essential role as an interface between the authorities and the citizens, as well as their complementary position with the other oversight bodies and with the judicial authority,

Convinced that a coordinated commitment between our various institutions would encourage the promotion and the respect for the principles and for the requirements enshrined in the texts guaranteeing the Fundamental Rights, such as the European Convention of Protection of Human Rights and Fundamental Freedoms;

We call on the States of the IPCAN members to mobilize and engage in a reflection associating all the relevant stakeholders, and implement measures in order to:

In combatting discriminatory identity checks and profiling:

- 1) ***Gather more information on the practice of identity checks and profiling***, and measure both at National and European level, discriminatory behaviour by collecting relevant data, as well as its impact on police-population relations.
- 2) ***Improve the training*** of police forces, involving the hierarchy at all stages, a plurality of actors, including civil society, with a view to combating stereotypes and prejudices, and ensure regular evaluation of their effectiveness and impact on police-population relations;

- 3) ***Provide for a legal framework*** enabling the persons being controlled to effectively exercise their rights in particular of recourse and to ensure the traceability of identity checks;
- 4) ***Provide mechanisms to monitor use of artificial intelligence and algorithmic profiling*** in order to guarantee respect for the Fundamental Rights of individuals, such as the right to protection of personal data and the right not to be discriminated against;
- 5) ***Strengthen dialogue*** and consultation between police and population;

In managing public demonstrations:

- 6) ***Strengthen communication strategies during demonstrations;***
- 7) ***Refocus policing on the mission of prevention and supervision of the exercise of the right to demonstrate*** using a non-confrontational approach designed to protect individual freedoms and using “de-escalation”;
- 8) ***Ensure that the security forces and authorities in charge of public demonstrations are able to consult*** NGO’s, the demonstrators’ representatives and other local stakeholders in the work and discussions concerning the doctrines and strategies for managing demonstrations;
- 9) ***Develop the knowledge of law enforcement agencies about the populations they work with and particularly the demonstrators and their environment;***
- 10) ***With the support of the European Union and the Council of Europe, provide for the establishment of a GODIAC II project¹***, with the participation of security forces from countries that were not able to contribute to the results of the first project, as well as an update of the project's principles;

In supporting for victims and vulnerable groups by the police forces:

- 11) ***Strengthen cooperation between the various stakeholders:*** police and gendarmerie services, public and local authorities, social services, civil society, etc;
- 12) ***Ensure that an automated and comprehensive referral system to victim support agencies is set up;***
- 13) ***Reinforce the mechanisms of redress available to victims;***
- 14) ***Ensure better recognition of victims and identification of their specific needs, in particular for vulnerable groups, by police services;***
- 15) ***Training police officers to listen to, accommodate, guide and support victims;***
- 16) ***Introduce systematic independent assessment of practices implemented and the way victims are received by police services***

To this end, we, the members of the *Independent Police Complaints Authorities' Network*, are committed to strengthen cooperation within the network, but also with national authorities, police forces, internal control bodies of the security forces, with the Council of Europe, the European Union

¹ the GODIAC Project (Good practice for dialogue and communications as strategic principles for policing political manifestations in Europe), was held between 2010 and 2013, and brought together national officials from different European security forces to observe the conduct and management of public demonstrations in the European countries concerned and then to exchange views among them, with the support of researchers, on the instruments and strategies implemented. These exchanges resulted in 10 reports on each of the national experiences and also led to the drafting of a practical and operational guide.

and the OSCE, as well as civil society actors, researchers, academics, associations (...), in order to actively contribute to building confidence between the police forces and the population.

With this perspective, *we also call* on the States of the IPCAN members to:

- 17) **Develop tools** for an objective and systematic evaluation of citizen's expectations and the quality of police population relations;*
- 18) **Strengthen European cooperation** with a view to giving visibility to successful experiments, whether local or national, and enabling other countries to draw inspiration from them.*
- 19) **Place the "public service" mission at the heart of security policies**, in particular with the objective of communication and proximity. This mission must be transverse and conciliated with the public order mission of law enforcement agencies.*
- 20) **Ensure greater cooperation with police oversight mechanisms**, within their mandate to observe police behavior and investigate citizens' complaints about police treatment;*