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# International Standards to Prevent Police Gun Violence



*IANSA member Food and Livestock Initiative organised an activity in the city of Goma in the Democratic Republic of the Congo uniting community members and police officials for the 16 Days of Activism Against Gender-Based Violence. [November 2022]*



**iansa**  
International Action Network  
on Small Arms

**UNITED AGAINST  
GUN VIOLENCE**

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# **International Standards to Prevent Police Gun Violence**

## **1. Introduction**

The global proliferation of light weapons and especially small arms is leading to a rise in criminality, banditry and armed violence which is triggering or exacerbating armed conflicts and undermining sustainable socio-economic development.<sup>1</sup> One of the most important non-military solutions to the prevention of gun proliferation and violence is the establishment of public security institutions and criminal justice systems which uphold respect for universal rule of law principles including fundamental human rights and strengthen a culture of peace.<sup>2</sup>

Every day in countries across the world, police and other law enforcers are under pressure to counter rising levels of violent gun crime and are expected to confront and apprehend armed offenders to protect lives and livelihoods. In the process, ill-trained and ill-disciplined officers with guns sometimes kill, maim, and mistreat innocent people whom they are supposed to protect. Increasingly, police, customs and other law enforcement officers are also called upon to detect illicit gun traffickers, mark firearms, process firearms licenses, collect illicit firearms and persuade communities to report illegal firearms. Such efforts are often thwarted by corrupt police practices and a lack of trust from communities. Those affected by gun violence are entitled to ask what can be done to ensure that police and other law enforcers are part of the solution and not of the problem.

This briefing paper<sup>3</sup> focuses on essential common principles and procedures which the United Nations has recommended to ensure that all law enforcement agencies will restrict their use of force to a minimum, keep their firearms under strict control, and prevent officers from committing acts of gun violence or other abuse. The UN standards draw on international human rights law and general principles on the rule of law and provide guidance to differentiate between a lawful use of force and firearms, as opposed to acts of criminal violence by the police. The aim of the UN standards is the promotion of crime control and public order with respect for human rights, especially the right to life and physical integrity, and to ensure non-violence in law enforcement and policing. Achievement of this aim is an essential part of curbing the illicit trade in small arms and eradicating gun proliferation and violence in the wider society.<sup>4</sup>

## **2. Identifying key challenges**

A core rule in the UN principles is that law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. However, in many countries law enforcers commit repeated acts of violence and, when those acts are gross or systematic violations of fundamental human rights, the actions have far-reaching negative consequences. One result is that communities learn not to trust the police and other law enforcers to provide them with adequate physical security and protection against crime. Such deep distrust can fuel civilian demand for weapons. Often this is because the resources made available to equip and train professional law enforcers to operate effectively and abide by the rule of law are insufficient.

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<sup>1</sup> See Peter Danssaert (2022), *Small Arms and Light Weapons Proliferation and Violence: Estimating its Scale and Forms*, IANSA and IPIS; and Geneva Declaration on Armed Violence (2008, 2011 and 2015) *The Global Burden of Armed Violence*.

<sup>2</sup> Non-military dimensions of security are explored, for example, by Herbert Brawn 'Essay 2: The non-military threat spectrum', *SIPRI Yearbook 2003*, Stockholm International Peace Research Institute, and Buzan, B., Wæver, O. and de Wilde, J. (1998) *Security: a new framework for analysis*. London: Lynne Rienner Publishers, but virtually no attention is devoted to policing.

<sup>3</sup> This Briefing Paper draws partly on a previous thematic report by Brian Wood *Guns and Policing* published by Amnesty International, the International Action Network on Small Arms and Oxfam International, February 2004.

<sup>4</sup> See relevant UN standards and guidance cited below in this paper.

In addition, legislation, administrative procedures, and monitoring systems to make sure law enforcement personnel and commanders are fully accountable remain weak or absent. Therefore, policing operations are often unresponsive to societal needs for crime control and protection from violence.

Sometimes these problems are made worse by government policies that allow or even encourage police and other law enforcers to persistently violate the fundamental rights, for example by not properly investigating and prosecuting officers who use firearms to carry out or threaten to commit unlawful killings or torture and ill-treatment of suspects, or to violently disperse peaceful protests.<sup>5</sup> In some countries, police officers have targeted and mistreated vulnerable people – women, members of minority communities or juveniles – who should rather have received extra care from law enforcers.<sup>6</sup>

For these reasons, governments began in the late 1970s to develop international standards for the responsible and lawful use of force by law enforcement officers. Deliberations took place in the UN Crime Conference and the subsequent sets of standards were commended by the UN General Assembly. Nowadays the standards are promoted by the UN Office for Disarmament Affairs, the Office of the High Commissioner for Human Rights and other UN agencies. Unfortunately, the standards have often been ignored in discussions and guidance on the prevention of gun proliferation and violence because of the actions by a minority of governments.<sup>7</sup>

One basic point that leads to misunderstanding about the scope of the problem of gun violence and the role of policing is that the UN standards do not limit the term ‘policing’ only to actions of police officers. In the UN standards, ‘policing’ is an activity carried out by all law enforcement officials, whether appointed or elected, who exercise police powers, especially the powers of arrest and detention.<sup>8</sup> That may include a multiplicity of law enforcement agencies which means that the number of officers and the quantity of weapons deployed in ‘policing’ is typically far greater than those in ‘the police force’ itself.<sup>9</sup>

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<sup>5</sup> See for example, [Amnesty International Report 2022/23: The State of the World’s Human Rights](#) (Index: POL 10/5670/2023). Based on Amnesty International’s research monitoring, in 2022 there were credible allegations of ill treatment – in many cases amounting to torture – in at least 94 out of the 156 countries, as well as deaths that were credibly alleged to have resulted from torture or other ill-treatment occurring in 2022 in at least 47 out of the 156 countries covered in its annual report.

<sup>6</sup> United Nations Sub Commission on Human Rights (2004) Barbara Frey, Progress report on the prevention of human rights violations committed with small arms and light weapons. E/CN.4/Sub.2/2004/37/Add.1. Accurate statistics on the number killings and other serious violations of human rights by law enforcement agencies worldwide are not reported by many States for political and capacity reasons - see for example: Rachel Kleinfeld (2017), [Reducing All Violent Deaths, Everywhere: Why the Data Must Improve](#), Carnegie Endowment for International Peace.

<sup>7</sup> For example, in the lead up to the 2001 UN Conference to agree the *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA), IANSA and Amnesty International proposed that adherence to the *UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* be included in the PoA, yet some States opposed that and even went as far as demanding that all references to the “use” or “misuse” of small arms and light weapons be removed from the final draft text for the PoA.

<sup>8</sup> Article 1 of the UN Code of Conduct on Law Enforcement Officials states that the term ‘law enforcement officials’ comprises ‘all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest and detention.’

<sup>9</sup> This is a source of misunderstanding in research on States’ firearms distribution, use and control. The number of personnel and weapons typically encompasses not only those in the police service, but also those who exercise police powers, especially the power of arrest or detention, in the military forces, state security forces, customs, immigration, prison service, border guard service, as well as paramilitary personnel and private security personnel authorized by the state if they exercise police powers.

Research shows that law enforcement and policing is a social process and that the police themselves are only one key actor in that process.<sup>10</sup> Yet all too often, governments have allowed those involved in policing to become militarized or politicised, opening ways to alienate communities and the wider population.<sup>11</sup> Genuine engagement with the community is imperative in all efforts to improve policing by consent. Initiatives at the community level must be driven by local people, to ensure relevance, ownership, participation, shared responsibility, and understanding.<sup>12</sup>

Politicians, commanders, and commentators often forget that communities living in fear of official abuse and discrimination lose trust and respect for the police, leading to loss of cooperation and unwillingness to provide information, including about illegal firearms and ammunition, which deepens the breakdown in community safety. In addition, police misuse of weapons may lead people to fear leaving their homes – preventing them from earning a living, going to school, seeking medical help, reporting theft and corruption – thereby undermining the rule of law and socio-economic development. In extreme cases, political manipulation, and corruption of police powers allowing the disproportionate and unnecessary use of force, aggravate such situations further, especially when police are ordered by governments to target and kill political activists, suppress peaceful protest, and arbitrarily detain government opponents with the threat or actual use of firearms.

Research carried out by the United Nations Development Programme (UNDP) and published in 2017 found that a sense of grievance towards – and limited confidence in – government are widespread in the parts of Africa associated with the highest incidence of violent extremism. These include the belief that government only looks after the interests of a few; low level of trust in government authorities; and experience of paying bribes. Grievances against security force and law enforcement actors, as well as politicians, are particularly marked, with an average of 78 per cent of respondents expressing low levels of trust in the police, politicians, and military<sup>13</sup>

“Everyone has the right to life, liberty and security of person” *Universal Declaration of Human Rights*, Article 3, and “No one shall be arbitrarily deprived of his life” *International Covenant on Civil and Political Rights*, Article 6.

All States should “address the root causes of violence in their communities, provide training on the basic norms regarding the use of small arms to State agents who carry them, and work with community groups on other practical interventions.”

*UN Special Rapporteur on Small Arms and Human Rights*.<sup>14</sup>

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<sup>10</sup> Benjamin Bowling, Robert Reiner and James Sheptycki (2019) *The Politics of the Police* (OUP, Oxford, Fifth updated edition) describes the process of trying to build ‘policing by consent’, and Alice Hills, ‘Policing in Fragmented States’, *Low Intensity Conflict and Law Enforcement*, Volume 5 Number 3, 1996.

<sup>11</sup> Brian Wood and Glenn Macdonald, ‘Critical Triggers: Implementing International Standards for Police Firearms Use’, chapter 7 in *Small Arms Survey 2003*, a project of the Graduate Institute of International Studies, Geneva (Oxford and New York, Oxford University Press).

<sup>12</sup> The theory and practice of modern community policing is outlined by Martin Innes, Colin Roberts, Trudy Lowe, and Helen Innes in *Neighbourhood Policing: The Rise and Fall of a Policing Model*, Oxford University Press, May 2020.

<sup>13</sup> UN Development Programme, *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment*, New York 2017

<sup>14</sup> UN Commission on Human Rights, *Prevention of human rights violations committed with small arms and light weapons*, Preliminary report submitted by Barbara Frey, Special Rapporteur, in accordance with Sub-Commission resolution 2002/25, 25 June 2003.

### 3. Key international standards

Police and certain other officials with powers of law enforcement must sometimes be permitted to use force or lethal force to do their job of keeping communities safe and protecting people from life threatening attacks. State regulation of such conduct should be based on international professional standards. The UN has developed detailed and specific standards which, while not legally binding treaties, nevertheless represent global agreement by States on how best to implement international human rights treaties, through legislation, regulation and during actual law enforcement operations. The key international instruments regarding the use of force in law enforcement were developed by Member States in the UN Crime Conference and endorsed by the General Assembly. These include:

- the *UN Code of Conduct for Law Enforcement Officials* (1979, henceforth, UN Code of Conduct)<sup>15</sup>
- the *UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials* (1990, henceforth, UN Basic Principles)<sup>16</sup> and
- the *UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions* (1989).<sup>17</sup>

At the heart of these UN instruments is the question of what constitutes the legitimate use of force during law enforcement. States agreed that such force must not be arbitrary, abusive, or excessive; rather, it must be proportionate, necessary, and lawful. And it must only be used in self-defence or against the imminent threat of death or serious injury. Any use of force should be subject to the international human rights standards set out in the UN Code of Conduct and the UN Basic Principles – crucially, force should be used only in any situation when non-violent measures have failed, and then only to the minimum extent necessary to comply with the law. Furthermore, the use of intentional lethal force, whether using firearms or other means, is permitted solely when strictly necessary to protect life and only when less extreme measures are insufficient to restrain or apprehend the suspected offender. In law enforcement, this is the principle of ‘absolute necessity’ which, unlike the law of armed conflict, restricts force to a last resort and requires maximum restraint to respect and preserve human life.

“In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons... In general, firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others and less extreme measures are not sufficient to restrain or apprehend the suspected offender.”  
*UN Code of Conduct.*

“Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.”  
*UN Basic Principle 4.*

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<sup>15</sup> [UN Code of Conduct for Law Enforcement Officials](#), adopted by the General Assembly in resolution 34/169 of 17 December 1979. The Code includes a commentary to guide interpretation of its eight articles. The origins of the UN Code go back to a 1975 seminar organized by Amnesty International with police officers in The Hague.

<sup>16</sup> [The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#), adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990. The Basic Principles consist of 26 different rules setting out specific rights and obligations of police and other law enforcers, including an obligation to use firearms only as a last resort when there is an imminent threat to life.

<sup>17</sup> [Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions](#), as recommended by the UN Economic and Social Council in resolution 1989/65 of 24 May 1989.

“Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury... intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”

*UN Basic Principle 9 (and see further below)*

Proactive law enforcement depends not only on policing by consent and standards of minimal force, but also on taking operational precautions based on accurate threat assessments.<sup>18</sup> To comply with the UN Basic Principles, police must know how to assess rapidly and objectively when a threat to life and life-changing injury is being made.<sup>19</sup> Police need to be trained in threat assessment so that they can judge in each different context whether a use of force, including lethal force with weapons, will not be arbitrary, abusive or excessive, but instead be proportionate, necessary, and lawful. Officers must be able to rapidly assess each fast-changing situation in which a direct threat to life and serious injury is being posed and decide what appropriate precautions or other lawful action to take to stop the threat.

There are various contexts in which force and lethal force by police and other law enforcers not only blatantly violate the relevant international standards and law, but are also counter-productive for assessing threats and winning the support of communities, for example:

- *Operational failure*: force and firearms are used without reasonable precaution, proportionality, necessity, or legality.
- *Investigative failure*: force and firearms are used to threaten, punish or torture a suspect to obtain confessional evidence.
- *Detention failure*: force and firearms are arbitrarily used to punish persons who for some reasons are subject to official control and restraint.
- *Protection failure*: through neglect or omission police fail to protect vulnerable persons in society.

Positive efforts by police and other law enforcers to respect the UN standards on the use of force and firearms need to be accompanied by concerted government programs to make police accountable to democratic authorities. This is only effective if governments provide adequate investment in policing resources and training in professional policing skills. Such programs of reform are often an urgent priority in many countries.

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<sup>18</sup> J. Reid Meloy and Jens Hoffman (editors) *International Handbook of Threat Assessment*, second edition, OUP, August 2021.

<sup>19</sup> Note that in 2006 the UN Sub-Commission welcomed Barbara Frey's final report and, in a resolution on 24 August, endorsed her proposed fifteen Principles on the Prevention of Human Rights Violations Committed with Small Arms, many of which related to policing and to the State's due diligence responsibilities to take affirmative steps to prevent foreseeable human rights violations committed with firearms. The Sub-Commission transmitted the Principles to the UN Human Rights Council for consideration and adoption. At that time, the Sub-Commission's proposals represented the first official recognition in the United Nations of the critical link between unregulated access to small arms and their use in human rights violations.

#### 4. Integrity and safety of police

Effective and humane policing to prevent crime and violence is a social process that depends on the daily cooperation and trust of the public, including at local levels and amongst populations vulnerable to crime and abuse. The UN General Assembly stressed that like all agencies of the criminal justice system police and other personnel authorized to carry out law enforcement duties should be representative of and responsive and accountable to the whole community to whom they serve and that the conduct of every functionary within the system has an impact on the entire system.<sup>20</sup> Professional selection and ethical screening procedures are necessary to ensure non-discrimination and diversity. So too are rigorous systems of training and accountability to enhance the ability of police and other law enforcers to tackle gun violence. The absence of these institutional practices can lead to corrupt practices amongst police and other law enforcers, and even to the involvement of some officers in organised crime.<sup>21</sup> That may be compounded by a lack of basic police equipment and other resources, as well as an ineffective gun control system for civilians.

“...like all agencies of the criminal justice system, every law enforcement agency should be representative of and responsive and accountable to the community as a whole.”

*UN General Assembly Resolution 34/169 of 17 December 1979 adopting the Code of Conduct.*

“Governments and law enforcement agencies shall ensure that all law enforcement officials are selected by proper screening procedures, have appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous and thorough professional training. Their continued fitness to perform these functions should be subject to periodic review.”

*UN Basic Principle 18.*

“a threat to the life and safety of law enforcement officials must be seen as a threat to the stability of society as a whole.”

*Preamble to the UN Basic Principles.*

More than most professions, police officers and other law enforcers do a difficult and often high-risk job, and their human rights also need to be respected. Increased circulation of small arms in many countries has compounded the normal risks inherent in police work. The duties of senior police officers often include the issuance and monitoring of firearms licenses for civilians. It is in the interests of the police to ensure that government control of weapons is tightened to protect members of the public as well as to safeguard officers while on or off duty. Hundreds of police officers are killed around the world every year. They need to defend themselves and protect the public against attackers with firearms, as well as blows, knife, or other attacks by violent individuals.

Bad pay, lack of training and equipment, and absence of respect also contributes to massive pressure on police officers doing dangerous work. In some countries, the suicide rate of police officers is higher than amongst the civilian population. Where political violence is degenerating further into armed clashes, exacerbated by police killings, the number of police casualties can become even higher.

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<sup>20</sup> United Nations General Assembly resolution 34/169 of 17 December 1979, Preamble para (c).

<sup>21</sup> United Nations General Assembly (2001). [Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition](#). UN Document A/Res/55/255. New York: United Nations.



## 5. Shooting at peaceful assemblies

Under universal human rights law everyone is allowed to participate in lawful and peaceful assemblies. If an unlawful but non-violent assembly must be dispersed by the authorities to allow others to exercise their fundamental rights, law enforcement officials must avoid the use of force or, where that is not practicable, they must restrict such force to the minimum extent necessary. The UN standards require that law enforcement officers must not shoot into a crowd to disperse it, but only as a last resort to stop someone posing an imminent threat to life. According to the UN Basic Principles, if official force is to be exercised to the minimum extent necessary, police should be equipped with means other than firearms to disperse violent assemblies and in any case, should not use force against a peaceful assembly just because it is unlawful.

“In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials should avoid the use of force, or where that is not practicable, shall restrict such force to the minimum extent necessary.”

*UN Basic Principle 13.*

“In the dispersal of violent assemblies, law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9.” i.e., only “in self-defence or defence of others against the imminent threat of death or serious injury.”

*UN Basic Principle 14.*

Firearms do not have to be deployed at all in a riot situation unless a clear and imminent threat is posed to life. In many circumstances, the deployment of firearms can pose a greater risk to the officers themselves either through accidental loss of the weapon or having it forcibly taken, or by unnecessarily provoking demonstrators to escalate their frustrations into acts of violence.

If a public assembly threatens collective violence, then a non-lethal means of dispersal such as an appropriate type of tear gas can be used but tear gas must not be used in confined spaces because that can be lethal and cause serious injuries. Also, the indiscriminate spraying of tear gas can very easily constitute arbitrary force against individuals in violation of human rights law. Police therefore need to be given a very high level of training in the use of tear gas guns, cannisters and other riot control techniques to protect the public and, in addition, should be issued with protective clothing and other legitimate “non-lethal” instruments to avoid the unnecessary use of firearms. Officers need the skill to know how to act with restraint, using persuasion and other non-violent means as far as possible.

## 6. Policing is not soldiering

Policing and soldiering are quite different professions. Provided that soldiers abide by the laws of war and international criminal law, in combat situations they can shoot to kill or injure enemy combatants.<sup>22</sup> In contrast, during law enforcement operations the principle of “absolute necessity” must be followed regarding the use of force. Exceptional circumstances such as internal political instability or any other public emergency cannot be invoked by law enforcers to justify any departure from that principle of law enforcement. The only exception would be when police are integrated into

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<sup>22</sup> The laws of war, or what is nowadays referred to as International Humanitarian Law (IHL), comprise many treaties and international customary rules – see for example Ben Saul and Dapo Akande, *The Oxford Guide to International Humanitarian Law*, OUP, 2020. International criminal law is now encapsulated in the Rome Statute of the International Criminal Court. adopted 17 July 1998, entered into force 1 July 2002.

the armed forces and engage in combat during an armed conflict situation. When the political authority of a state breaks down, the distinction between policing and soldiering may become unclear and even dissolve. Nevertheless, according to the UN rules on law enforcement, police and other personnel, including soldiers, assigned to law enforcement tasks must always try to protect the right to life, liberty, and security of person – they may only use lethal force when there is a direct or imminent threat to life or of life-threatening injury. This could be in self-defence or to stop another person being killed. They must identify themselves as such and give a clear warning of their intent to use firearms if there is time to do so.

According to *UN Basic Principle 9*, “intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.” Law enforcement officers must only use firearms for the following purposes, and then “only when less extreme means are insufficient to achieve these purposes:

- ❖ in self-defence or defence of others against the imminent threat of death or serious injury
- ❖ to prevent the perpetration of a particularly serious crime involving grave threat to life
- ❖ to arrest a person presenting such a danger and resisting [the police officer’s] authority, or to prevent his or her escape.”

Moreover, according to *UN Basic Principle 10*, “law enforcement officials shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed,” unless the specific circumstances dictate otherwise.

Whatever the case, shooting by an officer in a law enforcement situation to stop a life-threatening attacker should only be done as an absolute last resort and should never be arbitrary or excessive. This UN rule also applies to police and prison officers guarding detainees or prisoners in places of custody and prisons.<sup>23</sup> Moreover, in penal institutions, firearms should not normally be carried by officers unless there are special circumstances that warrant such force and only fully trained officers are deployed.<sup>24</sup>

Evidence tends to show that militarization of policing and relying on the military for policing leads to an increase of crime and civilian complaints about abuse and disaffection, so is counterproductive especially in the longer term.<sup>25</sup> Police using firearms therefore need a very high level of training and supervision, to equip them with the tactical threat assessment and control skills necessary to legitimately exercise the use of force including lethal force, in an armed conflict situation. Unfortunately, too many armed police do not receive such training and supervision. Incidents of excessive and abusive use of force demonstrate when police are not acting within the UN Basic Principles. In such cases, police and other law enforcement officers are acting criminally by their arbitrary use of force. Some governments have demonstrated such a commitment by investing in rigorous firearms training programmes.

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<sup>23</sup> UN Basic Principle 16 prohibits the use of firearms against detainees “except in self-defence or in the defence of others against the immediate threat of death or serious injury”, or when “strictly necessary to prevent the escape of a person in custody or detention presenting [a grave threat to life].”

<sup>24</sup> Rule 54(3) of the UN Standard Minimum Rules for the Treatment of Prisoners specifies that: “Except in special circumstances, staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, staff should in no circumstances be provided with arms unless they have been trained in their use.”

<sup>25</sup> For example, see Gustavo Flores-Macías and Jessica Zarkin (2023) *The Consequences of Militarized Policing for Human Rights: Evidence from Mexico*. *Comparative Political Studies, Online First*, April 4; and Robert Blair and Michael Weintraub (2021). *Military policing exacerbates crime and may increase human rights abuses: A randomized controlled trial in Cali, Colombia*, Innovations for Poverty Action.

## 7. Policing in and around war zones

Violations of the rights to life and freedom from torture and other forms of ill-treatment frequently occur when police and other security forces operate in contexts characterised by clashes with armed opposition groups. Such violations occur in breach of the right not to be arbitrarily killed or tortured which are paramount obligations under international human rights law that can never be withdrawn under any circumstances.<sup>26</sup> Moreover, in situations of armed conflict, all acts of indiscriminate killing as well as violence against any person taking no part in hostilities, in particular murder of all kinds, mutilation, cruel treatment and torture, as well as other inhumane acts, are also prohibited.<sup>27</sup> Even operations to stop armed terrorists must fall under human rights law and UN law enforcement rules unless the operation takes place in an area of fighting between state forces and the armed group in which case the laws of armed conflict, known as international humanitarian law, will apply.<sup>28</sup>

The protection of civilians in United Nations peacekeeping includes the use by all necessary means, up to and including the use of deadly force, aimed at preventing or responding to threats of physical violence against civilians, within capabilities and areas of operations, and without prejudice to the responsibility of the host government. To that end, UN police build and support, or, where mandated, act as a substitute or partial substitute for host-State police capacity to prevent and detect crime, protect life and property and maintain public order and safety in adherence to the rule of law and international human rights law.<sup>29</sup>

*“Governments shall prohibit by law all extra-legal, arbitrary and summary executions... Exceptional circumstances including a state of war or threat of war, internal political instability or any other public emergency may not be invoked as a justification of such executions.” UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.*

*Common Article 3 of the 1949 Geneva Conventions prohibits wilful killing, mutilation, torture and other crimes by any party under any circumstances during non-international armed conflict.*

*“Exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles.” UN Basic Principle 8.*

Police components of UN Peacekeeping Missions pursue both community-oriented and intelligence-led policing approaches. They are issued with a UN “Directive on Detention, Searches and the use of Force (DUF)” from the UN headquarters which sets out rules that must be followed under the agreed Security Council resolutions and the Mission status-of-forces agreement which must conform to relevant international and national laws. The use of force rules for a military contingent assigned to a UN Peacekeeping Mission are set out in “Rules of Engagement”. The rules may overlap in certain ways, and UN police and military personnel may serve together in a task force under a unified and centralized UN command structure.<sup>30</sup>

<sup>26</sup> Under Article 4 of the International Covenant on Civil and Political Rights certain rights are absolute and may not be subject to any derogation, even in time of war or emergency. These are the right to life, the right to be free from torture and other inhumane or degrading treatment or punishment, the right to be free from slavery or servitude and the right to be free from retroactive application of penal laws.

<sup>27</sup> See especially Common Article 3 of the Geneva Conventions of 1949 which applies to international. Armed conflicts as well as to non-international armed conflicts.

<sup>28</sup> Such scenarios are discussed in Stuart Casey Maslen and Sean Connolly (2017) *Police Use of Force Under International Law*, Cambridge, chapter 8.

<sup>29</sup> United Nations Department of Peacekeeping Operations, *Guidelines: The role of United Nations police in protection of civilians*, Department of Field Support, Ref: 2017:12.

<sup>30</sup> United Nations Department of Peacekeeping Operations, *Authority, Command and Control in United Nations Peacekeeping Operations*, Department of Operational Support, Policy Ref 2019.23, 25 October 2019.

## 8. Preventing gun violence against vulnerable populations

Repeated testimony from the poorest communities, and from those sectors of society suffering from systematic discrimination in many countries, shows that policing practice discriminates often violently against such populations.<sup>31</sup> Fuelled by prejudice and lack of understanding of the universality of human rights, acts of violence by law enforcers in many countries are perpetrated against young people, and those of racial and ethnic communities as well as women and others based on their actual or perceived gender identity or sexual orientation.<sup>32</sup> Considering the complexity and range of functions of modern policing, law enforcement personnel should receive rigorous training to challenge common discriminatory beliefs and attitudes, and to comply with international standards.

“The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms, especially against children.”

*UN Code of Conduct, article 3.*

“The carrying and use of weapons by personnel should be prohibited in any facility where juveniles are detained” and “should be applied impartially, without discrimination of any kind as to race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability.”

*UN Rules for the Protection of Juveniles Deprived of their Liberty, rules 4 and 65.*

The *Convention on the Rights of the Child*, ratified by all States except the USA, requires governments to provide a wide range of protection for all persons under the age of eighteen including special safeguards in the criminal justice system and during armed conflict. Nevertheless, violence against children continues to take many forms, including physical, sexual, and emotional abuse, and may involve neglect or deprivation. Such violence occurs in many settings and is perpetrated against many millions of children worldwide.

Police officers are called upon in the UN Code of Conduct to make every effort to refrain from the use of firearms against children, who are defined as all persons under eighteen years of age. The *UN Rules for the Protection of Juveniles Deprived of their Liberty* also requires governments to prohibit the carrying and use of weapons in any facility where juveniles are detained and defines juveniles as “every person under the age of 18.” In many of the world’s poorest countries persons under 18 make up most of their population which includes many of the most vulnerable individuals in society.<sup>33</sup>

“States should pursue by all appropriate means and without delay a policy of eliminating violence against women,” including steps to:

- ❖ “Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.”
- ❖ “Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women.”

*UN Declaration on the Elimination of Violence against Women, article 1.*

<sup>31</sup> Amnesty International. *Policing to protect human rights: A survey of police practice in countries of the Southern African Development Community, 1997-2002*, July 2002 (AI Index: AFR 03/004/2002).

<sup>32</sup> *International Covenant on Civil and Political Rights (1966)* especially Article 2. Regarding prejudice against people because of their actual and perceived gender and sexual orientation, see: Andrew Flores (2021) ‘*Social Acceptance of LGBTIQI People in 175 Countries and Locations, 1981 to 2020*’. Los Angeles, UCLA School of Law Williams Institute.

<sup>33</sup> The *UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)*, adopted by the General Assembly in 1985, also contain a wide range of provisions to prevent harm to juveniles.

Gun violence against women is often fuelled by a culture of general violence against women. The UN Declaration on the Elimination of Violence against Women<sup>34</sup> sets out standards for all governments and law enforcement authorities to combat violence against women, particularly sexual violence, whether physical, sexual, or psychological in nature, and whether occurring in public or private life. However, a great deal of ignorance and ignoring of these standards still exists around the world.

In some countries, law enforcement officers have failed to act when confronted with a persistent pattern of sexual violence. For example, local police have failed to respond to emergency calls reporting that women are being beaten or raped, and even failed to establish effective emergency response systems. There have been unjustifiable delays in initial investigations, the period when there is a greater chance of finding the woman alive and identifying those responsible, and a failure to follow up evidence and witness statements which could be crucial. In other cases, the forensic examinations carried out have been inadequate, with contradictory and incorrect information being given to families about the identity of bodies, thereby causing further distress to them and disrupting their grieving process. In many countries, women are not permitted to join operational law enforcement and security institutions and even when they are, they have often been restricted to “desk” or “non-combat” roles. This has been changing in some parts of the world. Proactive policing strategies have also been developed in some countries like Brazil where, if a woman reports gender-based violence in her home, the sheriff is required to check if there is a gun registered to that same address. If positive, a search and apprehend mandate for the gun(s) needs to be issued immediately.<sup>35</sup>

States must “undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law,” including in the enjoyment of “the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution”  
*International Convention on the Elimination of All Forms of Racial Discrimination, article 5.*

All States must also act with due diligence to prevent racist or ethnic violence. Although the UN standards designed to prevent racial discrimination above do not explicitly address the issue of firearms, they have profound implications for the way police may apply such force. If agents of the State, such as armed police officers, appear to persistently target racial or ethnic minorities this requires immediate investigation and far-reaching remedial action by government and police authorities. Yet in some countries the authorities have been slow to act against police targeting of ethnic or racial minorities.

UN guidelines on human rights practice for command and supervisory officials in police training emphasize, amongst other things, the duty of police commanders: (a) to issue clear orders on the special vulnerability and protective needs of refugees and non-nationals; (b) to develop cooperative schemes with community representatives to combat racist and xenophobic violence and intimidation; (c) to organize foot patrols for areas of high refugee concentration, and consider establishing police sub-stations in such areas; and (d) to establish special units with the legal, linguistic, and social skills needed for work that focuses on the protection of immigrants, rather than the enforcement of immigration laws.<sup>36</sup>

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<sup>34</sup> [Declaration on the Elimination of Violence against Women](#), adopted by the UN General Assembly in resolution 48/104 on 20 December 1993.

<sup>35</sup> Examples for preventing gender-based violence linked to civilian possession of firearms can be found in Nadine Easby (2022) [A Closer Look at Domestic Violence and Firearms Legislation in Five Countries](#) (IANSA).

<sup>36</sup> Office of the High Commissioner for Human Rights, [Human Rights Standards and Practice for the Police](#), 2004, training manual, page 51.

## 9. Storage and issuance of firearms

A basic question is whether police are issued firearms as regular equipment. In some countries the storage and distribution of police firearms and ammunition is so poorly carried out and monitored that it encourages police to sell or rent them out to criminals in exchange for some of the proceeds of gun crime, or even to commit gun crime themselves.<sup>37</sup> Consultations carried out by UNIDIR in 2019 with eight States in West Africa, for example, indicated that law enforcement agencies tended to regard the capture of illicit weapons as an end in itself, rather than as an investigative lead.<sup>38</sup> This perception however was changing through the development of national forensic capacities. In the Niger, for instance, the police forensics laboratory is considered the best in the subregion.<sup>39</sup>

All States should “Regulate the control, storage and issuing of firearms, including procedures for ensuring that law enforcement officials are accountable for the firearms and ammunition issued to them.”

*UN Basic Principle 11(d).*

Countries particularly at risk are those where police stations and officers fail to store weapons safely, keep inadequate records of ammunition and guns issued to each officer and have lax monitoring and investigation procedures for the use of police firearms and ammunition. For example, in Cambodia, an ambitious project for storage and management of weapons has been underway.<sup>40</sup>

All law enforcement institutions need to keep accurate records of issues and returns of weapons and ammunition. They should also have strict regulations that make breaches of record-keeping a matter for discipline, and that require officers to report all discharges from their weapons – legitimate, negligent, or otherwise – for investigation by an appropriate authority. Women are grossly underrepresented in roles relating to stockpile safety and security of police stockpiles, but efforts are underway in some states to change this.<sup>41</sup>

## 10. Legitimate police weapons

Police generally use less powerful and destructive lower velocity weapons than military forces do because the tactical environment is completely different from the military one. Police operations occur at much closer range than military engagements because of the need to identify whether a threat to life is being made or not and to ensure the safety of the public. High velocity ammunition travels much further and with far greater energy than a 9mm handgun round, so in an urban setting it poses a much greater risk to the public particularly if the projectile misses the target person. In addition, with full metal jacket ammunition, high velocity rounds have the potential to pass through the target person’s body and continue into another person with sufficient energy to kill or cause serious injury, whereas the 9mm round is more likely to stay in the body, making it safer for bystanders around an incident. Some argue that it is already a too powerful calibre to be part of Police equipment. .40 or .38 SPL have been favoured instead.

<sup>37</sup> See for example Lauren Pinson (2020) *Addressing the linkages between Illicit Arms, Organised Crime and Armed Conflict* (UNIDIR and UNODC) p.22.

<sup>38</sup> United Nations Institute for Disarmament Research (2019), *The role of weapon and ammunition management (WAM) in preventing conflict and supporting security transitions* (Geneva: UNIDIR).

<sup>39</sup> A. Desmarais, *Le monitoring des armes au Sahel: Les institutions forensiques nationales*, Small Arms Survey, 2018.

<sup>40</sup> Press release from EU ASAC, *the Programme of European Union Assistance on Curbing Small Arms and Light Weapons in Cambodia*, 14 November 2003.

<sup>41</sup> Hana Salama and Emma Bjerten-Gunther (2021) *Women Managing Weapons* (Geneva: UNIDIR).

Therefore, in many countries, police operating under normal patrol circumstances do not carry high velocity automatic assault rifles, and even if some do such weapons should not be fired in full automatic mode. Instead, police are issued with a revolver or, increasingly, a 9mm pistol or semi-automatic carbine more suited to the peacetime threats posed by the criminal use of firearms, provided they are trained and supervised for using such weapons.

All governments and law enforcement agencies should “develop a range of means as broad as possible...that would allow for a differentiated use of force and firearms” and “prohibit the use of those firearms and ammunition that cause unwarranted injury or present an unwarranted risk.”

*UN Basic Principle 2.*

The issuance of firearms needs to be kept constantly under review in line with the changing tactical threat assessment. The choice of police weapons should be dependent on an objective and thorough threat assessment process carried out by the police and government authorities. The critical question is what types of equipment are needed in each situation to stop a direct threat to life while protecting the lives of officers and members of the public. Increasingly the trend is to deploy “less than lethal” alternatives to live rounds to permit further differentiation of the use of force and lethal force, although safety concerns persist regarding the use of electrical weapons and chemical irritants.<sup>42</sup>

A differentiated range of law enforcement equipment with which to apply appropriate minimal force in varying circumstances, as required by the UN Basic Principles, is chronically lacking in most developing countries. Police and other law enforcers in poorer, developing countries usually must choose between using, or threatening to use, their own bodily strength, handcuffs, a baton or stick, tear gas canisters, or a firearm. However, new “less than lethal” technologies introduced to policing and law enforcement agencies are sometimes alleged to be inherently abusive and even lethal.<sup>43</sup>

## **11. Training in the legitimate use of force**

Bearing in mind that UN standards require the use of force to only be a minimal last resort in any law enforcement operations, police need also to be equipped with other skills to try and diffuse tensions peacefully. Clearly, to meet the UN standards, police officers don't just need firearms training in how to shoot straight and how to clean and maintain their weapons. They also need a high level of training in how to assess a particular situation and respond in the most proportionate way to stop or prevent a direct threat to life. For example, this could be by containment and negotiation. However, in some circumstances this may equally involve the taking of an attacker's life.

“Governments and law enforcement agencies shall ensure that all law enforcement officials are provided with training and are tested in accordance with appropriate proficiency standards in the use of force. Those law enforcement officials who are required to carry firearms should be authorized to do so only upon completion of special training in their use.” *UN Basic Principle 19.*

Such training should emphasize “issues of police ethics and human rights, especially in the investigative process” and “alternatives to the use of force and firearms, including the peaceful settlements of conflicts, the understanding of crowd behaviour, and ...methods of persuasion, negotiation and mediation.” *UN Basic Principle 20.*

<sup>42</sup> [United Nations Guidance on the Use of Less-Lethal Weapons in Law Enforcement](#), Office of the United Nations High Commissioner for Human Rights. Geneva, 1 June 2020.

<sup>43</sup> See for example Omega Research Foundation and Amnesty International, [Ending the Torture Trade: The path to global controls on the 'tools of torture'](#), Manchester and London, 2020.

“...whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall...ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.” *UN Basic Principle 5.*

Training in the use of force and firearms therefore needs to apply tactical threat assessment and practical assistance to real life operational training scenarios and exercises. Training needs to be conceptual and operational, with testing and certification based strictly on the UN standards. Given that in many places medical assistance may be difficult to find, law enforcement personnel need to receive appropriate training in medical aid.

To achieve the level of skill required, candidates should be carefully selected and given beginner training as well as regular in-service training in the use of force and firearms. This can only be achieved with substantial government investment of resources as well as the strict application of professional regulations. In addition, proper firearms training according to the UN standards should be provided to all officers who carry out law enforcement, including personnel of private security companies if they are licensed and authorised to carry firearms.

## **12. National laws and regulations for armed policing**

The UN Special Rapporteur on Small Arms and Human Rights has recommended that “all States should incorporate into their own laws the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.”<sup>44</sup> Too few governments have incorporated the relevant UN standards on the use of force and firearms in their national legislation or show sufficient respect for them in practice, thereby undermining the rule of law. Nevertheless, some positive steps by governments and police moving towards a greater respect for the UN standards have been reported.<sup>45</sup>

Reform of laws and regulations on the use of force and firearms in law enforcement is usually a complex set of tasks involving consultation with multiple stakeholders, including government and law enforcement authorities as well as the public, and so requires sustained political will and investment of resources. Confrontational and repressive policing often enjoy support from large sections of the voting public who mistakenly believe these are the only ways to combat armed crime, and therefore efforts to improve public education and awareness of the main principles underpinning the UN standards is necessary.

UN Member States have resolved that States “should take into account and respect the Basic Principles within the framework of their national legislation and practice.”  
*UN Basic Principles 1990.*

“Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.”  
*UN Basic Principle 7.*

“Rules and regulations on the use of firearms by law enforcement officials should include guidelines that...specify the circumstances under which law enforcement officials are authorised to carry firearms and prescribe the types of firearms and ammunition permitted...” *UN Basic Principle 11.*

<sup>44</sup> Commission on Human Rights, Prevention of human rights violations committed with small arms and light weapons, Preliminary report submitted by Barbara Frey, Special Rapporteur, in accordance with Sub-Commission resolution 2002/25, 25 June 2003.

<sup>45</sup> For examples, see *Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions*, Christof Heynes, UN doc. A/HRC/26/36, 1 April 2014, Part II, section D, domestic laws on the use of lethal force by law enforcement officials.



Once the national legal framework governing the use of force and firearms in law enforcement is consistent with the UN standards, administrative measures must be put in place to ensure that the legal framework is fully implemented. Binding treaties such as the *International Convention on Civil and Political Rights* (ICCPR) provide a legal basis for incorporating the UN standards on law enforcement into domestic police and criminal laws and regulations.<sup>46</sup> The review and reform of national legislation may require consideration of the country's constitution. For example, under previous legislation in South Africa, police were allowed to shoot suspected thieves, drug dealers and fleeing suspects who posed no threat to life, a clear violation of the UN standards, but this law was amended in 2002.<sup>47</sup>

In addition, the legal framework to minimize gun violence in a country requires that the specific laws and regulations on the use of force and firearms by police and other law enforcement services is mutually reinforced by legislation to effectively regulate the acquisition and use of firearms and other weapons amongst the civilian population. Unfortunately, international standards for civilian gun ownership are lacking. While states recognize a reasonable right to personal self-defence, international law does not grant a right to firearms as a means of self-defence.<sup>48</sup> Nevertheless measures to strictly limit and control civilian firearms can be strengthened in many states.<sup>49</sup> In addition, action can be taken by States to improve implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Manufacture and Trade in Small Arms and Light Weapons In All Its Aspects and the UN Firearms Protocol to counter organised crime.<sup>50</sup>

### **13. Reporting and investigation**

All discharges of weapons by police officers should be rigorously investigated and subject to disciplinary procedures. It is essential, therefore, that police and law enforcement use of firearms is regulated by a strict system of reporting and backed up by sanctions to make all acts of violence against people a criminal offense.

*UN Basic Principle 11* also requires that "Rules and regulations...provide for a system of reporting whenever law enforcement officials use firearms in the performance of their duty."

Additionally, *Basic Principle 22* requires governments and law enforcement agencies to "establish effective reporting and review procedures for all incidents" in which injury or death is caused by police, or where they use firearms in the performance of their duty. Government and police authorities should also "ensure that an effective review process is available and that independent administrative or prosecutorial authorities are in a position to exercise jurisdiction in appropriate circumstances."

However, too often, these regulations are absent or neglected and persons affected by police use of firearms are denied access to an independent process.

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<sup>46</sup> By 2023, a total of 173 States had become parties to the ICCPR either by ratifying or acceding to the treaty.

<sup>47</sup> National Commissioner, South African Police Service, *Special Service Order Relating to the Use of Force in Affecting Arrest*, 18/5/1, 24 May 2002.

<sup>48</sup> Jan Arno Hessbruegge, *Human Rights and Personal Self-Defense in International Law*, OUP, 2016, chapter 6.

<sup>49</sup> United Nations Office of the High Commissioner on Human Rights (2016). *Human rights and the regulation of civilian acquisition, possession and use of firearms*. UN Document A/HRC/32/21. Geneva: United Nations.

<sup>50</sup> For a recent example to strengthen implementation of the UN Firearms Protocol see, European Parliament (2023) *Import Export and Transit Measures for Firearms*, Briefing on EU Legislation in Progress, EPRS\_BRI(2023)745669

## 14. Accepting responsibility

Responsibility for changing police and law enforcement officers' actions to prevent and eradicate violence and abuse must be accepted by governments and the relevant ministries, as well as law enforcement agencies themselves. Provisions need to be included in force standing orders, and need to be available to and understood by all officers. Many development agencies are yet to be persuaded of the need to single out the issue of controlling small arms as a crucial issue of concern and project involvement, and do not see institutional reform of policing and guns as a development issue.

UN Member States "are invited to report progress achieved in their implementation to the UN Secretary General every five years."

*UN Basic Principles 1990.*

"Governments and law enforcement agencies shall ensure that superior officers are held responsible if they know, or should have known, that law enforcement officials under their command are resorting, or have resorted, to the unlawful use of force and firearms, and they did not take all measures in their power to prevent, suppress or report such use."

*UN Basic Principle 24.*

Command responsibility does not absolve individual police officers of their own responsibility for the unlawful use of force and firearms.<sup>51</sup> *UN Basic Principle 26* stipulates that "obedience to superior orders shall be no defence" to such conduct. *UN Principle 25* specifies that governments and law enforcement agencies shall not punish police officers who refuse to carry out an order to use force or firearms that conflicts with UN policing standards, or who report such use by other officers.

Reports by governments to the UN Secretary General on their progress in implementing the UN Basic Principles have been patchy. Nevertheless, some detailed reports mentioning the UN Basic Principles with recommendations for improvements have been made by the UN Human Rights Committee (HRC) and the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions for many countries.<sup>52</sup>

## 15. Concluding Remarks and Recommendations

In many countries, the global and regional proliferation of small arms means that police and other law enforcers are under extreme pressure to counter rising levels of violent gun crime and are expected to confront armed offenders. UN rules for law enforcement draw on worldwide expertise and experience and are designed to strengthen the rule of law and to minimize and eradicate violence. The rules apply to a wide range of law enforcers who exercise police powers, especially the powers of arrest or detention, even if they are private contractors or soldiers. But rules for the use of force in policing are different from those rules applicable to recognised combatants engaged in armed conflict. Although both sets of rules regarding the use of force aim to protect lives, the policing rules are more restrictive. In particular, the UN law enforcement rules require the use of non-violent means wherever possible, failing which appropriate force must be kept to a minimum, while the intentional use of lethal force may only be made when strictly unavoidable to protect life.

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<sup>51</sup> For example, see Gun Free South Africa (2023) *Firearms Control Briefing - Class action aims for police accountability in firearms management*, Firearms Control Briefing 1, and also United Nations Office on Drugs and Crime (2011) *Handbook on Police Accountability, Oversight and Integrity*, New York.

<sup>52</sup> *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions*, Christof Heynes, UN doc. A/HRC/26/36, 1 April 2014.

To prevent, reduce and eradicate the proliferation and misuse of small arms, governments must, amongst other things, create conditions for the highest standards of policing and respect for human rights. That requires investing more resources in professional policing based on the agreed international standards and to ensure that, in the words of the UN General Assembly, “*all law enforcement agencies are representative of and responsive and accountable to the community as a whole.*”<sup>53</sup> Actions of law enforcement officials, especially related to the use of weapons, should be subject to public scrutiny, parliamentary oversight and all officers should be included in the scope of penal statutes defining criminal liability for all violent, predatory and harmful acts. Only then can governments provide protection to women, men, and children through legitimate actions by security forces that respect human rights and gain the widespread support from civil society that is needed to curb the flow and use of illicit arms.

Genuine engagement with the community is imperative in all efforts to improve policing by consent and, therefore, to reduce the use of lethal weapons, such as firearms, in ordinary policing routines. Initiatives at the community level must be driven by local people to ensure relevance, ownership, participation, shared responsibility, and understanding.

- All governments and police authorities should promote, publicise, incorporate in law and practice UN standards for law enforcement officials including the UN Code of Conduct for Law Enforcement Officers and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Police training should emphasise human rights and alternatives to the use of firearms.
- States should explicitly include the promotion and adherence to these UN standards on the use of force and firearms in the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Manufacture and Trade in Small Arms and Light Weapons In All Its Aspects when it is reviewed by States in 2024.
- Bilateral and institutional donors, including agencies of the United Nations, should require national and local authorities to adhere to these UN standards in all international assistance projects that they fund, particularly where such projects involve community safety.
- All states should assess recipient states’ adherence to UN standards when considering whether to export or supply arms to forces or agencies involved in law enforcement, and should not supply firearms, ammunition or other weapons that present an unwarranted risk of injury or abuse.
- Civil society organizations and individuals should help promote awareness of and strict adherence to these UN principles by governments and law enforcement organisations.

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<sup>53</sup> UN General Assembly resolution 34/169 adopting the [Code of Conduct for Law Enforcement Officials](#).