# Module 2: Human Rights and Ethics

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<th>Module Objective</th>
<th>At the end of this module, you will be able to conduct your duties and responsibilities as security personnel according to various codes of conduct, by applying your skills and knowledge to specific scenarios.</th>
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**INTRODUCTION**

In *Module 1*, we learned about human rights (HR).

Now, how are we to do the right thing?

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1. **WHAT IS ETHICS**

Ethics are the study of the proper course of action for people to take. Ethics answers the question: "**What do I do?**"

Laws are rules that must be obeyed. Ethics are more than just laws. You do not necessarily go to jail if you make the wrong ethical choice, but you are still asked to make a choice between right and wrong. That is why ethical choices are so important.

Every day, security personnel must act to fulfill their roles and responsibilities.

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**It is important for all security personnel to be sure they take ethical decisions.**

**The company expects that whatever you do on its behalf will be ethical.**

Not everything can be covered by laws and rules; that is why the company expects you to follow ethical guidelines and **do the right thing.**
2. **Steps for Ethical Decision-Making**

1. Assess.

2. Examine the facts.

3. Choices!

4. Consider.

5. Choose and discuss.
1. Assess.

Whenever you are confronted with an ethical dilemma, stop and assess the situation.

2. Examine the facts.

a) What is the dilemma?

- Clearly state the problem.
- The clearer the question, the easier it will be to find an answer.

b) What rules and laws are involved?

- **Human Rights (HR) Laws**: As a security professional, you are bound to uphold and protect the HR of all persons.

**Q** Can you name a few HR you are to uphold as a security professional?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

If you want, you may refer back to Module 1.

The company is firmly committed to protecting human rights and clearly says so in its HR policy.
• **National Laws:** There are laws that apply in your country. You must uphold them. You cannot violate them. The company does not want you to break the law.

• **Company Policies and Standards:** There are a number of policies and standards at the company, including:
  - [Security Policy]
  - HR policy

c) **Who will be affected?**

  - Which people?
  - The community?
  - The company?
  - Employees?

### 3. Choices!

a) **What are your choices?**

b) **What are the risks and benefits for each choice?**

  - **Is this choice legal?** All actions must comply with the law. If a choice means breaking the law, you should not do it. The company does not break the law.

  - **Is it consistent with HR laws?** All actions must respect HR. The company does not want you to violate HR and IHL. If this choice means you must violate HR, you must avoid it.

  - **Is this choice consistent with Company policies?** The company has many policies and standards about how we work and how we behave. You may know some of them. Here are a few:
    - [Security Policy]
    - HR policy
    - [Communities standards]
    - Business Integrity standards

Controlling the use of force is a difficult part of the work of all security officials. We will explain techniques to minimise force and respect human rights in the next module of the course.
Ask your supervisor or manager about the policies and standards related to your workplace.

If you are in doubt about whether to apply company policies or other laws, policies and standards, contact [company legal/compliance] for guidance.

- **What would my family, friends and neighbours think?** If I would be ashamed to tell my family, my friends or my neighbours of this choice, it is probably a bad choice.

- **Would I prefer to keep this secret?** Sometimes, we need to keep some business activities secret, because competitors could take advantage of them and the company could be harmed. However, if this choice would be shameful, it should be avoided.

- **Would I want my actions reported in the newspaper?** If the newspapers found out about this choice, would they say good things or bad things about it? If the newspapers would say bad things about this choice, it should probably be avoided. If they would say good things, it may be a good choice.

4. **Consider.**

Consider the effect of your choices on other people, the community, and the company.

5. **Decide and discuss.**

Remember: Ethics are about doing the right thing!

Talk to others about your decision:
- your manager or supervisor
- Speak-OUT
What is the dilemma?

What rights, laws and policies are involved?
- Human Rights
- Laws
- Company policies

Who will be affected?
- People
- The Community
- The company

What are my choices?
Examine each choice.

What are the risks and benefits?
- Risks
- Benefits

Would I be proud to do this?
- Yes, I would be proud.
- No, I do not think I would be proud.

Make a choice!
Group Activity: Doing the Right Thing

In small groups, discuss and deal with the following ethical dilemmas:

Dilemma 1: A Very Nice Present

You work as a security officer at a large company mine. Your duties are to guard and control the access and exit of goods and persons from a mining area. A young man approaches you with a bag in his hand. The man looks like a company employee and he wants to exit the mining area. When you tell him you must look in his bag before he leaves, he asks you not to look inside the bag, and says he will give you a very nice present instead.

Q What is not right about this situation?

Q What should you do?

Dilemma 2: Help Me Have the Job

You work in the security department at a new company mine. There is a need to build new guard houses. The operations manager tells you he is looking for someone to build the guard houses. Your brother just so happens to own a small building company. Your brother asks you to use your influence to have him hired to build the guard houses.

Q What is not right about this situation?

Q What should you do?
Dilemma 3: Make Fun of Them

In the morning, workers arrive at the mine’s main gate. Des is a security officer assigned to work there with you. Every day, he makes fun of the workers. Many of them are foreign workers from neighbouring countries. He teases them and laughs at the way they pronounce words. He sometimes calls them bad names.

Q  What is not right about this situation?

Q  What should you do?

Dilemma 4: Long Breaks

You work as a security officer at a large company mine. On the premises there is a canteen for the staff. Your colleague Pieter likes to go there to buy cigarettes during his break. Breaks should only last 15 minutes, but Pieter always spends at least 45 minutes on breaks. You have reminded him that the mine’s policy states that breaks are only 15 minutes. He dismissed your comments and said those rules were for “stupid people” and not for him.

Q  What is not right about this situation?

Q  What should you do?
Dilemma 5: I Need Some Information

You work in the office of the security department at a company facility. You are a clerk who handles all the files in the office, including personnel files. One of your neighbours approached you yesterday. He owns a house that one of the guards wishes to rent. The neighbour wants to get the best price for the house, and does not want to rent it to someone who will cause problems. He asks you to look in the files and find out how much the guard earns, and if he has been a trouble maker.

Q What is not right about this situation?

Q What should you do?

My Notes
3. **Codes of Conduct (COC)**

a) **COC**

The company has developed a COC on how its employees and contractors are to behave.

- [List here]

There may be more that apply to your work. List them below:

- [List here]
- [List here]
- [List here]
- [List here]
- [List here]
- [List here]

b) **International COC for Private Security Service Providers**

This international COC guides the conduct of private security providers.

As a private security official, it means:

<table>
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<th>General Conduct</th>
<th>Security personnel will treat all persons humanely and with respect for their dignity and privacy.</th>
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<td>Use of Force</td>
<td>Personnel will take all reasonable steps to <strong>avoid the use of force</strong>. If they must use force, it will be <strong>consistent with the law</strong>.</td>
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<td>No firearms will be used <strong>except in self-defence or to protect others</strong> if they are about to be killed or very badly hurt.</td>
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<td>Any security personnel formally asked take part in policing will follow the <strong>rules set out by the United Nations</strong> for law enforcement officials.</td>
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Detention

Security personnel will only guard, transport or question *detainees if the company has been hired and authorised by the government to do this job*, and if they have received *special training*.

They will have to treat all detained persons *humanely and protect them under humanitarian laws*.

Apprehending Persons

Security personnel *cannot arrest anyone unless they are defending themselves or others* from an imminent threat of violence, or following a crime against people or property.

If authorised to arrest someone, they must quickly hand over the arrested person to the local law enforcement agency.

They must always treat the persons they arrest *humanely*.

No Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment

Security personnel will *never torture or harm people*.

They *cannot punish them or degrade them*.

They must *always respect their HR*. 
| No Sexual Exploitation or Abuse | Security personnel will never rape, sexually abuse, sexually exploit, prostitute, harass people or benefit from any of these crimes.  
If they are aware of this, they will immediately report it to the authorities. |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| No Human Trafficking           | Slavery and human trafficking is a crime.  
Forcing or tricking people into the sex trade is a crime.  
Children are all persons under 18 years of age. Involving them in sex for somebody’s profit is a crime.  
Forcing or tricking people into slavery or debt bondage, or some other kind of servitude against their will is a crime.  
Security personnel can have no part in helping any of these crimes to happen. |
c) United Nations (UN) COC for Law Enforcement Officials

The UN has created a COC for all security personnel involved in law enforcement.

Law enforcement officials are to fulfil their duties imposed upon them by law, serve the community and protect all persons against illegal acts.

It also applies to people who normally would not be part of the police, but still are officially asked to do law enforcement work.

For example, if military personnel or other public security personnel (forces) assist or act as law enforcement officials they would have to follow this COC.

Why does this matter to you?

All public security personnel (forces) who assist company security operations and enforce the law have to consider and adhere to these principles.

You will find a complete copy of this COC in the Appendices, at the end of this book.

d) United Nations (UN) Convention Against Corruption

The UN has created a COC to prevent corruption.

Each country has a COC to prevent corruption by public employees. This applies to all members of public security.

Each country also has a COC to prevent public corruption by private individuals or companies. This applies to members of the Company’s security forces, and to security companies.

All company, public and private security personnel must not engage in corruption.
e) Relevance of COC for Security Personnel

COC are important for security personnel. The company’s and other industry COC apply to you.

The company’s COC may be one COC that applies to you. Can you list other codes which apply to you?

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______________________________________________________________
______________________________________________________________
______________________________________________________________
______________________________________________________________
______________________________________________________________

You may want to ask your supervisor or manager for help with this list.
4. DEALING WITH MISCONDUCT AND UNETHICAL BEHAVIOUR

The company expects everyone who works for the company to behave ethically.

Those in management positions have a special responsibility to lead by example. They must act ethically, and ensure that the employees and contractors they oversee also act ethically.

a) Reporting Misconduct

Anyone who works for the company is responsible (subject to national laws) to report misconduct using the reporting mechanisms.

You can:

1. Talk to your manager or supervisor – this is often the best person to contact first.

2. Use formal internal processes such as Fair Treatment Systems or Formal Grievance processes.

3. Speak to Human Resources personnel at your operating site.

4. In appropriate circumstances, contact
   - a company lawyer
   - Corporate Assurance personnel
   - The company Compliance department
   - the hotline system

5. All information obtained through the above reporting channels will be followed up.

No action will be taken against anyone for reporting in good faith a suspected violation of the law or company policies.
b) Consequences of Misconduct for the Individual, Community, and Company

Misconduct by someone acting on behalf of the company can have very serious consequences for the person and for the company.

In some places, the law will punish not only the person acting unethically or illegally, but also those around him/her in the company who did not stop him/her, such as other employees, supervisors, managers.

The company may be fined.

They may be fined, imprisoned and lose their jobs.

Q If you were to lose your job, what do you think would be some consequences for you, your family, and your community?

______________________________________________________________
______________________________________________________________
______________________________________________________________
______________________________________________________________
______________________________________________________________

5. INDIVIDUAL EXERCISE: VIOLATIONS OF COC AND HR

This is an individual exercise.

Dilemma 1: Moving the Villagers

You work as security officer for a small open air mine.

The mine has received permission from the government to expand activities to a much larger area. A small village of 60 people sits in the middle of this area. They are unhappy with the plan and do not want to leave.

This morning, two trucks have arrived at
the mine carrying 25 strong men. You have noticed there were large sticks and clubs in the back of the trucks. The mine manager has asked you to discuss plans to remove the villagers.

The manager tells you:

“We are expanding the mine. We will open a new pit right where the village stands. I have had enough with the villagers and I want them moved. They have delayed the project long enough. There are 25 strong men in those trucks to help with the job. I need you to finish it fast.”

What would you do?

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

**Dilemma 2: The Injured Detainee**

For the past few weeks, workers have been putting together new buildings on the mine compound. Every night, thieves have been slipping through the fence to steal copper wire from the new buildings.

Tonight, you are the on duty. It is late at night. You hear some shouting in the distance and on the radio another security guard tells you someone has tried to enter the mine compound from the other side. You run over to see what is happening.

When you arrive, you find two guards. One is standing with his boot on the arm of a young man lying on the ground. He is pressing down and shouting to the young man, asking where his friends are. The other is shining an electric torch at the buildings, looking around for someone. The young man’s arm is bloody and looks like it may be broken. The young man is in pain, shouting he is alone.
What would you do?

CONCLUSION

In Module 1, you learned about human rights.

In this module, we have examined ethics and ethical decision-making. This will help you answer “What should I do?” when you are confronted with an ethical decision.

In Module 3, you will learn about your duties and responsibilities as a professional security officer to protect and respect human rights (HR).

Module 4 will take a closer look at the use of appropriate force to ensure that security actions taken, and the rights limited in doing so, are proportional, legally justifiable, accountable, and necessary (PLAN).

MY NOTES