NATIONAL CENTRE OF EXCELLENCE AND INNOVATION FOR MARITIME SECURITY

VALUES AND ETHICS

Human Rights in Security Practice

NCoEI-VE-HR
Canadian practice and international foundations

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Learning objectives

Identify the authority and rights relevant to a security decision.

- Recognize discrimination and accommodation needs.
- Choose and explain a proportionate response within your role.
- Document concerns and support review and remedy.

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Security includes protecting rights

Treat each person with dignity, including during refusal or removal.

- Consider who could be harmed by your action or inaction.
- Take reasonable steps within your authority to prevent foreseeable harm.
- Speak up when instructions or practices may cause harm.

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International foundations

The Universal Declaration sets out a common standard for human dignity and rights.

- The ICCPR sets obligations for states parties, including Canada.
- International standards inform ethical practice. Identify the Canadian law and authority that apply to the task.

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Protect Respect and Remedy

States have a duty to protect human rights.

- Businesses have a responsibility to respect human rights and address adverse impacts.
- People affected by abuse should have access to effective remedy.

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Canadian legal framework

The Charter applies to government under section 32. Its application may depend on the function being performed.

- Federal, provincial and territorial human rights laws apply within their respective jurisdictions.
- Identify the applicable regime for the employer, service and activity.

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Recognize discrimination

Apply criteria tied to the actual security purpose.

- Base suspicion on observable facts and credible information.
- Check whether a uniform rule creates barriers for some people.
- Avoid assumptions based on identity, disability, appearance or origin.

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Respond to accommodation needs

Ask what barrier exists and what would help.

- Offer an accessible way to communicate or comply where available.
- Keep the security objective and explore an approved alternative.
- Escalate unresolved requests promptly and protect personal information.

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Authority and limits

Identify the legal basis and scope of the proposed action.

- Follow site procedures within that authority.
- Distinguish a request, a condition of entry and a compulsory action.
- Escalate when authority is unclear.

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Access and screening

Explain the purpose, process and available options.

- Apply authorized criteria consistently and consider accommodation.
- For consent-based screening, respect withdrawal of consent.
- Use approved refusal and escalation procedures.

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De-escalation and force

Communicate calmly and give space or time where safe.

- Call for assistance early when risk is increasing.
- Use force only with a lawful basis and within its limits.
- Stop when the justification ends. Arrange care and report.

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Arrest and custody safeguards

An arrest requires specific lawful authority and facts supporting it.

- If arresting under section 494 as a private person, deliver the person to a peace officer forthwith.
- Protect dignity and obtain medical assistance as needed.
- Record the grounds, times, actions and handover.

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Privacy and surveillance

Collect only what is needed for an authorized purpose.

- Use approved systems and limit access and disclosure.
- Keep records for the authorized period and protect them from loss or misuse.
- Refer footage and records requests through approved channels.

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Recognize exploitation and abuse

Watch for coercion, threats or control of movement or documents.

- Treat indicators as reasons to seek help, with care for the person affected.
- Avoid confrontation or informal questioning that could increase danger.
- Report through appropriate channels. Call 911 if someone is in immediate danger.

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Respond to harassment and degrading treatment

Intervene within your authority when it is safe to do so.

- Protect the affected person and arrange support.
- Document observable behaviour and preserve relevant evidence.
- Escalate through an alternate channel if the usual contact is implicated.

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Report and support remedy

Address urgent safety and medical needs first.

- Record what happened, the basis for action and who was informed.
- Explain the available complaint or review route within your role.
- Cooperate with review and report suspected retaliation.

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Case at the access point

A visitor cannot follow spoken screening instructions and asks for written directions.

- A queue is building. A colleague tells you to turn the visitor away.
- What would you do first? What would you escalate or record?

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Knowledge check

What distinguishes an access condition from compulsory action?

- How can a consistently applied rule still create a barrier?
- What evidence belongs in a report about a rights concern?

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Apply the lesson on shift

Identify your authority and the security objective.

- Consider who could be affected and what barrier or harm may arise.
- Choose a lawful, proportionate response and explain it clearly.
- Report concerns and support follow-up.

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International references

[1] UN Universal Declaration of Human Rights

- [2] OHCHR International Covenant on Civil and Political Rights
- [3] OHCHR Guiding Principles on Business and Human Rights
- [4] ICoCA International Code of Conduct

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Canadian references

[5] Justice Canada Charter and Canadian Human Rights Act

- [6] Canadian Human Rights Commission Duty to Accommodate
- [7] Justice Canada Criminal Code
- [8] Office of the Privacy Commissioner Video Surveillance
- [9] Public Safety Canada Human Trafficking Warning Signs

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