



**SUDAN PEOPLES' LIBERATION MOVEMENT**  
**GENERAL HEADQUARTERS**



**SPLM/SPLA POSITION**  
**ON**  
**ESTABLISHMENT OF FEDERAL POLICE SERVICE**  
**ADDIS ABABA, ETHIOPIA**  
**AUGUST 28, 2014**

SPLM/SPLA © 2014

## **INTRODUCTION AND BACKGROUND**

Security Sector Reforms (SSR) is a concept that first emerged in the 1990s in Eastern Europe. Though there is no single globally accepted definition, SSR generally refers to a process to reform or rebuild a state's security sector usually in a post-conflict state.

These reforms are in response to the dysfunctional security sector which is unable to provide security to the state and the people of South Sudan effectively under democratic principles.

The current security sector has become a source of widespread insecurity due to unprofessional, discriminatory, and abusive policies or practices. In this respect, this security sector represents a decisive obstacle to the promotion of sustainable development, good governance, democracy, peace and rule of law.

SSR processes therefore seek to enhance the delivery of effective and efficient security and justice services, by security sector institutions that are accountable to the state and its people, and operate within a framework of democratic governance, without discrimination and with full respect for human rights and the rule of law.

SSR efforts target all state institutions and other entities with a role in ensuring the security of the state and its people including: armed forces; law enforcement and intelligence services; institutions responsible for customs and immigration services; justice and correctional institutions; and actors that play a role in managing and overseeing the design and implementation of security, such as ministries, parliaments, human rights institutions and civil society organizations. These reforms also cover non-state armed groups and/or private security and military companies.

SSR is both an operational as well as a normative concept. Featuring norms such as good governance, civilian oversight and the rule of law among its defining characteristics, its inclusion as a necessary component of international policies addressing post-conflict situations is becoming more and more commonplace. As such, SSR can be seen as a branch of an increasing international effort to secure human security.

## **CHAPTER I**

### **THE FEDERAL POLICE SERVICE (FPS)**

#### **1. Restructuring of the South Sudan Police Service**

1.1.1 Dissolving and Restructuring SSPS

1.1.2 All irregular police forces shall be regularized.

1.1.3 The Police forces under the command of SPLM/SPLA and SSPS under GRSS shall be restructured and shall have a new command structure under the Federal government. The Federal Police Force shall be drawn from the ranks and files of the police forces under SPLM/SPLA command, the present SSPS under GRSS, as well as from civilians with appropriate background and experience.

1.1.4 The SPLM/SPLA police force shall constitute 60%, SSPS under GRSS 30% and 10% shall be new recruits

#### **1.2 Doctrine**

1.2.1 be subject to democratic and civil control;

1.2.2 be non-partisan;

1.2.3 respect the fundamental rights and dignity of all its members.

1.2.4 respect the fundamental human and people rights and the diversity of the people South Sudan

#### **1.3 Principles**

1.3.1 In executing its mission and functions, the federal police shall adhere to the following principles:-

1.3.1.1 perform its functions in accordance with the provisions of this agreement, the Transitional Federal Constitution and international law regulating the conduct of police;

1.3.1.2 promote the highest standard of professionalism and discipline within its rank and file;

1.3.1.3 reflect the ethnic diversity and national character of the people of South Sudan.

## **CHAPTER II:**

### **ESTABLISHMENT, CONSTITUTING, FUNCTIONS, DUTIES AND POWERS OF THE FPS**

#### **2.1 Establishment of Federal Police Service**

2.1.1 There shall be established in South Sudan a Federal Police Service to be known as the “Federal Police Service” abbreviated as “FPS”.

2.1.2 The Federal Police Service shall be a regular police service with the primary responsibility of ensuring the security of citizens and maintaining public order, implementing Federal laws, in full neutrality, professionally, honesty and adherence to the rule of law and standards be it national or international.

2.1.3 The Federal Police Service shall-

2.1.3.1 Provide standards, norms, policy guidance and development of Federal, State and Local Police Services; and

2.1.3.2 For purposes of records, keep the general lists of the Federal police service personnel.

2.1.4 Comprise of:

2.1.4.1 officers, non-commissioned officers and men.

2.1.4.2 Civilians.

#### **2.2 Duties and Functions of Federal Police Service**

2.2.1. FPS personnel shall have the following powers:

2.2.2. pursue and arrest offenders;

2.2.3. close roads and other public places when necessity requires;

2.2.4. carry out criminal investigations;

2.2.5. conduct surveillance

2.2.6. conduction interrogation ;

2.2.7. search and seizure;

2.2.8. grant bonds and bails;

2.2.9. issue summons;

2.2.10. Transnational and multi-jurisdictional crime;

2.2.11. Serious fraud against the Nation;

2.2.12. High-tech crime involving information technology and communications;

2.2.13. Peacekeeping and capacity building;

2.2.14. Background Check and;

2.2.15. Money laundering;

2.2.16 Combat narcotics;

2.2.17 Any other powers entrusted thereto by any other Federal law.

2.3 To perform the duties and responsibilities mentioned above, FPS personnel may use reasonable force where necessary according to the restrictions provided for by law.

#### **2.4. Functions and Powers of the Federal Police Service Personnel.**

The functions of the Federal Police Service shall be, but not limited to-

- 2.4.1. Prevention and detection of crime according to the procedures provided for in the relevant laws;
- 2.4.2. Assume the internal security operations;
- 2.4.3. Preserve lost, found, seized, and confiscated property, and dealing with such property according to the law;
- 2.4.4. Carry out crime prevention awareness campaign among the public to enhance their contribution to the maintenance of security;
- 2.4.5. Carry out investigations or any other criminal procedures pursuant to the Transitional Federal Constitution or any other law;
- 2.4.6. Ensure safety of citizens, property and public establishments;
- 2.4.7. combat terrorism, organized crime and human trafficking;
- 2.4.8. Combat illegal trafficking in drugs and narcotics;
- 2.4.9. Combat smuggling and illegal trading in firearms; and
- 2.4.10. Any other duties assigned to the Federal Police Service or any other law or regulations.

#### **2.5. Obligations of Federal Police Service Personnel shall:-**

- 2.5.1. Devote all his or her time and activities to performing his or her duties provided for in this agreement.
- 2.5.2. He or she shall perform diligently and faithfully any duty or work assigned to him or her, bear the responsibility of all orders issued to him or her, obey at all times all legal orders given to him or her by a senior officer, and shall endeavor to implement these orders.
- 2.5.3. In his or her general conduct, adhere to honesty, trust and shall likewise abide by the regulations and orders.
- 2.5.4. Respect the dignity of his or her position and that of the citizens, and shall behave in a way that reflects these values and which shall be in line with the code of conduct and noble values of the society.
- 2.5.5. Be considered to be on call for 24 hours of the day and shall reside in the station of his or her designated post, unless under certain circumstances agreed upon by the officer in charge.
- 2.5.6. Federal Police Service Personnel shall not:-
  - 2.5.6.1 deliver any information or disclose any such matter, as may by nature be secret/classified or deemed as such, under special instructions during or after termination of service;

2.5.6.2 keep an original of any official document or copy thereof, or extract such original out of the files where any of them is kept, even if such document relates to any such duty as may be assigned to him or her.

2.5.6.3 perform duties for others against material or moral compensation, or even without compensation, unless a written permission is obtained from the Inspector General of Police; and

2.5.6.4 accept membership to any board of a corporation or institution or accept any other position therein except upon the approval of the Inspector General of Police.

2.5.6.5 Federal Police Service Personnel under suspension shall not be exempted from the provisions of this agreement as long as he or she is not yet dismissed from the Police Service. However, his or her powers as a police personnel shall remain suspended during the period of suspension, and he or she shall be subject to accountability, disciplinary action, and punishment as if he or she was not suspended.

### **CHAPTER III: ORGANISATION AND COMPETENCES OF THE FPS**

#### **3.1 Organization**

3.1.1 The Federal Police Service shall be primarily divided into six (6) Departments: Federal Investigation Service (FIS), Immigration and Border Protection (IBP), Customs Service (CS), Civil Registry (CR), Firearms, Drugs, and Illegal Trafficking (FDIT) and Special Service (SS).

3.1.2 Each department shall be organized into Bureau of Field Operations (BFO), Bureau of Criminal Investigation (BCI), and Bureau of Administrative and Support Services (BASS).

#### **3.2 Competences**

The Federal Police Service shall have the following competences-

3.2.1. exercise the powers, functions and duties of the Federal Police Service;

3.2.2. ensure adherence to quality professional performance of the Federal Police Service;

3.2.3. plan, organize, monitor, inspect and control the professional, administrative and technical performance of the Federal Police Service;

3.2.4. assume administrative, organizational and professional supervision over the Federal and the headquarters of the Federal Police Service;

3.2.5. issue Federal Police Service ID cards;

3.2.6. assume responsibility for issues pertaining to Federal Police Service welfare and development;

3.2.7. coordinate and cooperate with and assist the State Police Service in discharge of its functions and duties;

3.2.8. supervise the implementation of Federal Police Service training programs; and

3.2.9. Provide technical, professional and administrative guidelines for Federal, State and Local Police Services.

3.2.10. Protection of dignitaries and Senior Federal officials and State guests.

### **3.3. Size of Federal Police Service.**

3.3.1. The Federal Police shall be recruited, trained, equipped and funded by the Federal Government. The Federal Police Service shall be composed of 10,000 - 15,000 strong men and women.

3.3.2. Recruitment into the Federal Police shall take into account the diversity of the country and gender balance.

## **CHAPTER IV:**

### **COMMAND OF THE FEDERAL POLICE SERVICE**

#### **4.1. Command of the Federal Police Service**

The Inspector General of Police shall be the Commander of the Federal Police Service.

4.1.1. The Inspector General of Police shall be answerable to the Secretary of Interior for the performance and discharge of its functions and duties.

4.1.2. The Inspector General shall have the following powers-

4.1.2.1. control the professional, financial, technical and administrative functions of the Federal Police Service;

4.1.2.2. set systems and standards governing Federal police activities;

4.1.2.3. plan Federal Police Service supplies and make contracts and agreements involving the police with the consent of the Secretary of Interior;

4.1.2.4. recommend to the Secretary of Interior travel and assignment abroad of Federal Police Service personnel as per the regulations;

4.1.2.5. Establish corporate institutions;

4.1.2.6. supervise corporations and organizations;

4.1.2.7. approve general plans and policies;

4.1.2.8. prepare the budget;

4.1.2.9. make recommendations to the National Security Council on general security issues;

4.1.2.10. approve the organizational structures of the Federal Police Service based on the recommendation of the Federal Police Service Council;

4.1.2.11. issue orders and instructions for the organization of the Federal Police Service and its development;

4.1.3. The Inspector General shall be responsible for the general performance of the Federal Police Service and the implementation of security policies, plans and programs, unless such is in contradiction with this agreement and the Transitional National Constitution.

4.1.4. The Inspector General shall be responsible for the implementation of security policies, plans, and programs, in accordance with the provisions of this agreement and the Transitional Federal Constitution.

4.1.5. The Deputy Inspector General shall be answerable to the Inspector General for the administration and organization of the Federal Police Service. The regulations shall provide for the competences and powers of the Deputy Inspector General.

4.1.6. The Director of a specialized Federal Police Service corporation shall be responsible for the general performance of the police service of that corporation and shall be responsible before the Board of Directors of that corporation for the implementation of security policies, plans, and programs of the said corporation, in accordance with the provisions of the Peace Agreement and the Transitional Federal Constitution.

## **4.2. The Federal Police Command Structure**

The Federal Police Command Structure shall be-

4.2.1. The Federal Police (commanded by a Major General)

4.2.2. Directorate of Federal Police (commanded by the Brigadier)

4.2.3. Department of Federal Police (commanded by the Colonel)

4.2.4. State Office (commanded by a Lieutenant Colonel)

4.2.5. County Office (commanded by a Captain)

4.2.6. Field Bureau (commanded by a Sergeant Major)

## **4.3. Federal Police Service Council**

4.3.1. There shall be established a council to be known as the “Federal Police Service Council” and shall be composed as follows-

4.3.1.1. Inspector General, Chairperson

4.3.1.2. Deputy Inspector General, Member

4.3.1.3. Heads of police corporations, Members

4.3.1.4. Heads of Departments and Directorates, Members

4.3.1.5. Heads of State Offices, Members

4.3.1.6. Any individual that the Council may invite to attend a meeting on professional or technical basis as an Ex-officio member.

4.3.2. The Powers, functions and duties of the Federal Police Service Council shall be regulated by rules and regulations.

4.3.3. The Federal Police Service Council shall set regulations to organize its work procedures.

## **4.4. Cooperation and Mutual Assistance.**



4.4.1. The Federal and State Police Services shall cooperate and provide mutual assistance to each other in a manner that ensures better administration of the law, security, and the provision of quality services.

4.4.2. The Federal Police Service shall assist and support the State Police operating in such a way as to enable it to perform its functions and duties and deliver efficient services.

4.4.3. Inspector General may-

4.4.3.1. request secondment of any police personnel from the Federal Police Service to the State Police Service for such a period as may be agreed upon; and

4.4.3.2. Second any police personnel from the State Police Service to the Federal Police Service, upon a request, for such a period as may be agreed upon.

#### **4.4.4. Standards and Quality of Performance.**

The Inspector General may, on request, affiliate any Police Personnel or FPS department from the headquarters to any Local government if he or she deems appropriate to boost the police performance and quality service, such affiliation may be temporary or permanent, as the case may be.

### **CHAPTER V**

#### **RANKS, APPOINTMENTS, PROMOTIONS AND TRANSFERS**

##### **5.1. Federal Ranks of Police Officers**

5.1.1. The ranks of Federal Police officers' at the Federal level shall be as follows-

5.1.1.1. Major General (Maj. Gen);

5.1.1.2. Brigadier (Brig.);

5.1.1.3. Colonel (Col.);

5.1.1.4. Lieutenant Colonel (Lt Col.);

5.1.1.5. Major (Maj.);

5.1.1.6. Captain (Capt.);

5.1.1.7. 1<sup>st</sup> Lieutenant (1<sup>st</sup> Lt.); and

5.1.1.8. Lieutenant (Lt).

##### **5.1.2 Ranks for non-commissioned officers and privates shall be as follows**

5.1.2.1. Warrant Officer;

5.1.2.2. Sergeant Major;

5.1.2.3. Sergeant (Sgt.);

5.1.2.4. Corporal (Cpl.);

5.1.2.5. Lance Corporal (L/Cpl.); and

5.1.2.6. Private (Pvt.);

##### **5.2. Appointment of the Inspector General and Deputy Inspector General**

5.2.2. The President shall appoint the Inspector General of Police from among competent senior officers upon the recommendation of the Secretary of Interior and advise of the Senate.

5.2.3. The Secretary of Interior shall appoint Deputy Inspector General upon the recommendation of the Inspector General.

### **5.3. Admission to the Federal Police Service College.**

5.3.1. Admission to the Federal Police Service College shall be open to all South Sudanese irrespective of ethnicity, religion, affiliation and gender.

5.3.2. any person applying to join the Federal Police Service shall be:-

5.3.2.1. a South Sudanese;

5.3.2.2. a resident of South Sudan

5.3.2.3. of good conduct and never have been convicted of a criminal offence;

5.3.2.4. mentally sound and physically fit;

5.3.2.5. Pass prescribed tests or examinations to join the Federal Police Service;

5.3.2.6. Be a holder of at least South Sudan school certificate or its equivalent; and

5.3.2.7. Be between 18 to 25 years of age.

5.3.3. The successful candidates shall be admitted as cadets to the Police College for four (4) years.

### **5.4. Appointment of Officers.**

The President shall commission the successful cadet officers to the Federal Police Service following completion of the training package at the Federal Police Service College.

### **5.5. Appointments of Officers for Permanent Service**

5.5.1. The regulations shall provide the terms and conditions for the officers to be appointed for permanent service.

5.5.2. The Secretary of Interior may, on the recommendation of the Inspector General, terminate the service of an officer under probation if it is proved that he or she is not competent to serve in the Police Service.

### **5.6. Determination of Seniority of Officers**

5.6.1.1. Seniority of officers having the same rank shall be determined according to their date of appointment and promotion to the specified rank.

5.6.1.2. When appointing or promoting two or more officers to the same rank at the same date and in the same list, seniority shall be determined according to the appearance of their respective names in the appointment or promotion order or list.

5.6.1.3. Separate officers seniority lists shall be made according to the order made by the Inspector General of Police as follows:

5.6.1.3.1. General list of officers;

5.6.1.3.2. List of seniority of officers who were awarded the title;

5.6.1.3.3. List of specialist seniority; and

5.6.1.3.4. Seniority list of non-commissioned officers.

5.6.1.4. The regulations may provide further conditions for determination of seniority of officers.

5.6.1.5. All levels of the Federal Police Service may have their own lists of seniority of officers at those levels provided that such lists do not contradict the General list of officers.

5.6.1.6. No officer shall be transferred to another list of seniority unless he or she meets the conditions for such transfer as prescribed by the regulations.

## 5.7. **Promotion of Officers**

5.7.1. All promotions shall be regulated by law.

5.7.2. The Inspector General of Police shall form promotion committees at all levels of the Federal Police Service.

5.7.3. Promotion committees shall submit their recommendations for promotion to the Inspector General.

5.7.4. Promotions of officers shall be approved by the Secretary of Interior upon a recommendation by the Inspector General.

## 5.8. **Transfer of Officers**

5.8.1. Transfer of Officers shall be made according to the rules, goals and objectives provided for by regulations.

5.8.2. The Inspector General shall issue orders for the transfer of officers within different units and directorates of police of the Federal Police Service.

5.8.3. The Inspector General of Police may issue orders for the transfer of officers within the federal police departments.

## 5.9. Termination of Service of Officers.

An officer's service shall be terminated for any of the following reasons-

5.9.1. Attainment of sixty (60) years of age;

5.9.2. Retirement on pension according to the officer's request;

5.9.3. Optional retirement according to the Public Service law and regulations;

5.9.4. Decision by a medical commission that the officer is no longer fit to serve in the Federal Police Service;

- 5.9.5. Renouncing his or her South Sudanese nationality;
- 5.9.6. Retirement for inadequate discharge of his or her professional, technical, administrative, operational, or leadership responsibilities;
- 5.9.7. If convicted of a crime related to honor, trust, honesty, or if imprisoned.
- 5.9.8. Dismissal
- 5.9.9. Death.
- 5.10. **Discharge of Officers**

5.10.1. The Secretary of Interior may, upon a recommendation by the Inspector General, discharge any officer from service for a reasonable cause.

5.10.2. An officer who applied for discharge shall not cease his or her job responsibilities until the order for his or her discharge is issued and communicated to him or her in writing.

5.10.3. An officer having the rank of Colonel or above, who has completed the time limit required for promotion to the higher rank, without being promoted due to nonexistence of vacancies, may apply for retirement on pension. In case his or her application is accepted, entitlements shall be calculated according to the higher rank for which he or she was due for promotion.

5.10.4. Any officer who accepts a constitutional post shall be discharged with immediate effect.

#### 5.11. **Secondment and Assignment**

5.11.1. The Secretary of Interior may appoint any officer for any public post, other than in the Federal Police Service, on the recommendation of the Inspector General, with the discretion to return him or her to the Police Service or retire him or her on pension at the end of duty in such public post, provided that his or her post- service benefits and entitlements with the Police Service shall be accumulated while serving in such other post.

5.11.2. Police personnel may be seconded internally or externally. The regulations shall provide for terms and conditions of such secondment.

#### 5.12. **Creation of Vacancies in the Federal Police Service**

5.12.1. The Secretary of Interior shall approve the creation of annual vacancies in the Federal Police Service on the recommendation of the Inspector General.

5.12.2. Vacancies shall be determined and allocated to different police departments according to the establishment of the Federal Police Service.

**5.13. Filling of Vacancies**

The Inspector General may fill vacancies through recruitment or promotion to the vacancies in the posts of non-commissioned officers and privates in accordance with the orders and regulations.

**5.14. Recruitment of Non-commissioned Officers and Privates**

5.14.1. The Inspector General may appoint any person as non-commissioned officer or private in the Federal Police Service according to the terms and conditions provided for in the rules and regulations.

5.14.2. The Inspector General shall keep lists of seniority of non-commissioned officers and privates in accordance with the regulations.

5.14.3. Non-commissioned officers and privates shall be trained at different police training institutions as the case may be.

**5.15. Transfer of Non-commissioned Officers and Privates**

Non-commissioned officers and privates shall be transferred according to orders and regulations.

**5.16. Termination of Service of Non-commissioned Officers and Privates.**

5.16.1. The service of non-commissioned officers and privates shall be terminated for any of the following reasons-

5.16.1.1. End of contract;

5.16.1.2. Attainment of the pension age as per the Public Service law and regulations;

5.16.1.3. Decision by a medical commission that the non-commissioned officer or private is no longer fit to serve in the Police Service;

5.16.1.4. Dismissal;

5.16.1.5. Retirement on pension for inadequate discharge of his or her professional, technical, administrative, operational, or leadership responsibilities;

5.16.1.6. retirement on pension upon a recommendation from the officer in charge of the unit, the Director, Police Inspector General , as the case may be, due to mental infirmity, physical disability or behaving in a manner that has a substantial negative effect on his or her performance and discharge of his or her functions and duties;

5.16.1.7. If convicted of a crime related to honor, trust or honesty;

5.16.1.8. Renouncing his or her South Sudanese nationality;

5.16.1.9. Death.

5.16.2. The Inspector General or Director, or whoever he or she delegates, may order any non-commissioned officer or private to remain in service for six months following the end of his or her service if public interest so requires.

5.16.3. The Inspector General may order the dismissal of any non-commissioned officer or private if convicted of a crime, or if it is in the interest of the Federal Police Service.

### **5.17. Training in the Federal Police Service**

5.17.1. The training of the Federal Police Service personnel shall be subject to standards in accordance with the provisions of this agreement and Rules and Regulations therein.

5.17.2. Without prejudice to the provisions of sub-section (1) above, the Federal Police Service Council shall-

5.17.2.1. Determine training needs of the Federal Police Service and prepare and execute different training plans and programs in the country and abroad;

5.17.2.2. Prepare and develop training packages and programs for the Federal Police Service;

5.17.2.3. Adopt programs for the training of trainers and development of training aids;

5.17.2.4. Develop and strengthen bilateral, regional and international relations with regard to training;

5.17.2.5. Coordinate technical support and financial assistance provided for the training of the Federal Police Service;

5.17.2.6. Assume supervision, monitoring and periodic inspection of Federal police training institutions; and

5.17.2.7. Form a technical committee to manage scholarship awards and courses.

5.17.3. The Inspector General shall be responsible for implementation of training programs as approved by Federal Police Service Council.

## **CHAPTER VI: BUDGET, PRIVILEGES, AND OTHER ENTITLEMENTS**

### **6.1. Budget.**

The Inspector General shall prepare the annual budget proposal for the Federal Police Service and shall be responsible for the execution of the approved budget.

### **6.2. Protection of Property**

6.2.1 Federal Police personnel shall be responsible for protection of all public assets, assets under their control, and assets in their care. They shall also be responsible for all weapons, ammunitions, accoutrements, and uniforms which are given to them for their own use or use by any police personnel under their supervision.

6.2.2 Federal Police personnel shall individually and collectively be responsible for any building or warehouse for police accoutrements they are using, and also for any other public or private assets under their control or custody.

### **6.3. Salaries and Privileges of the Federal Police Service**

6.3.1. The Secretary of Interior shall determine, on the recommendation of the Inspector General, salaries, rights and privileges of the Federal Police Service that will ensure them a life of dignity and an appropriate social standard which shall enable the personnel to efficiently discharge their responsibilities and duties.

6.3.2. When determining salaries, rights and privileges, due consideration shall be given to the functions and duties, threats and dangers that the police personnel encounters.

6.3.3. The regulations shall define organizational structures, privileges, entitlements, allowances, and increments for the Federal Police Service in addition to the grades and the manner in which this shall be addressed at recruitment, promotion, secondment, assignment, transfer and approval thereof.

6.3.4. Periodic allowances of officers, non-commissioned officers, and privates shall be made in accordance with the regulations and orders.

6.3.5. No salaries, wages, or other entitlements shall be withheld except in the case of repaying a debt to the Government, or execution of a judgment passed by a competent court, provided that the amount withheld shall not exceed one-quarter of the salary.

### **6.4. Post-Service Benefits**

The public service law and regulations shall in accordance with the Federal Police Pension Law determine the post-service benefits and entitlements.

6.5. Education, Medical Care, Accommodation and Transportation.

6.5.3. The Federal Government shall provide education services for FPS personnel and their immediate dependents.

6.5.4. The Federal Government shall provide medical care for police personnel and their immediate dependents.

6.5.5. The Federal Government shall provide medical care for police personnel for any injury they sustained during service or while performing their functions and duties within or outside the Federal as defined by law and regulations.

6.5.6. The Federal Government shall provide appropriate accommodation for the Federal Police Personnel. The regulations shall indicate the rank and status for eligibility for accommodation.

6.5.7. The Federal Government shall provide transportation for Federal Police Personnel and their dependents on transfer and annual leave in accordance with the financial regulations of the Federal Police Service.

## **6.6. Leave**

6.6.3. Federal Police Service personnel shall be entitled for leave in accordance with the modalities provided for in the regulations.

6.6.4. Federal Police Service personnel may be denied his or her leave or any official holiday if the work circumstances deem this necessary, provided that they shall be awarded financial compensation in lieu thereof, as provided for in the regulations.

## **6.7. Other Privileges and Remunerations**

6.7.1. Regulations shall prescribe extra remunerations and privileges to be enjoyed by Federal Police Service personnel besides their salary for performing functions and duties as provided for in this agreement or any other law or regulations.

6.7.2. Notwithstanding the provisions of subsection (1) above-

6.7.2.1. A Federal police officer has the right to own a private pistol and/or a rifle to be licensed without paying any fees as per the regulations; and

6.7.2.2. A Federal Police officer retiring at the rank of Major General shall keep his title without adding the word “retired” thereto.

## **CHAPTER VII LEGAL AFFAIRS**

### **7.1. Directorate of Legal Affairs**



7.1.1. There shall be established in the Federal Police Service a department to be known as the Directorate of Legal Affairs which shall be responsible for legal matters of the Federal Police Service and its personnel thereof shall be graduates of recognized law schools.

7.1.2. The regulations shall specify duties and responsibilities of the Directorate of Legal Affairs.

7.1.3. Legal opinions rendered by the Directorate of Legal Affairs shall be binding within the Federal Police Service and may not be reviewed except by the Secretary of Interior or the Inspector General as the case may be.

7.1.4. Officers serving in the Directorate of Legal Affairs shall authenticate Federal Police Service contracts within the official functions of the Federal Police Service.

7.1.5. Officers serving in the Directorate of Legal Affairs shall have the right to appear before any police court.

7.1.6. Following the end of their service, officers serving in the Directorate of Legal Affairs may be entitled to advocate licenses in accordance with the law. Their service with the Directorate shall be deemed to be an experience comparable to the service of Judges and Legal Counsels at the Department of Justice.

## 7.2. Immunities and Limitations on Liability.

7.2.1. Any act done by Federal Police Service personnel in good faith while discharging his or her functions and duties, or in performance of his or her functions and duties under any law, regulation, order, rule or instruction of a competent authority or person authorized to issue the same by virtue of the Code of Criminal Procedure Act, 2008, or any other law, or any regulations issued thereunder, shall not constitute an offence.

7.2.2. No police personnel shall be arrested for or charged with murder in connection with acts committed in the course of his or her duty, except with a written authorization obtained from the Secretary of Interior in the case of officers, or a written authorization from the Inspector General in the case of noncommissioned officers and privates.

7.2.3. The Federal Police Service, its personnel, or any other person obliged under the law to assist the Federal Police Service in discharging its duties, shall not be responsible for payment of damages resulting from the good faith execution of a binding duty under any law or regulation, lawful order or instruction issued to them by a competent authority, or person authorized by law to issue the same.

7.2.4. Any Federal Police Service personnel facing legal proceedings entailing his or her detention in custody shall be detained in the police barracks until a decision is taken in the said legal proceedings. The regulations shall determine the confinement of police personnel in custody.

7.2.5. The Federal Government shall pay compensation on behalf of any police personnel in cases of accidental or unintentional homicide committed during the service.

#### **CHAPTER VIII:**

##### **DISASTERS AND EMERGENCIES**

8.1. Support by the Federal Police Service to the other Levels of Police Service in cases of emergency.

8.2. The Federal Police Service shall provide prompt assistance and support to the other levels of police service whenever asked to do so in the following cases-

8.2.1. Emergencies and in situations where National Security is under threat or danger; and

8.2.2. Disaster, insecurity, instability and any other cause of emergency.

##### **8.3. Power to Move Forces during Emergency**

The Inspector General may, in case of emergency, and upon a resolution passed by the National Security Council, order movement of the Federal Police to support other levels of the Police Service in the Country as the security or emergency situation may require.

##### **8.4. Command of Forces during Emergency**

Where the Federal Police Service upon request from a State authority, in case of emergency or disaster, sends in a Police Force to that State or County shall fall under the command of the State Police Service Headquarters.

##### **8.5. Deployment of Federal Police Forces in Case of Emergency**

If a state of emergency is declared in the State or any part thereof, the Inspector General may order deployment of the forces provided for in section 8.1 above, to implement the provisions of the order of the state of emergency.

#### **CHAPTER IX:**

##### **FEDERAL JAILS AND DETENTION CENTERS**

##### **9.1. Jails and Detention Centers**

- 9.1.1. There shall be established Federal Jails and Detention Centers to house inmates at the federal level.
- 9.1.2. The mission of the Federal Jail or Detention Center is to provide clean and sanitary facilities for inmates during their time of confinement.
- 9.1.3. The Federal Jails and Detention Centers shall be:
  - 9.1.3.1. designed to meet modern jail facilities in developing countries.
  - 9.1.3.2. A 24-hour, seven-day-a-week operation for the temporary confinement of pre-trial individuals involved in the judicial process, as well as those individuals serving time assessed on misdemeanor by the State Court.
  - 9.1.3.3. House pre-trial inmates, thereby holding individuals who are presumed innocent, yet require maximum security prior to trial.
  - 9.1.3.4. Pre-trial inmates who unable to secure a release, will be held for only a minimal time before being transported to another detention facility.
  - 9.1.3.5. Every effort shall be made to provide humane treatment for every inmate and ensure their constitutional rights are protected while still maintaining necessary security.
- 9.1.4. Meals, phone calls, programs and showers shall be provided within the housing unit.
- 9.1.5. Three nutritious meals shall be provided daily in jails or detention centers.
- 9.1.6. Inmates in jail or detention facility shall be offered a limited amount of privileges as a method to promote good behavior during their incarceration.
- 9.1.7. Inmates violating the rules of the detention facility may be subject to a loss of some or all of their privileges and may be subject to further disciplinary actions. Some of the privileges include:
  - 9.1.7.1. Watching T.V in the Dayroom
  - 9.1.7.2. Outdoor recreation with other inmates
  - 9.1.7.3. Ability to keep personal items in their cell
  - 9.1.7.4. Telephone usage for personal calls
  - 9.1.7.5. Commissary purchases