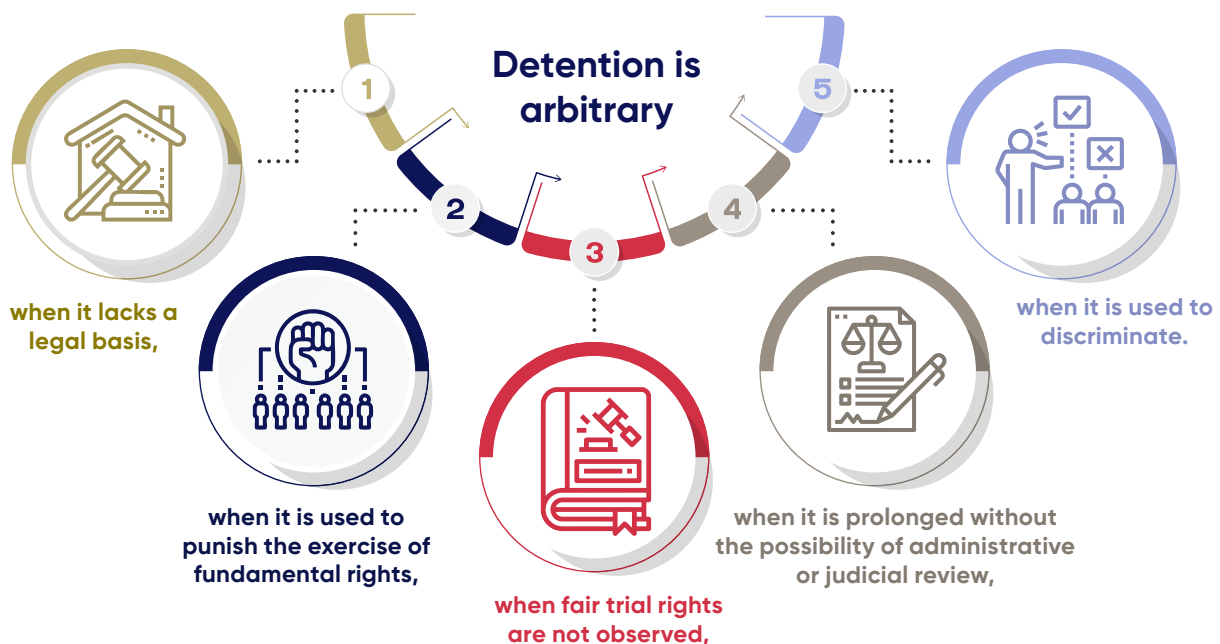


Aid Workers | Know Your Rights

DETENTION



Aid is increasingly criminalised to obstruct humanitarian operations and aid workers can become the victim of arbitrary detention. Deprivation of liberty means a person is held without their consent – when this happens, the safeguards against arbitrary detention and fair trial rights **must be observed**.



When an individual is arrested, detained, with or without stated legal basis, or disappears, a lawyer must be immediately consulted. The lawyer must monitor and ensure the respect of fair trial rights throughout the detention and explain the proceedings and options. **They may include:**



Pre-trial proceedings – Investigations, statement taking, preliminary hearings, collection and presentation of evidence, confirmation of charges, renewal of pre-trial detention orders.



Trial – pleadings, filing of additional evidence and legal argumentation, examination and cross-examination, deliberations, sentencing, appeals.



Post-trial proceedings – revisions of conviction, judicial review, mistreatment in places of deprivation of liberty.

Throughout the proceedings, individuals detained are entitled to fair trial rights, which includes the assistance of a lawyer of their own choosing (see Know your rights – Fair trial rights).