

Human rights and psychology: codes of conduct and common themes

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Abstract

This article which focuses on psychology and human rights starts with a discussion of psychologists' codes of conducts in 6 different continents. It is argued that human rights are defined in different ways in different countries although some similarities are visible. Some of the codes take into account the possibility that the law and human rights principles can be incompatible, but more elaborate discussions are necessary. The discussion includes a set of key questions and common themes on the intersection of psychology and human rights. It is observed that unlike the first impression, psychologists conducted lots of research on human rights areas; however they rarely theorize and present them in such terms. That is why, this article invites psychology researchers to be more holistic. As a case in application, in what ways psychology is relevant for human rights and social institutions is presented. Human rights perceptions research was briefly discussed in the article. Finally, official psychological discourse is questioned from a human rights perspective.

Introduction

Woolf and Hulsizer (2004) state that psychology occupies a unique position to understand the roots of human cruelty and mass violence which are acts of human rights violations. Considering the unique position of psychology, it is surprising to see that the links between psychology and human rights are relative understudied. Velez (2016) proposes that psychology can be particularly helpful for human rights scholarship as it can explain how people can be divided and can come together, secondly, it “can offer important methodological tools and empirical evidence to bolster abstract claims inherent to human rights” (Velez, 2016:2); and thirdly, it “can push conceptions of human rights that lead to clearer and more grounded definitions, as well as provide bases for stronger advocacy” (Velez, 2016:2).

Human rights and psychologists’ codes of conduct

How can psychology and human rights can be connected and mobilized for a fruitful collaboration both academically and in practical terms? Psychologists’ codes of conduct, ethical principles and their equivalents may offer an answer. In this section, we provide information about how psychologists’ codes of conduct portray human rights through a selection from 6 continents. Although a higher number of examples would be better, we picked only a few due to space limitations. It could also be good to discuss about how each of these were developed, but it is not feasible to do that in such a limited space.

In Code of Conduct of the Association of German Professional Psychologists, it is stated that “[p]sychologists respect the dignity and integrity of the individual and are committed to promoting and protecting fundamental human rights. By its very nature, psychology is a liberal profession” (BDP, 1999). Australian Psychological Society Code of Ethics includes the following expressions: “**Moral rights**¹ incorporate universal human rights as defined by the United Nations Universal Declaration of Human Rights that might or might not be fully protected by existing laws” (APS, 2007:9) and “[p]sychologists engage in conduct which promotes equity and the protection of people’s human rights, legal rights, and moral rights. They respect the dignity of all people and peoples” (APS, 2007:11).

Canadian Code of Ethics for Psychologists issued by Canadian Psychological Association has a similar, but more detailed explanation (CPA, 2000:8):

“**Moral rights**”² means fundamental and inalienable human rights that might or might not be fully protected by existing laws and statutes. Of particular significance to psychologists, for example, are rights to: distributive justice; fairness and due process; and, developmentally appropriate privacy, self-determination, and personal liberty. Protection of some aspects of these rights might involve practices that are not contained or controlled within current laws and statutes. Moral rights are not limited to those mentioned in this definition.

Furthermore, to “[r]efuse to advise, train, or supply information to anyone who, in the psychologist’s judgment, will use the knowledge or skills to infringe on human rights” and “to [m]ake every reasonable effort to ensure that psychological knowledge is not misused, intentionally or unintentionally, to infringe on human rights” is listed under general rights (CPA, 2000:10). Two other examples from other geographies would be helpful to show how important human rights principles are for ethical conduct of psychologists. In ‘Code of Ethics for Philippine Psychologists’ released by Psychological Association of the Philippines (PAP, 2009), human rights is mentioned only in the context of misuse of private information. However the situation is squarely different in South Africa.

¹ In bold letters in the original.

² In bold letters in the original.

South African Conduct Guidelines in Psychology published by Psychological Society of South Africa (PsySSA) lists 'respect for people's human rights and dignity' (PsySSA, 2007:2) as one of the six guiding ethical principles. In fact, the first sentence in the section about the guiding ethical principles refers to human rights: "Psychologists respect the dignity and worth of the individual and strive for the preservation and protection of fundamental human rights" (PsySSA, 2007:2). The definition of human rights within the context of psychological conduct is noteworthy (PsySSA, 2007:15-16):

Human rights means fundamental and inalienable human rights which may or may not be fully protected by the Bill of Rights enshrined in the Constitution of the Republic of SA. Of particular significance to psychologists, for example, are rights to: equal justice; fairness and due process; and developmentally appropriate privacy, self-determination, and personal liberty. Protection of some aspects of these rights may involve practices which are not contained or controlled within existing legislation.

For further analysis and discussion, we can also quote how the scope of human rights is portrayed by South African psychologists (PsySSA, 2007:13-14):

Psychologists accord appropriate respect to the fundamental human rights, dignity and worth of all people. They respect the rights of individuals to privacy, confidentiality, self-determination, and autonomy, and are mindful that legal and other obligations may lead to inconsistency and conflict with the exercise of these rights. Psychologists are aware of cultural, individual and role differences, including those due to age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language and socioeconomic status. Psychologists try to eliminate the effect on their work of biases based on these factors and they do not knowingly participate in or condone unfair discriminatory practices.

Similar to South African psychologists' emphasis on tangible, practical and more detailed aspects of human rights, The British Psychological Society (BPS) Professional Practice Board Policy Statement proposes that (BPS, 2018)

For psychologists, issues of human rights are not abstract, legal, provisions, but reflect formalised systems for ensuring that people's basic needs are satisfied—talking about 'human rights' is another way of describing how well-functioning societies work. Public services should therefore adhere to the principles of Fairness, Respect, Equality, Dignity and Autonomy—the FRED A principles—and we must be vigilant in ensuring that services adhere to anti-discriminatory practice. Public services should promote equality in access to mental health services for all, and should ensure that all members of civil society are engaged at all levels of planning and implementation. More generally, human rights, social inclusion and social equity must be promoted, as there is clear evidence that these issues are intimately related to healthy, supportive communities which support high levels of personal and psychological well-being.

When we move to Latin America, we see that Latin American psychologists' codes of conduct usually refer to human rights and/or Universal Declaration of Human Rights, an observation not surprising given the dark history of the human rights struggles in the continent. Argentinian psychologists' National Code of Ethics prohibits their participation to any act against human rights, especially any form of torture. The code recognizes psychological well-being as a fundamental human right (Federación de Psicólogos de la República Argentina, 2013). El Salvadoran psychologists' code emphasizes professional practice in accordance with human rights (Consejo Superior de Salud Pública, 2018). Chilean psychological code explicitly lists the cases against Human Rights such as torture and other forms of inhumane physical punishments and psychological abuse (Colegio de Psicólogos de Chile, 2018). Venezuelan psychologists' code celebrates the principles of Universal Declaration of Human Rights (Federación de Psicólogos de Venezuela, 2018). Law No 1090 (2006) of Colombia that regulates the professional practice of Colombian psychologists holds psychologists responsible to report human rights violations in their field (Ministerio de la Protección Social, 2006). Finally, in Costa

Rican psychologists' code, human rights are mentioned only with reference to torture (Colegio Profesional Psicólogos de Costa Rica, 2018).³

What is remarkable in our fast journey of the 6 continents is the fact that psychologists from the distant corners of the globe do differ in how they define human rights and construct the relationship between psychologists and human rights. Secondly, in some of them we see that the possibility that the laws may be in conflict with human rights is explicitly under discussion, although a full-fledged explanation about what to do in those difficult cases was not offered. In almost all of them, the human rights of the counselee (or patient) are also covered.⁴

The key questions and common themes for psychology and human rights

In this context, the main questions for psychology and human rights would be the following:

What can psychologists do to ensure the implementation and protection of human rights?

What can psychologists do in cases of human rights violations?

Based on the fact that some of the psychologists are violating human rights and/or helping human rights violators, what can be done to ensure that psychologists don't violate human rights?⁵

What to do with psychologists who are violating human rights and/or helping human rights violators?

How to help victims of human rights violations?

How to handle post-conflict reconciliation?

Although these questions are reasonable for a starting point, the notion of human rights should be detailed to provide a more comprehensive analysis. For such a closer look, the keywords concerning human rights would be discrimination, segregation, favoritism, unfairness, sense of liberty and security, slavery and forced labor, torture and inhumane forms of punishment, a fair judicial system including all stages and components of the justice system, protection of privacy and family life, imprisonment and forced relocations, refugees, stateless people, domestic violence, freedom of expression, freedom of belief,⁶ rights of peaceful assembly and association, social security, fair employment and trade union membership, time to rest and leisure time, provision of basic needs including housing, access to high quality education, cultural rights, state repression, free elections, death penalty, compulsory military service, woman rights, human trafficking etc.

This tentative list clearly shows that a comprehensive discussion of psychology and human rights would require at least a book-length space for a full-fledged elaboration of the coverage. It is known that psychologists are active in some of the fields associated with the thematic topics presented here such as discrimination, favoritism, fairness, sense of security, torture, refugees, domestic violence, state repression, compulsory military service, while some other topics are understudied by psychologists. In fact, psychologists have done lots of research on

³ The Ethics Code of American Psychological Association (APA) is not discussed here, as APA has been embroiled in a scandal which will be briefly discussed in the upcoming pages. For a comprehensive summary and discussion cf. Soldz, 2010.

⁴ As an anonymous reviewer quickly and correctly realized, some of the codes from different countries overlap; some even use the same precise wording, suggesting mutual influence or a common driver in establishing them.

⁵ Cf. the upcoming discussion on APA.

⁶ By the way, let us note that beliefs are not always religious.

human rights, but they rarely define, conceptualize and frame their research themes as such. For instance, Woolf and Hulsizer (2004) document a long list of research on psychology of genocide, massacres and mass violence. In fact, the whole idea about social trauma research is directly relevant for psychology and human rights. In case of human rights violations couched in different terms such as war trauma, post-conflict reconciliation, psychology of genocide survivors so and so forth, psychologists and psychiatrists are among the first professionals to help the victims. Thus, it appears that, contrary to the first impressions, psychology and human rights often intersect both in practice and academic knowledge production. However, they are stated in different terms. Therefore a holistic approach to psychology and human rights is necessary. What would be the advantage of such a holistic approach? It will help to establish closer connections between psychology and human rights on the one hand, and helping professions and human rights activists on the other. This will enormously contribute to democracy in general and democratization in countries with high rates of human rights violations.

Woods (2010) criticizes Universal Declaration of Human Rights and associated human rights scholarship and practices as they ignore the power of social influence. The widespread observations of obedience, compliance and conformity in the service of evil, or 'the banality of evil' are not recognized and accordingly responded to in official documents on human rights. These canonical documents can be said to be suffering from fundamental attribution error through which the influence of the situation over the individual is underestimated. In that sense, it is necessary to rewrite and update those documents with a psychological (especially social psychological) orientation. The official human rights documents have to specify what to do in cases of widespread misdeed and misconduct to eliminate the typical excuse (also known as 'Nuremberg defense') articulated by the perpetrators: "I was ordered to do it, I just executed the orders" and/or this [i.e. a particular human rights violation] was so common in the society that it was deemed the normal state of affairs."

In that sense, we need psychological knowledge to rewrite and update the human rights principles. Furthermore, although banality of evil is convincingly known to exist, banality of goodness may also be the case when people who helped Jews to escape Nazi persecution, risking their own lives are taken into account. Thus, another intersection for psychology and human rights would be about the study of risky altruism or helping behavior in contrast to unriskey altruism. The key question will concern the psychological mechanisms that bring out those people that help the victims under risky conditions vs. those that do not. Likewise, the psychological mechanisms behind why certain states or legal entities in general adopt, enforce and support human rights while some others do not would be quite relevant in this intellectual juncture. Woods (2010) complains that human rights scholarship and legal scholarship in general do not take advantage of the insights offered by social sciences and accordingly ask them to reorient themselves with the new social scientific findings and conclusions. So this is another gap that can be filled by collaborative efforts between psychologists and human rights scholars.

In what ways is psychology relevant for human rights and social institutions?

In this context, media, education system and justice system as social institutions are keys to encourage or discourage anti- and pro-human rights practices. So this section is dedicated to a brief elaboration of the relevance of psychology for promoting human rights with regards to media, education and justice.

Let's start with media: Radio offered an immense support for genociders in Rwanda similar to the case of public broadcasts in the Nazi era. However these three social institutions do not

have direct influences over individuals and groups. Their effects are moderated and mediated by a set of psychological factors. For example, while Nazis' public broadcasts vilifying Jews led some to attack them for example at Kristallnacht; others were not influenced by Nazi propaganda at all. Thus, the field of individual differences in reactions against the call for human rights violations 'as the new normal' is another intersecting field for psychology and human rights through persuasion research. Psychologists can help human rights supporters and scholars about how to be psychologically and social more resistant against such detrimental calls for action from a negative point of view and how to encourage people to engage in human rights activism from a positive perspective.

Here is what we can say about education: The psychologists and human rights experts rarely worked together; but recently this disconnect has been dismantling (Twose and Cohrs, 2015) with psychologists publishing works about human rights and undertaking practices to support human rights on the one hand, human right experts seeking assistance of psychological knowledge and practice on the other. To further support the links between psychology and human rights, human rights need to be part of undergraduate psychology curriculum (Hulsizer and Woolf, 2012). In fact, psychology majors are rarely prepared for human rights challenges of the professional life (Woolf and Hulsizer, 2004). However, alternatively it is proposed that human rights consciousness should be gained in childhood (McFarland and Mathews, 2005); undergraduate years may be too late for transformational education, personality change and skill acquisition, if not for knowledge acquisition. It may also be a part of citizenship education that is expected to commence by primary school years. A quick and easy solution in the short term would be extending the professional ethics courses included in psychology undergraduate and graduate programs to additionally cover human rights.

Human rights classes are especially visible in Latin American psychology degree programs. For instance, in Uruguay which is a country long suffered from ghastly human rights violations, Institute of Health Psychology under Universidad de la República offers a degree program in psychology and human rights (Psicología y Derechos Humanos, 2018). In their program brochure, they discuss a number of sensitive (sometimes even lethal) topics that are rarely vocally discussed within a psychological context such as state terrorism. Universidad Bolivariana (Chile) and Universidad Autónoma de Puebla's (Mexico) psychology undergraduate program includes a sophomore human rights course (Universidad Autónoma de Puebla, 2018; Universidad Bolivariana). Universidad Autónoma de Yucatán (2018) has no human rights course in undergraduate psychology program, however respect for human rights is listed as one of the program objectives.⁷

Finally, we are shifting our attention to the justice system: Another main problem is about the impunity of the human rights violations (Miles, 2007). When those violations go unpunished in real life and/or media, they start to become part of daily life. In that sense, rather than particularistic few examples of the violations, it gains a structural status which is harder to change. Just like in the case of #metoo movement, it is known that name, blame and shame campaigns are effective on the web to combat impunity (Miles, 2017), but unfortunately that is not true for all the cases. When there is no judicial authority that charge and prosecute human rights violators, name, blame and shame campaigns are powerless. Nevertheless, ease of circulation of the documentation of the human rights abuses on the web is conducive for human rights activism for some of the cases. In this vein, another intersection point would be that between media psychology, social media psychology and human rights.

⁷ Likewise, in a health psychology course offered by Universidad Nebrija (Spain), contributing to the knowledge and development of human rights is mentioned as one of the general competencies to be acquired upon completion of the program (Universidad Nebrija, 2018).

Paralleling the discussion about violence on media and social media, one can ask whether it is psychologically reasonable to portray massive human rights abuses which contain inhumane violence. Can the viewers, especially children and adolescents take the human rights abusers as their role models, and hence could such films lead to unintended consequences and results that are quite contrary to what was expected? In fact it is not the violence that is the primary problem; the primary issue here is whether violence is punished in the narrative or not. That is because if it is punished, then no viewer would take these negative protagonists as their role models.

Meeting points for psychologists and human rights experts in theory and practice

Although, it looks obvious that an ethical psychologist would necessarily abide with human rights conventions and principles, in practice this may not always hold true. For one thing, in countries like United States, capital punishment has not been abolished and psychologists as health professionals sometimes have a role in the execution such as determining whether the inmate is mentally competent to commit the crime and accordingly get executed (Koocher, 2009). It may be thought that same holds for the role of the psychologists in inhumane interrogations. However, in such a case, we can clearly talk about the breach of professional codes of conduct, but in the case of capital punishment, it is hard to decide whether the code was breached or not. On the other hand, whether human rights conventions were violated or not is a different matter. It was notable that in the case of inhumane interrogations, American Psychological Association's ethics code was modified in order not to clash with the psychological practices against human rights (Soldz et al., 2015). Inhumane practices are unacceptable, but they were normalized by APA for a long time.⁸

Another avenue for intersection of psychology and human rights is through research works to investigate human rights perceptions. As abstract entities, human rights principles are usually found to be supported by everybody, but when it comes to concrete issues in their full practicalities, only a smaller proportion of people are supporting human rights. In such a study, McFarland & Mathews (2005) draws a profile of American human rights supporters who are not only in favor of human rights in their abstract, acceptable forms but also in less popular concrete and practical forms: They got high scores on a number of variables and dimensions such as principled moral reasoning, empathy, optimism in positive changes in the world, whereas low scores on ethnocentrism, social dominance and authoritarianism. Furthermore, human rights supporters are usually more educated and more knowledgeable about foreign countries (McFarland and Mathews, 2005). In their research with converging results, Koo, Cheong and Ramirez (2015) distinguish human rights perceptions and representations through 3 dimensions which are knowledge, endorsement and engagement. While most of the research participants score high on knowledge and endorsement, just a few are human rights supporters in terms of engagement. In other words, activism is an exception rather than a norm which needs to be reversed to secure the foundations of the notion of human rights. Koo, Cheong and Ramirez (2015) conceptualize human rights engagement, in other words, human rights actions by the following behavioral options (Koo, Cheong and Ramirez, 2015:75):

- a) Supporting religious nonprofit organizations; b) making donations in support of minorities; c) having memberships in human rights NGOs; d) expressing opinions on the internet; e) signing petitions; f) joining campaigns/protests; and g) voluntary activities to support minorities.

⁸ For complicity of some of the prominent American psychologists in inhumane interrogations that violate human rights cf. Boyd et al, 2014; European Federation of Psychologists' Associations (EFPA) Board of Human Rights and Psychology, 2016 and Soldz et al., 2015.

Koo, Cheong and Ramirez (2015) conclude that while educational status is a significant predictor for human rights awareness and endorsement, it is not the case for age, gender and income level. However, whether this is due to a general effect of being educated or due to the content of the education obtained is not clear.⁹

Another case of intersection for psychology and human rights in Kohlberg's well-known model of moral reasoning (McFarland and Mathews, 2005) coupled with Gilligan's criticism of it from a gender perspective. Post-conventional moral reasoning in fact involves making decisions based on universal principles which are the human rights. However the tricky point lies in the fact that only a cognitive minority can attain the highest stages in Kohlberg's model, which implies that endorsement of human rights requires more complicated mental processes.

Theoretically speaking, the common view that human rights violators are psychologically sick people, or to be more specific, psychopaths needs to be challenged in the intersection of psychology and human rights. People are not doing bad things because they are sick, they do them with sane minds and that is why they are more dangerous. Despite of the situationist apologies such as Asch and Milgram experiments, in real life people have the options to choose and do good or bad deeds.

Human rights, psychology and the official discourse

A theoretical discussion of psychology and human rights should also reconsider some of the common expressions that distort the social realities. For example, to call a war as 'Vietnam War' is in fact conceptually taking sides. For Vietnamese people, that war can't be 'Vietnam War'. In Vietnamese language, it is called as 'American War'.¹⁰ Likewise, when the phenomenon of 'Vietnam syndrome' is discussed, mainstream academic psychology is almost always oblivious to the psychological damage inflicted on local Vietnamese people who were in fact the real victims of a Cold War-era proxy conflict. For people of the world occupied and heavily damaged by the globally Western powers, the pathologies they would be experiencing can't be called as 'Vietnam syndrome', but 'American syndrome' from the perspectives of the real victims of the relevant conflicts.

Another reality-distorting term is 'homophobia'. The emotion at hand is in fact not fear but hate. The term 'homophobia' is based on a wrong characterization of the underlying emotions. Furthermore, the part of '-phobia' conceptually assumes that 'homophobes' are psychologically sick people and they need therapy or other means to get normal. But again, just like in the beginning of our discussion, this assumption is based on the misconception that people do bad things because they are sick. Additionally, following the same wrong line of thought, if people are 'homophobic' because they are sick, they can't be legally and psychologically held responsible for their misdeeds. Alternatively, the correct term could be 'misohomy' rather than 'homophobia' which refers to hate ('miso' in Greek) rather than fear. The new term 'misohomy' can also fit very well with another similar term which is 'misogyny' (which means hate of woman). Thus, human rights experts can help psychologists to articulate politically and scientifically correct ways of defining and conceptualizing individual and social behaviors.

Conclusion

In this article on psychology and human rights, the initial point of departure has been the codes of conducts of psychologists from a number of countries of 6 continents such as Germany,

⁹ Some other relevant works can be mentioned here such as Rogers and Kitzinger (1995) and Stenner (2011).

¹⁰ Longer version is 'Resistance War Against America' ('Kháng chiến chống Mỹ' in Vietnamese language)

Australia, Canada, Philippines, South Africa, Argentina, El Salvador, Chile, Venezuela and Costa Rica. It is observed that in various countries, psychologists define and conceptualize human rights in different ways. Secondly, a number of codes explicitly mention the possible incompatibility of the law and human rights principles. The article lists and discusses a number of key questions and common themes in psychology and human rights such as psychology of discrimination, fairness, torture, refugees, domestic violence etc. After these, the effect of media over human rights violations, incorporation of human rights courses to psychology curricula and impunity and its relationship with media are discussed. Capital punishment and inhumane interrogation are elaborated on as relevant examples. The article ends with a focus on human rights perceptions and importance of human-rights-related expressions.

A few points can be proposed here for future studies in the relevant research field and practice: the notion of human rights needs to be extended to cover recently defined statuses such as LGBTI identities. South African Conduct Guidelines in Psychology which explicitly recognizes sexual orientation with reference to human rights ((PsySSA, 2007) is a good example to be followed by psychologists' professional organizations in other geographies. Although some of the codes refer to LGBTI identity, they are rarely connected to the notion of human rights. Thus, for those countries where LGBTI identities are recognized in professional codes, revisions and updates are necessary to position LGBTI identity with regard to human rights. Secondly, more empirical works are needed. A good example would be the Human Rights Questionnaire developed by the Northern Ireland Policing Board for Human Rights Annual Report. Policemen are asked about items that refer to specific human rights (the Northern Ireland Policing Board, 2005). Finally, a more holistic understanding of psychology and human rights is necessary, as we observed that although psychologists do research on various aspects of human rights and human rights violations such as discrimination and domestic violence, they rarely view and propose their studies as works in psychology and human rights.

To conclude, both psychology and human rights have a lot to contribute to each other as well as human's psychological well-being which—as we stated before—has been considered to be one of the fundamental human rights according to Argentinean psychologists (Federación de Psicólogos de la República Argentina, 2013).

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