

BLUNT FORCE

Investigating the misuse of police batons and related weapons

Time and again, law enforcement officials are too quick to resort to the use of force, often against peaceful protesters exercising their rights to freedom of peaceful assembly.

In recent years and throughout the Covid-19 pandemic, states have restricted the rights to freedom of peaceful assembly and freedom of expression, often violently. Civic space is shrinking. Among the most frequently used and misused weapons in this context are police batons in different forms and sizes.

Amnesty International has investigated the misuse of batons and other striking weapons, analysing illustrative cases spanning the past decade from around the world. Examining hundreds of photos and videos, researchers have verified 188 illustrative cases of the misuse of striking weapons including police batons, lathis (long sticks), sjamboks (rigid whips) and improvised weapons in 35 countries, covering all regions of the globe. These include examples from violent crackdowns of mass protests in countries as diverse as Belarus, Colombia, France, India and Myanmar.

Batons have been used to inflict beatings as a means of punishment, beatings of people who are already restrained, deliver unjustified dangerous head and neck strikes, and choke people in neck holds. Single baton blows have been delivered with such force that the victims have collapsed to the ground. Cases documented also include batons being used to commit sexual violence.

Less lethal weapons and equipment is intended to allow law enforcement officers to use the minimum level of force according to circumstances and avoid using lethal force. Some less lethal weapons and equipment can have a legitimate use in law enforcement if employed correctly and in line with international standards for law enforcement. Yet such equipment can have unintended dangerous and even lethal effects if not used in compliance with human rights standards and is open to abuse.

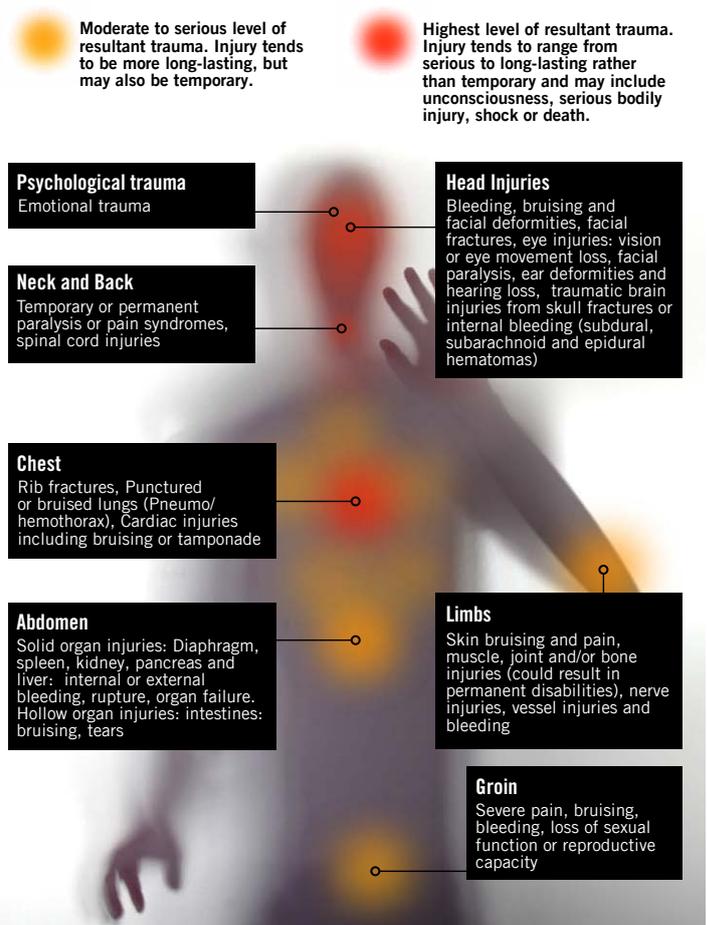
Amnesty International has documented its misuse in all regions of the world – in many instances against protesters exercising their right to freedom of peaceful assembly.

This equipment is the simplest - and commonest – type of less lethal weapon. Striking weapons come in many shapes and sizes and different materials. They include not just police batons and sticks, but also whips, which are inherently abusive. Striking weapons are routinely used in intimidatory, aggressive acts of force leading to physical and psychological trauma.

Police equipment is currently traded with little or no regulation. There is an emerging opportunity to create a global, legally binding instrument at the UN that prohibits the trade in inherently abusive equipment and places strict human rights-based trade controls on other equipment, like batons – which can serve a legitimate function, but that as our research shows, can also be used for acts of cruel, inhuman and degrading treatment, and even torture.

HEALTH IMPLICATIONS OF BATON STRIKES

Baton injuries can range from characteristic abrasions, bleeding and bruising to more severe injuries including bone fractures, nerve/muscle damage and internal injuries that may result in permanent disability or death. Injury patterns and severity are dependent on the location of the strike, the amount force used, and the type of baton.



! In the handling of public assemblies, it is the primary responsibility of the police to facilitate and protect the exercise of the right to freedom of peaceful assembly.

! Law enforcement officials face a wide variety of situations, sometimes requiring instantaneous decisions, often in highly stressful and even dangerous circumstances. The use of force must only be resorted to with the utmost respect for the law and with due consideration for the serious impact it can have on a range of human rights: the right to life, to physical and mental integrity, to human dignity, to peaceful assembly, and to freedom of movement – to name just the ones most frequently affected. Four guiding principles (legality, necessity, proportionality, and accountability) must govern any state action that impacts on the human rights of a person.

! The rights to freedom of peaceful assembly, expression and association are enshrined in international law. States are under an obligation to facilitate the right to freedom of peaceful assembly, actively encouraging people to engage in assemblies. States must respect, protect, and fulfil the right to peaceful assembly without discrimination of any kind.

CASE STUDIES

Striking weapons, such as simple batons, are the most common less-lethal weapon used by police forces around the world. Batons can be used legitimately for self-defence or defence of others against violent individuals or against individuals violently resisting lawful arrest. Yet, as these case studies show, they are also often used on persons already under control and / or to punish by inflicting pain and suffering. In some cases this amounts to torture or other ill-treatment. Other striking weapons, such as the *sjambok* (a type of stiff whip), cause unnecessary pain and injury, are inherently abusive, and should never be used for law enforcement; their manufacture, trade or promotion should be prohibited when intended for law enforcement purposes.

The following case studies illustrate the variety of human rights violations captured in the research. You can view the data set of 188 incidents [here](#)

188 VERIFIED CASES
OF THE MISUSE OF STRIKING DEVICES



IN 35 COUNTRIES,
COVERING ALL REGIONS
OF THE GLOBE

VIOLATION TYPE: UNJUSTIFIED DANGEROUS HEAD OR NECK STRIKES | LOCATION: HONG KONG | DATE: SEPTEMBER 2019



Description: A young male protester in Hong Kong is repeatedly hit with batons by several law enforcement officers in full riot gear in a Mass Transit Railway (MTR) station. One of the security officers strikes him on the head. He is then restrained on the ground while the officers arrest him. Bleeding is visible from the side of the head where he was struck.

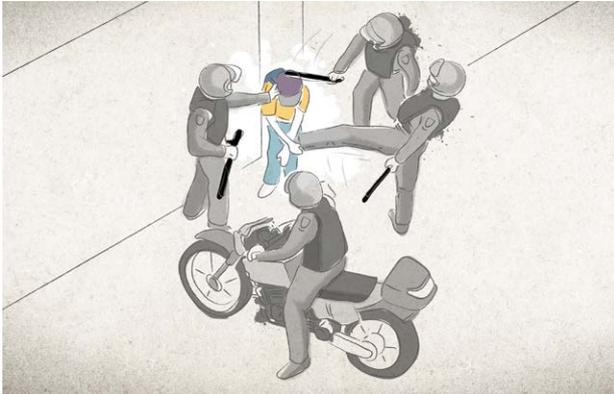
Amnesty International's analysis:

- Strikes to the head are dangerous; other options were available to the officers which would not cause such significant injuries. The injuries caused by strikes to the head outweigh the law enforcement purpose of restraining a person.

- Where officers are punitively using force that causes severe pain or suffering this will amount to torture.

CASE STUDIES

VIOLATION TYPE: EXCESSIVE USE OF FORCE | **LOCATION:** COLOMBIA | **DATE:** APRIL 2021



Description: At least five policemen surround a protestor in Colombia, pinning him into a corner outside a branch of Bancolombia bank. One of the officers then takes up their baton and starts striking the protestor. No officers intervene to stop the beating. The police officer strikes him with a baton several times, shortly after another officer kicks him.

Amnesty International's analysis:

- There are extremely limited situations in which the authorities can legitimately use batons at an assembly. In practice, they can only be used in response to violence or a threat of imminent violence.

- Baton strikes to the head or neck carry an inherent risk of serious injury and must be avoided.
- The use of force was unnecessary and disproportionate to the threat faced and so is a violation of international human rights law.

VIOLATION TYPE: STRIKES WHILE TARGET WAS RESTRAINED | **LOCATION:** BELARUS | **DATE:** DECEMBER 2020



Description: Three riot police are leading a protestor down some stairs. An officer strikes the protestor on the back of the legs even though he is not resisting the arrest. While held by one officer, the protestor is struck on the back of the head with a baton and punched in the face and stomach.

Amnesty International's analysis:

- Baton strikes while a subject is under control are unnecessary and disproportionate.
- This means the strikes were administered punitively, amounting to torture or other cruel, inhuman or degrading treatment or punishment. This is a human rights violation.

VIOLATION TYPE: RAPE/SEXUAL ASSAULT | **LOCATION:** FRANCE | **DATE:** MAY 2019

SEXUAL ASSAULT

LOCATION FRANCE | MAY 2019

Description: Several police officers surround a protestor lying on the ground. The protestor is being uncooperative with the officers. At one point an officer puts the baton inside the back of the protestor's trousers.

Amnesty International's analysis:

- Sexual assault with batons amounts to torture or other cruel, inhuman or degrading treatment or punishment. It is unlawful and a human rights violation.

CASE STUDIES

VIOLATION TYPE: BEATINGS AS A MEANS OF PUNISHMENT | **LOCATION:** MYANMAR | **DATE:** MARCH 2021



Description: CCTV footage captured during post-coup protests in Myanmar shows a police officer removing what appear to be medical workers from an ambulance. He makes them kneel and then proceeds to beat them with the butt of his rifle. Later in the sequence, more officers appear who then continue to strike the medical workers with batons.

Amnesty International's analysis:

- Beatings, with batons or ad hoc striking weapons such as rifle butts, as means of punishment constitute torture or other cruel, inhuman or degrading treatment or punishment.
- Repeatedly striking a person's head or neck with a baton is inherently dangerous. Likewise, repeated strikes with rifle butts can result in serious injury. This is a human rights violation.

RECOMMENDATIONS

Amnesty International's research has documented police forces using a range of equipment and weapons, including tear gas, rubber bullets and pepper spray, in a way that may have constituted torture or other ill-treatment.

This includes the deliberate and repeated punitive use of striking weapons, often against peaceful protesters, in acts that have caused unnecessary injury and psychological trauma. Some of the acts documented here amount to torture or other ill-treatment and have no place in law enforcement.

Tighter controls on law enforcement equipment should include robust trade controls. Amnesty International is calling on states to introduce regulations, or strengthen existing national controls, on the trade in law enforcement weapons and equipment used for torture or other forms of ill-treatment. States should also support the creation of a global, legally binding instrument to regulate the torture trade.

These measures should prohibit and prevent all trade of inherently abusive law enforcement equipment and weapons, such as spiked batons and sjamboks as well as body worn and direct contact electric shock devices and inherently degrading or painful restraints. All States must also strictly control the export and import of law enforcement equipment and weapons that can have a legitimate law enforcement function but can be readily misused, like standard batons, as well as tear gas, pepper spray and rubber bullets.

Export licences must only be issued after rigorous assessments of the risk of the equipment being misused for human rights violations. And licences denied where there is a reasonable risk of such misuse.

