



AMNESTY INTERNATIONAL'S RECOMMENDATIONS TO THE UKRAINIAN AUTHORITIES ON THE USE OF FORCE IN POLICING DEMONSTRATIONS

Amnesty International has documented numerous cases of excessive use of force by law enforcement officers in policing the demonstrations in Ukraine since November 2013 and calls on the authorities to take the following measures:

Ensure that the Ukrainian law enforcement agencies (including police, other security forces and the military) comply fully with international standards as set out in the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and thereby respect and protect the right to life, liberty and security of person.

Prohibit the firing of live ammunition and rubber/plastic-coated metal bullets unless it is strictly unavoidable to the minimum extent necessary to protect life, in self-defense or defense of others against the imminent threat of death or serious injury, and only when less extreme means are insufficient to achieve this objective. Such use should be only permitted for fully trained firearms officers under effective regulation, monitoring and control.

Prohibit the discharge of “less lethal” projectiles or baton rounds, such as those made purely from rubber or plastic, and stun grenades unless the projectiles are sufficiently accurate not to cause unwarranted injury and only used by fully trained firearms officers who are subject to effective regulation, monitoring and control as an alternative to the use of lethal force, and only if it is strictly necessary to discharge such projectiles in order to protect life, in self-defense or defense of others against the imminent threat of death or serious injury and, moreover, only permit the discharge of such projectiles in a manner likely to decrease the risk of unnecessary harm when less extreme means are insufficient to achieve this objective.

Establish strict rules and training for the use of hand-held batons by law enforcement officers in order to minimise the use of force and to prevent unwarranted injuries. There should be an express prohibition of baton blows aimed at a person’s head, neck and throat, spine, lower back, solar plexus, knees and ankles.

Ensure that all officers required to carry out law enforcement duties are selected by proper screening procedures, have appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous and thorough professional human rights based training. Their continued fitness to perform these functions should be subject to periodic review.

Prohibit the deployment and use of toxic chemical irritants likely to increase the risk of unnecessary harm or unwarranted injury and death to persons, such as firing a metal cartridge of irritant directly at an individual, using toxic chemicals in very high concentrations, using irritants in a manner likely to have indiscriminate effects such as when sprayed or fired over a wide area or into drinking water or food, launching such chemicals at or near people who are in confined spaces where exits and ventilation points are restricted, or launching the irritants near elderly people, children or others who may have difficulty in moving away to avoid the dangerous effects of toxic chemicals.

Ensure that Ukrainian security forces protect members of the public and their property against violence by others by instructing them to arrest members of the public who commit violent attacks or other serious offences, by carrying out prompt, detailed and thorough investigations of complaints of such violence submitted to them.



In light of the use of excessive force by law enforcement officers policing the current protests, Amnesty International calls on the Ukrainian authorities to:

Conduct independent, impartial and prompt investigations into all allegations of protestors killed or injured by Ukrainian security forces and vigilantes colluding with them. Where sufficient admissible evidence exists, prosecute Ukrainian personnel responsible for unlawful killings or injuries in civilian courts.

Provide all victims of crimes under international law committed by Ukrainian forces with full reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Financial compensation and other forms of reparation should be appropriate and proportional to the gravity of the violation, the harm suffered and the circumstances of the case. Facilitate access for all victims, their families and representatives to all judicial proceedings.

Establish a transparent system, open to public scrutiny, including an independent body of medical, scientific, and judicial experts to review and report on the safe development and dangers of non-lethal incapacitating weapons and 'less lethal' weapons in order to establish effective regulations and appropriate specialist capacity for the lawful deployment and use of such weapons in appropriate situations by fully trained and accountable law enforcement officials, with a view to increasingly restraining the application of means capable of causing death or injury, as well as arbitrary, abusive and excessive force.

Initiate a review of policing of demonstrations without delay to ensure that, in the future, the practices of Ukraine's security forces in policing demonstrations are fully consistent with international human rights standards especially the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the above-mentioned recommendations. Such measures should include the issuance of unequivocal orders and rules of engagement for policing demonstrations as a situation of law enforcement as opposed to a situation of military imperative, conducting training of forces, and ensuring accountability inside the security forces through appropriate disciplinary procedures.

Publicly disclose all existing use of force regulations and any other rules relevant to policing demonstrations in Ukraine.

Review existing legislation to ensure that arbitrary or abusive use of force by law enforcement officials is prosecuted as a crime under national law.

Invite the UN Special Rapporteur on extrajudicial, summary or arbitrary executions to visit Ukraine.

Regarding the transfer of military, security and policing equipment Amnesty International calls on the international community, including suppliers of equipment to Ukraine used for internal repression, to:

Suspend transfers to Ukraine of munitions, weapons, and related equipment including crowd control weapons and devices, training and techniques that pose a substantial risk of being misused by security forces in Ukraine until substantive steps have been taken by the Ukrainian authorities to achieve accountability for previous violations and effective mechanisms are in place to ensure that such items will not be used to commit or facilitate serious violations of international human rights law. The suspension should include all indirect exports via other countries, the transfer of components and technologies used for such equipment, and any brokering, financial or logistical activities that would facilitate such transfers.

States should ensure that any co-operation with Ukraine in the areas of law enforcement, security and justice does not contribute to the commission of human rights violations.