



Tackling the Trade in Tools of Torture: prohibited goods; controlled goods
Dr Michael Crowley, Omega Research Foundation
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The [Omega Research Foundation](#) (Omega) is an independent non-governmental organisation conducting evidence-based research and analysis into the manufacture, trade, and use of the full range of military, security and police technologies. Ever since our establishment in 1990 a major element of our work has been to uncover and document the global production and trade in policing and prison equipment that can be readily used in ill-treatment and torture – the “tools of torture”. Our primary research has informed the work of UN and regional anti-torture bodies and, for example, was the basis of a [2004 Study published by the UN Special Rapporteur on Torture into the production and trade of equipment specifically designed to inflict torture and ill-treatment](#). Working together with Amnesty International, our research and analysis informed the European Union’s process to develop a regional instrument to tackle this trade (EC Regulation 1236/2005); we have [subsequently monitored implementation of this Regulation](#), highlighting breaches, and have sought to [constructively engage with the EU to address weaknesses and loopholes in the Regulation](#), most notably during the comprehensive three year overhaul of the Regulation that resulted in the adoption of EU Regulation 2016/2134. We are keen to cooperate with States to promote similar initiatives in other sub-regional, regional or multilateral fora. We are currently engaged in work, together with Amnesty International, [to this end in the Council of Europe region](#).

Together with Amnesty International, Omega participated in the September 2017 launch of the *Global Alliance to end trade in tools of torture and capital punishment*, and we believe this alliance of States and concerned civil society can provide an important platform for the development and implementation of effective measures to combat this trade. We applaud member States’ public commitments as enunciated in the [Political Declaration](#) to act together to further prevent, restrict and end trade in goods intended for use in torture or capital punishment; and to adopt legislation and efficient enforcement systems for the restriction and elimination of trade in such goods. It is imperative that such public commitments are now turned into reality; in the short term through the introduction of national trade control systems, and subsequently through regional measures and eventually by the successful negotiation of an international instrument in this area.

Such measures must incorporate a ban on the trade in all inherently inhumane law enforcement equipment and related training, and specifically designed execution technologies. In addition it is imperative that States also introduce controls to effectively regulate the trade in a broader range of law enforcement equipment which if used in line with human rights standards can have a legitimate purpose, but which is frequently misused for torture and other ill-treatment; and deny authorisation for the transfer of such law enforcement equipment to those specific end users likely to misuse them for torture and ill-treatment. [Such a twin-track approach, with prohibited and controlled lists, of course underpins the European Union’s existing instrument in this area. i.e. EC Regulation 1236/2005 and the subsequent amending legislation].

In my presentation I will provide a summary of the range of law enforcement and prison equipment that Omega has discovered being actively promoted now by companies in the international arms and security equipment market place. I will go through equipment

category by category, distinguishing between inherently abusive equipment that should be banned, and law enforcement equipment that needs to be strictly controlled. Please note that the recommendations have been developed with Amnesty International and are reflected in [our joint publications in this area](#).

Electric shock devices

Direct contact electric shock weapons: A wide range of direct contact electric shock weapons (including electric shock batons, shields and stun guns) have been developed, marketed and are now employed by law enforcement officials throughout the world. And new developments are coming onto the market all the time.

For example in October 2014 an Asian company announced that it had sold 200 “shock capturing forks” to an Asian “Public Security Bureau”. Such weapons are designed to capture and hold a person at arm’s length whilst delivering electric shocks to them. Omega has subsequently documented the promotion of such weapons at the Milipol 2015 trade fair in Europe (where they were physically displayed) and at the IDEX 2017 trade fair in the Middle East. Similarly in Europe, Omega uncovered a European company promoting law enforcement stun gloves for “easy arrest control” at the Eurosatory trade fair in 2016 and in June 2018 Omega discovered an Asian company marketing electric shock “police arrest gloves” promoted for “melee combat” again at the Eurosatory trade fair.

The electric shock from all such weapons is applied directly by hand, as the weapons are pressed against an individual, causing intense, both localised and general pain but generally not incapacitating the subject. Due to their intrinsic nature and design, all such direct contact shock devices carry an unacceptable risk of arbitrary force. In addition, the ability to apply extremely painful electric shocks at the push of a button, including to very sensitive parts of a person’s body – throat, neck, ears, underarms, genitals - and to repeatedly do this without long-lasting identifiable physical traces makes them a favoured tool of torture. UN and regional torture monitors, Amnesty International and other non-governmental anti-torture organisations have documented such abuse in all regions of the world.

Omega and Amnesty International recommend that the trade in all direct contact electric shock devices for law enforcement purposes should be prohibited.

Body worn electric shock devices: A further range of electric shock devices are intended for attachment directly to prisoners’ bodies and can be activated by remote control; they include stun belts, stun vests and stun cuffs. They are worn, sometimes for many hours at a time, with the constant threat that they can be activated at any moment, and in the case of stun belts will deliver a 50,000 volt shock, via electrodes placed near the prisoner’s kidneys, causing severe pain for the duration of the shock and causing muscles to contract involuntarily, rendering the subject immobile.

Other physical effects can include muscular weakness, involuntary urination and defecation, heartbeat irregularities, seizures and welts on the skin. Although both the UN Committee against Torture and the European Committee for the Prevention of Torture have condemned the use of stun belts; they and other body worn electric shock devices are currently manufactured by companies in the Americas, Africa and Asia, and have been promoted by companies in all regions of the world.

For example until November 2017 a European company marketed stun hand cuffs which could inflict a 60,000 volt shock to a prisoner remotely from 300 metres away (with the slogan: “*You never saw an escaping prisoner stop so quickly!*”). Following campaigning and publicity on this case by Amnesty International and Omega, the company has now finally ceased promoting these devices.

Omega and Amnesty International recommend that the trade of all body worn electric shock devices for law enforcement purposes should be prohibited.

Electric shock projectile weapons: Electric shock projectile weapons are designed for law enforcement officials to incapacitate an individual who is posing a serious threat of violence in a stand-off situation. Most models work by firing darts attached by electrical wires to the launch device at an individual, and can be used from a distance of several metres. The darts attach to a person’s body, delivering an incapacitating high voltage electric shock that causes the subject to lose muscle control. When deployed by highly trained police officers in a stand-off situation to prevent an imminent threat of serious injury or death, such electric shock projectile weapons can be a legitimate alternative to firearms. However they can be readily misused so the employment of such weapons by law enforcement officials should be consistent with regional and international human rights standards, specifically the UN Basic Standards on the Use of Force and Firearms. And the use of such weapons in the “drive stun” mode (i.e. as direct contact electric shock weapons) should be prohibited.

Omega and Amnesty International recommend that the trade in law enforcement electric shock projectile devices should be strictly regulated; no authorisations should be granted for transfers to end users likely to misuse this equipment for torture and ill-treatment.

Mechanical restraints

Handcuffs and leg cuffs: One of the most common types of law enforcement equipment, mechanical restraints are applied to the body to restrict the movement of an individual. If used appropriately, in conformity with human rights standards, certain mechanical restraints such as standard handcuffs and leg-cuffs can have an important role in the safe detention and restraint of prisoners. The circumstances and limits within which these restraints are used should be consistent with international and regional human rights standards notably the UN Standard Minimum Rules for the Treatment of Prisoners. However handcuffs and leg restraints are often misused to increase the level of suffering caused to individuals already under control, for example through excessive tightening, attachment to fixed objects, employment in suspension of prisoners, to place and maintain prisoners in stress positions; or used in conjunction with other means of force e.g. hand-held batons or pepper spray.

Omega and Amnesty International recommend that the trade in standard handcuffs and leg restraints for law enforcement purposes be strictly regulated; no authorisations should be granted for transfers to end users likely to misuse this equipment for torture and ill-treatment.

Inherently abusive restraints: Rule 47 of the UN Standard Minimum Rules for the Treatment of Prisoners states that “*the use of chains, irons or other instruments of restraint which are inherently degrading or painful shall be prohibited.*” In addition, both the UN Special Rapporteur on Torture and the UN Committee against Torture have condemned methods of restraint that are inherently inhuman, degrading or painful, or have such effects.

However, the Omega Research Foundation has documented the development and commercial marketing of “*degrading or painful*” mechanical restraints that severely restrict movement, cause severe pain or risk serious injury to the prisoner. They include thumb-cuffs, finger-cuffs, leg irons (some weighing up to 8 kilograms) and fixed restraints. This includes restraints specifically designed to be bolted to fixed objects or prison walls, floors or ceilings which companies in Asia and Europe have manufactured and promoted.

For example, one Eastern European company currently manufactures and promotes a restraint bracelet incorporating a single handcuff and a “*stationary mount in the form of a rock bolt*”. According to the company it “*allows you to restrict freedom of movement*” of the prisoner who will be “*safely chained to the wall.*” The company also manufactures “Bouquet” Bracelets for restraining up to five prisoners together and allows the “*possibility of fixing [a] group...to a fixed support.*” The company claims that these fixed restraints have been adopted by the “*Interior Ministry [and] the Federal Border Service of*” and Eastern European country.

Omega and Amnesty International recommend that the trade of all such inherently degrading or painful restraints should be prohibited.

Whilst certain full body restraints may have legitimate employment in restricted and carefully controlled medical contexts, a range of inappropriate devices incorporating multiple restraints such as shackle-boards, shackle-beds and restraint chairs have been commercially promoted for penal and law enforcement use.

The UN Committee against Torture has previously recommended the abolition of “*restraint chairs as methods of restraining those in custody*”. As “*Their use almost invariably leads to breaches of Article 16 [the prohibition against cruel, inhuman or degrading treatment].*” However Omega has documented the continuing manufacture and commercial promotion of a range of interrogation or restraint chairs; some manufactured by Asian companies have metal restraints, whilst others manufactured in the Americas incorporate fabric restraints.

Omega and Amnesty International recommend that the trade in restraint chairs, beds, or boards intended for law enforcement purposes should be prohibited. And that stringent controls on the trade in restraint chairs, beds and boards utilising fabric straps be introduced to ensure they are only transferred to and employed by trained health professionals solely for medical purposes.

Kinetic impact weapons

Omega has identified companies throughout all regions of the world that have manufactured or promoted hand held kinetic impact (or striking) weapons, notably batons and truncheons; or launched kinetic impact weapons and projectiles such as plastic and rubber bullets. Such weapons and projectiles are widely employed by law enforcement officials notably in public order policing and also in places of detention. If employed in conformity with international human rights standards and use of force guidelines, certain types of such weapons can have a legitimate role in law enforcement. However human rights organisations have regularly documented their widespread abuse to inflict unnecessary or excessive force – which has included their employment in ill-treatment and torture - and in certain cases this has resulted in serious injury or death.

Spiked kinetic devices: In addition, investigation by Omega has discovered the ongoing marketing of a range of spiked kinetic impact devices including spiked batons, spiked shields and spiked assaultive arm armour intended for use by police and security forces. These have been promoted in security trade fairs across the world. Their use would lead to severe physical pain and serious injury and they clearly have no legitimate law enforcement purpose.

Omega and Amnesty International recommend that the trade in spiked kinetic impact devices (including batons, shields and arm guards) for law enforcement purposes be prohibited.

In addition, the trade in launched-kinetic impact weapons or hand-held kinetic impact weapons should be stringently controlled. No authorisations should be granted for transfers to end users likely to misuse this equipment for torture and ill-treatment.

Riot control agents and associated delivery mechanisms

Riot control agents (RCAs) – tear gas and pepper spray – are commonly used around the world for law enforcement purposes, both for riot control purposes as well as for arrest and restraint of individuals. When used in accordance with manufacturers’ guidelines and in line with international human rights and use of force standards, they can provide an alternative to other applications of force more likely to result in injury or death. However they can easily be misused, including in prison cells and detention centres to ill-treat and torture individuals, and during policing of public assemblies, potentially to facilitate ill-treatment and punishment on a large scale. When the authorities use RCAs like tear gas in excessive quantities or in confined spaces where people cannot disperse, the toxic properties of the agents can lead to serious injury or death, particularly to vulnerable individuals. In addition, people have died and been injured by being hit directly, with RCA projectiles such as tear gas canisters.

Omega has identified companies around the world that have manufactured or promoted RCAs or associated delivery mechanisms. The majority of RCA delivery devices currently manufactured, traded and employed by law enforcement officials (such as RCA grenades and cartridges, hand held irritant sprayers or single RCA projectile launchers) individually disperse a limited amount of RCA over relatively short distances, and when employed proportionately, affect individuals or small groups. However, such devices if used repeatedly or in large numbers can disperse significant amounts of RCA over wide areas, affecting sizeable groups or crowds, which may amount to excessive use of force.

Given the history of their misuse by certain police and security forces, Omega and Amnesty International recommend that the trade in standard RCA delivery mechanisms should be stringently controlled. No authorisations should be granted for transfers to end users likely to misuse this equipment for torture and ill-treatment.

In addition, Omega has documented the development and promotion of a growing range of systems capable of delivering far greater amounts of RCA over wider areas or extended distances. These include large capacity spraying devices, automatic grenade launchers, multi-barrel projectile launchers and large calibre RCA projectiles. A contemporary trend has been the development of unmanned ground vehicles or unmanned aerial vehicles (drones) capable of carrying RCA-spraying devices or RCA projectile launchers. For example, an African company has promoted the Skunk riot control drone. Capable of holding up to 4,000 pepper balls, this drone is equipped with four high-capacity paintball barrels that can cumulatively release “80 Pepper balls per second, stopping any crowd in its tracks.” In October 2015, the

company director announced development of a modified Skunk copter capable of carrying up to 48 tear gas grenades, supplied by an unnamed South American company, which can be dropped over crowds.

Certain wide area RCA delivery mechanisms may have utility in large scale public order situations however they could readily be misused for collective ill treatment or punishment of crowds and their trade needs to be strictly controlled. Other “wide area” RCA delivery mechanisms previously developed and promoted by companies in Asia and Europe such as RCA artillery or mortar shells and cluster munitions are inherently inappropriate for law enforcement and should be prohibited.

Training & technical assistance

Whilst professional training of police and prison officers in the appropriate use of security equipment and restraints can reinforce and operationalise human rights standards and good practice, Omega has uncovered instances where law enforcement officials have been trained in potentially abusive or dangerous techniques. Such training, particularly if endorsed by senior law enforcement officials in recipient countries, risks entrenching potentially abusive practices in those countries.

One European company which supplies security equipment also trains police forces in their use. This training includes employment of restraints to place prisoners in hyper-extended positions (hog-tying) and also in the use of batons for neck holds. Such techniques are similar to those the European Committee for the Prevention of Torture recommended be halted. Images and videos on the company website show training in such techniques to a range of police forces in Europe, Asia, Africa and the Americas.

Omega and Amnesty International recommend that States control the supply of technical assistance including instruction, advice, training or the transmission of working knowledge or skills that could aid the commission of torture and other ill-treatment. Such controls should:

- ***explicitly prohibit the supply of technical assistance related to goods or working knowledge or skills which have no practical use other than for torture or other ill-treatment;***
- ***require prior authorisation for the provision of technical assistance relating to goods that have a legitimate law enforcement purpose but which could be misused for torture or ill-treatment.***

Conclusions

It is clear from Omega’s ongoing research that the trade in “tools of torture” is international in nature and is currently out of control. It is a global problem, requiring a global response from all States. Consequently Omega strongly supports the Global Alliance, which has the potential now to facilitate the development of truly effective national and multilateral measures which will prohibit the trade in inherently inhumane equipment and control the trade in law enforcement equipment that could be readily misused for torture. If this potential is fully realised, the Global Alliance and all its member States will have been responsible for a highly significant advance in the fight against cruelty and human suffering throughout the world.