

Introduction

1. The excessive use of force by law enforcement remains a prevalent issue in the United States since its last Universal Periodic Review (UPR) on November 9, 2020. In responding to the Black Lives Matter protests of 2020, law enforcement in the United States repeatedly failed to comply with domestic and international standards on the use of less lethal weapons.¹ American companies are involved in the global trade of inherently abusive goods, contrary to international obligations.² Government efforts to promote oversight, controls, and accountability remain insufficient to mitigate future violations, and have been undermined by recent policy changes in 2025. These trends highlight the need for the United States to fulfill its obligations to respect the rights to peaceful assembly and prevent the excessive use of force, as committed to in the last UPR cycle.

International Human Rights Standards and National Legal Landscape

2. International standards guiding the use of force dictate that law enforcement may only use force in circumstances where force is strictly necessary – for the prevention of a crime or to carry out a lawful arrest – but that its use in these instances must be proportional to the threat posed.³ States are required to enact national legislation to ensure that law enforcement use non-violent means before resorting to the use of force, exercise restraint when force is necessary, provide medical aid to injured persons as soon as possible, and criminalize the arbitrary or excessive use of force.⁴ The 2020 United Nations Guidance on Less Lethal Weapons further outlines six principles for the use of force, including: legality, precaution, necessity, proportionality, non-discrimination, and accountability.⁵ These principles place an obligation on law enforcement officials to deescalate situations and to seek a peaceful resolution wherever possible. When law enforcement officials fail to meet these obligations, agencies must act to ensure accountability for perpetrators.
3. Various UN Special Procedures and Resolutions have stated that the duty to prevent torture and other ill-treatment requires states to establish controls that prohibit the trade in inherently abusive goods.⁶ In 2019, the UN General Assembly adopted a resolution calling “upon all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export, import and use of equipment that has no practical use other than for the purpose of torture or other cruel, inhuman or degrading treatment or punishment.”⁷
4. During its third cycle Universal Periodic Review, the United States supported recommendations to respect the right to peaceful assembly and refrain from the use of force and lethal weapons, in accordance with existing international standards.⁸
5. In May 2022, then-President Joe Biden signed Executive Order (EO) 14074, “Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety.”⁹ This EO supported updating, clarifying, and providing “federal law enforcement officers with clear guidance on use-of-force standards,” and “assessing and addressing the effect on communities of use of force by law enforcement.”

6. Within hours of taking office on January 20, 2025, President Donald Trump signed EO 14148, “Initial Rescissions of Harmful Executive Orders and Actions,” which revoked EO 14074.¹⁰ In addition to reversing the policies listed in the previous paragraph, this EO signaled support for enabling future excessive force by law enforcement by ending federal bans on “no-knock” warrants and chokehold restraints.

Health impacts

7. Law enforcement and security forces across the world are increasingly responding to protests with excessive force involving less lethal weapons.¹¹ The United States is no exception to this global trend. The excessive and improper use of less lethal weapons undermines the rights to free expression and assembly, and poses risks to protestors’ right to health.
8. Ammunition containing “less lethal” projectiles (referred to as Kinetic Impact Projectiles, or “KIPs”) can be hand-thrown or fired from a range of launchers or shotguns.¹² Different types of KIPs ammunition contain various numbers, types, and sizes of projectiles that vary in velocity and accuracy. At close range, KIPs can cause penetrative or blunt impact, leading to deaths or serious injury. If they strike a vulnerable part of the body, such as the head or neck, KIPs can also cause serious injuries or death. When fired from a greater distance, KIPs are inherently inaccurate and can cause unintended injuries to bystanders, violating the principle of non-discrimination. Common injuries from KIPs include: direct-trauma to the eye (which can cause permanent blindness and brain injury), head trauma, bruising to the lungs and heart (which can lead to bleeding, pneumothorax, and heart attacks), and damage to the skin (which can lead to muscle and nerve damage).¹³
9. Other less lethal weapons pose similar health risks. Chemical irritants can inflict long-term health harms, including chronic respiratory conditions, permanent disability, and death. Because chemical irritants are indiscriminate in nature, they can be life threatening to vulnerable populations, such as young children, older people, or those with underlying health conditions – including skin or respiratory conditions – who may react more severely to chemical irritants.
10. Police violence not only directly harms the physical health of individuals, but also their mental well-being. 11 of the 19 individuals who shared mental health sequelae with medical evaluators after the June 4, 2020 Mott Haven protests in New York City described symptoms consistent with Post-Traumatic Stress Disorder (PTSD). All 19 described symptoms consistent with depression and anxiety.¹⁴

Excessive Force Used in the Context of Protests and Public Gatherings

11. In its third cycle UPR, the United States accepted recommendations relating to excessive use of force in the context of protests¹⁵ and the right to peaceful assembly,¹⁶ including to “Increase action to prevent excessive use of force by law enforcement officers and ensure

that relevant allegations are investigated and that perpetrators are prosecuted.”¹⁷ Despite this, reports continue to emerge documenting the misuse of law enforcement equipment against people participating in protests in the United States.

12. KIPs have been used to disperse peaceful public protests in the United States.¹⁸ Media and civil society reports cite instances of excessive and indiscriminate use of KIPs against protesters in the United States. Physicians for Human Rights (PHR), for example, documented at least 115 people across the United States who were shot in the head or neck with KIPs during the period of May 26, 2020, to June 27, 2020.¹⁹ The United Nations Guidance on Less-Lethal Weapons in Law Enforcement notes that KIPs should not be targeted at the head, face, or neck.²⁰
13. One person who was hit in the face on May 31, 2020, in Minneapolis, Minnesota, said: “My eye exploded from the impact of the rubber bullet and my nose moved from where it should be to below the other eye. The first night I was in the hospital they gathered up the pieces of my eye and sewed it back together. Then they moved my nose back to where it should be and reshaped it. They put in a prosthetic eye – so I can only see out of my right eye now.”²¹
14. In Los Angeles, PHR documented at least 12 people struck in the head with KIPs on May 30, 2020. PHR’s research found no evidence that any of those civilians injured were behaving in a manner that warranted the use of force as outlined in the Los Angeles Police Department (LAPD) use of force rules.²² The Los Angeles City Council unanimously voted for an “after action” investigation into incidents of the possible use of excessive force, including KIPs.²³ Investigators concluded that the LAPD was unprepared for the unrest, disregarded rules on mass arrests and crowd control, and “didn’t have the training and experience that was necessary.”²⁴

Impediments to Medical Care in Protest Settings

15. The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials outline clear obligations to ensure access to medical care in protest settings. When the use of force and firearms is unavoidable, law enforcement officials shall “exercise restraint in such use... minimize damage and injury... [and] ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.”²⁵ The UN Guidance on the Use of Less-Lethal Weapons also calls on law enforcement to provide medical personnel “with safe access to attend to any injured, whether they are acting officially or as volunteers.”²⁶ Law enforcement conduct during the 2020 Black Lives Matter protests appeared to violate these principles in some instances by (1) withholding or impeding the delivery of medical care and (2) committing violence against medical personnel.
16. Medical personnel in Portland, Oregon reported that local law enforcement – the Portland Police Bureau (PPB) – and federal agents obstructed and failed to provide medical aid to injured and affected populations.²⁷ Medical supplies were contaminated and destroyed by law enforcement during arrests and tear gas was reportedly directed at clearly marked

medical posts. For most of July 2020, official ambulances were prevented by PPB from arriving within several blocks of the downtown protest site to assist and transport injured demonstrators to emergency rooms. Multiple individuals interviewed by PHR reported that protestors and doctors injured during the protests needed to be transported to emergency rooms by private vehicles.²⁸

17. Survivors of excessive force in other protest-settings reported similar experiences of medical care being impaired. Tina Crnko, was struck in the forehead with a KIP on May 30 in Los Angeles, “causing temporary hearing loss and extreme pain.” She was unable to get help from a medic on site” due to officers continuing to advance on her group.²⁹ Medical treatment was also denied by law enforcement in Mott Haven, New York to a woman who appeared to be suffering a seizure.³⁰
18. Excessive and disproportionate use of force against medical personnel was also reported during the Portland protests. 20 health professionals interviewed by PHR all reported being exposed to chemical irritants released against protestors by PPB and federal agents. This indiscriminate use of chemical irritants likely violated Portland police crowd control policy³¹ and international guidance to minimize the impact of the use of force on medical personnel and bystanders.³²
19. Portland medics reported being directly targeted by projectiles, even when providing medical care to the injured. One medic recounted, “I had a red backpack with a huge ‘Street Medic First Aid’ patch, red crosses on arms, on my hat... Rather than throwing at the large crowd, police threw a flash grenade at my heel. I had a burn where my pants ended and boot began.”³³

Export of Inherently Abusive Law Enforcement Equipment

20. Several U.S. companies are known to manufacture and export law enforcement weapons and equipment that could be used for torture and other ill-treatment. For example, a U.S. company, Combined Systems Inc., manufactures a multiple projectile launch system, the VENOM. The system, originally developed for the U.S. Marine Corps, is a “30-tube, lightweight, high capacity 38mm grenade launcher [intended for] mounted use on vehicles, tripod mounts, and static installations,” which can launch up to 30 flash-bang and chemical irritant projectiles.³⁴
21. Media reporting and human rights organizations³⁵ have documented the “reckless” use of the VENOM launcher system to suppress protests in Colombia, including in 2021 in Bogotá,³⁶ Cali,³⁷ and Popayán.³⁸
22. Powerful multiple projectile systems such as VENOM that lead to excessive and uncontrollable use of force cannot be used in a manner consistent with the principles of necessity or proportionality, or the duty of law enforcement officials to minimize harm.³⁹

23. Launchers such as this have been identified by the UN Special Rapporteur on Torture as being among those types of weapons and equipment considered to be “inherently cruel, inhuman or degrading and therefore considered to be prohibited.”⁴⁰ Their manufacture, trade, and use should be prohibited.
24. We join with the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, and civil society from around the world to call on States – including the United States – to address the trade in law enforcement equipment used for torture and other ill-treatment.⁴¹
25. Executive Order 14148 signed by President Trump on January 20, 2025, revoked EO 14074 of 2022 which restricted the sale of military weapons and equipment to law enforcement agencies. Among the previously prohibited items were grenade launchers, “flash bang” stun grenades, and long-range acoustic devices.^{42 43}

Recommendations for Action by the State Under Review

26. Ensure national, state, and local regulations, procedures, and protocols on the use of force (including the use of less lethal weapons) fully comply with international human rights standards, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990, and the UN Guidance on Less Lethal Weapons in Law Enforcement.
27. Promote and support appropriate training for law enforcement at the local, state, and federal level about de-escalation techniques and the human rights compliant use of equipment they are issued. Those who have not completed appropriate training should not be permitted to carry or use less lethal weapons.
28. Ensure that protestors have access to timely medical care and that law enforcement does not inhibit ambulances from caring for injured people.
29. Ensure transparency and accountability for law enforcement use of force, including through independent and effective accountability and oversight mechanisms.
30. Ensure that victims of excessive force can obtain redress, even in the absence of a criminal conviction of the perpetrator(s), as well as fair and adequate compensation, including the means for the fullest rehabilitation possible.
31. Ensure that the collection of data on cases of excessive or deadly use of force by law enforcement officials, and the reporting of such cases to the Federal Bureau of Investigation for inclusion in its database, is mandatory, and that the data are publicly available and disaggregated by age, sex, race, and ethnicity of the perpetrators and the victims, as outlined by the Committee on the Elimination of Racial Discrimination.⁴⁴

32. Support the UN-level process to develop international controls on the trade in law enforcement equipment used for torture and other ill-treatment.
33. Ensure national controls on the trade in law enforcement equipment are robust and effective. They should, *inter alia*,
 - a. Prohibit the production, promotion, trade, transfer, and use of law enforcement equipment with no practical use other than for torture and other ill-treatment; and
 - b. Control the trade in law enforcement equipment that could be easily used for torture and other ill-treatment, with trade authorization to be withheld when there are reasonable grounds for believing that goods might be employed for torture or other ill-treatment, or other human rights violations, by the end-user.

¹ “Less lethal weapons” refer to weapons that law enforcement can use in situations where some degree of force is necessary, but where the use of firearms would be unlawful. These weapons are intended to reduce the risk of injury to members of the public. However, when used improperly, less lethal weapons can still pose risks to the health and safety of the public, including serious injury or death. See “United Nations Guidance on Less Lethal Weapons in Law Enforcement,” Office of the United Nations High Commissioner for Human Rights (OHCHR), New York and Geneva, 2020, https://www.ohchr.org/sites/default/files/Documents/HRBodies/CCPR/LLW_Guidance.pdf, 1.

² “The path to an international torture free trade treaty,” Omega Research Foundation, accessed April 4, 2025, <https://omegaresearchfoundation.org/international-controls-on-the-trade-in-the-tools-of-torture/>.

³ “Code of Conduct for Law Enforcement Officials,” United Nations General Assembly Resolution 34/169, December 17, 1979, <https://www.ohchr.org/en/instruments-mechanisms/instruments/code-conduct-law-enforcement-officials#:~:text=Law%20enforcement%20>

⁴ “Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,” Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, September 7, 1990, <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-use-force-and-firearms-law-enforcement>.

⁵ “United Nations Guidance on Less Lethal Weapons in Law Enforcement,” 4-13.

⁶ “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment,” United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, U.N. Doc. A/78/324, August 24, 2023; Special Rapporteurs Alice Jill Edwards, Clément Nyaletsossi Voule, and Morris Tidball-Binz, “UN experts call for international torture-free trade agreement,” United Nations Office of the High Commissioner for Human Rights, April 29, 2024, <https://www.ohchr.org/en/press-releases/2024/04/un-experts-call-international-torture-free-trade-agreement>.

⁷ “Resolution on torture and other cruel, inhuman or degrading treatment or punishment,” United Nations General Assembly Third Committee, U.N. Doc. A/RES/77/209, December 15, 2022, para. 21; “Torture and other cruel, inhuman or degrading treatment or punishment,” United Nations General Assembly, U.N. Doc. A/RES/74/14, December 18, 2019, para. 20.

⁸ Universal Periodic Review of the United States – Third Cycle – 36th Session: Thematic List of Recommendations,” United Nations, November 29, 2020, accessed April 1, 2025, <https://www.ohchr.org/en/hr-bodies/upr/us-index>, recommendation 26.219 (Thailand, source of position: A/HRC/46/Add.1 - Para.7).

⁹ Executive Order 14074, 87 Fed. Reg. 32945 (May 25, 2022), <https://www.federalregister.gov/documents/2022/05/31/2022-11810/advancing-effective-accountable-policing-and-criminal-justice-practices-to-enhance-public-trust-and>.

¹⁰ Executive Order 14148, 90 Fed. Reg. 8237 (January 20, 2025), <https://www.federalregister.gov/documents/2025/01/28/2025-01901/initial-rescissions-of-harmful-executive-orders-and-actions>.

¹¹ Matthew McEvoy, Neil Corney, Marina Parras, and Rohini J. Haar, ‘State violence against protesters: Perspectives and trends in use of less lethal weapons.’ *Torture* 34, no. 1 (2024): 22-43.

¹² “Kinetic impact projectiles,” Omega Research Foundation, accessed March 13, 2025,

<https://omegaresearchfoundation.org/what-we-do/projectiles/>.

¹³ “Guidance on Less-Lethal Weapons in Law Enforcement,” 7.5.3; “Health Impacts of Crowd-Control Weapons: Kinetic Impact Projectiles (Rubber Bullets),” Physicians for Human Rights, January 1, 2017, accessed March 20, 2025, <https://phr.org/our-work/resources/health-impacts-of-crowd-control-weapons-kinetic-impact-projectiles-rubber-bullets/>.

¹⁴ Michele Heisler, Brianna da Silva Bhatia, Sarah Vinson, and Jack Saul, “Expert Statement on Individual and Community Effects from Trauma Due to NYPD Use of Force in Response to the Mott Haven Protest on June 4, 2020,” Physicians for Human Rights, April 2021, accessed March 20, 2025, <https://phr.org/wp-content/uploads/2021/04/PHR-Mott-Haven-Protest-Expert-Statement-April-2021.pdf>, 20-22.

¹⁵ “Universal Periodic Review of the United States – Third Cycle – 36th Session: Thematic List of Recommendations,” United Nations, November 29, 2020, accessed April 1, 2025, <https://www.ohchr.org/en/hr-bodies/upr/us-index>. See recommendations 26.221 (United Kingdom of Great Britain and Northern Ireland, source of position: A/HRC/46/15/Add.1 - Para. 9); 26.224 (Argentina, source of position: A/HRC/46/15/Add.1 - Para 7); 26.229 (Austria, source of position: A/HRC/46/15/Add.1 - Para.10); 26.232 (Côte d’Ivoire, source of position: A/HRC/46/15, Add.1 - Para.6).

¹⁶ Ibid, recommendations 26, 270, Belarus, source of position: A/HRC/46/15/Add.1 - Para.6; 26.271, Egypt, source of position: A/HRC/46/15/Add.1 - Para.6; 26.272, Brazil, source of position: A/HRC/46/15/Add.1 - Para.7).

¹⁷ Ibid, recommendation 26.218 (Norway, source of position: A/HRC4615Add.1 - Para 9).

¹⁸ There have been reports of misuse of other kinds of equipment by law enforcement in the context of policing of assemblies in the United States. For this submission, we have chosen to focus on kinetic impact projectiles. Please contact the authors for more information on other kinds of equipment, or with any questions.

¹⁹ “Shot in the Head,” Physicians for Human Rights, accessed March 20, 2025, <https://storymaps.arcgis.com/stories/29cbf2e87b914dbaabdec2f3d350839e/print>, 4.

²⁰ “Guidance on Less Lethal Weapons in Law Enforcement,” 7.5.8.

²¹ “The World is Watching Mass Violations by U.S. Police of Black Lives Matter Protesters’ Rights,” Amnesty International, August 4, 2020 (AMR 51/2807/2020), accessed March 19, 2025, <https://www.amnesty.org/en/documents/amr51/2807/2020/en/>.

²² Physicians for Human Rights, “Shot in the Head,” 30.

²³ Independent Counsel, Gerald Chaleff, “An Independent Examination Of The Los Angeles Police Department 2020 Protest Response,” March 10, 2021, https://clirep.lacity.org/online/docs/2020/20-0729_rpt_CLA_03-11-21.pdf, 43.

²⁴ Kevin Rector and Emily Alpert Reyes, “Highly critical report faults LAPD for mishandling summer George Floyd unrest,” Los Angeles Times, March 11, 2021, <https://www.latimes.com/california/story/2021-03-11/new-report-faults-lapd-for-mishandling-summer-unrest>.

²⁵ “Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.”

²⁶ “Guidance on Less-Lethal Weapons in Law Enforcement,” 4.6.

²⁷ Kathryn Hampton, Michele Heisler, and Donna McKay, “Now they seem to just want to hurt us”: Dangerous Use of Crowd-control Weapons against Protestors and Medics in Portland, Oregon,” Physicians for Human Rights, October 8, 2020, https://phr.org/our-work/resources/now-they-just-seem-to-want-to-hurt-us-portland-oregon/#_ednref65, 38.

²⁸ Ibid, 35, 40.

²⁹ Physicians for Human Rights, “Shot in the Head,” 23-24.

³⁰ Physicians for Human Rights, “Expert Statement on Individual and Community Effects from Trauma Due to NYPD Use of Force,” 12.

³¹ Portland Police Bureau, “Police Directives: Weapons / Ammunition / Equipment (1000),” 1010.00 Use of Force, accessed April 1, 2025, para. 6.2.1, <https://www.portland.gov/policies/police-directives/weapons-ammunition-equipment-1000/101000-use-force>

³² “United Nations Guidance on Less Lethal Weapons in Law Enforcement,” 7.

³³ Kathryn Hampton, “Now they seem to just want to hurt us,” 31.

³⁴ ““My Eye Exploded”: The Global Abuse of Kinetic Impact Projectiles.” Omega Research Foundation and Amnesty International, March 14, 2023 (ACT 30/6384/2023), accessed March 18, 2025, <https://www.amnesty.org/en/documents/act30/6384/2023/en/>.

³⁵ “Colombia: Cali: in the epicentre of repression, human rights violations during the 2021 National Strike,” Amnesty International, June 30, 2021 (AMR 23/4405/2021), accessed March 18, 2025,

<https://www.amnesty.org/en/documents/amr23/4405/2021/en/>; “Colombia: Egregious Police Abuses Against Protesters” Human Rights Watch, June 9, 2021, accessed March 18, 2025, [hrw.org/news/2021/06/09/colombia-egregious-police-abuses-against-protesters](https://www.hrw.org/news/2021/06/09/colombia-egregious-police-abuses-against-protesters); “Informe a la CIDH sobre las violaciones a los derechos humanos cometidas por la fuerza pública contra la población civil colombiana en el marco del Paro”, Temblores, Indepaz, and Pais, June 2021, accessed March 18, 2025, derechos.org/nizkor/colombia/doc/duque54.html#disparos.

³⁶ “Venom: el arma en la tanqueta del Esmad, que causó pánico en el sur de Bogotá, en el Paro Nacional”, El Espectador, May 5, 2021, accessed March 18, 2025, <https://www.elespectador.com/bogota/venom-el-arma-en-la-tanqueta-del-esmad-que-causo-panico-en-el-sur-de-bogota-en-el-paro-nacional-article/>; Temblores, Indepaz, and

Paiis, “Informe a la CIDH ; Human Rights Watch, “Colombia: Egregious Police Abuses Against Protesters.”

³⁷ Amnesty International, “Colombia: Cali: in the epicentre of repression.”

³⁸ “Colombia: Shoots on Sight. Eye Trauma in the Context of the National Strike,” Amnesty International, Universidad de los Andes, Paiis, and Temblores, November 26, 2021 (AMR 23/5005/2021), accessed March 18, 2025, <https://www.amnesty.org/en/documents/amr23/5005/2021/en/>.

³⁹ Omega Research Foundation and Amnesty International, ““My Eye Exploded” The Global Abuse of Kinetic Impact Projectiles.”

⁴⁰ “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment,” United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, U.N. Doc. A/78/324, August 24, 2023, Annex I: Preliminary list of items identified by the Special Rapporteur as being inherently cruel, inhuman or degrading and therefore considered to be prohibited.

⁴¹ “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment,” United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, U.N. Doc. A/78/324, August 24, 2023; Special Rapporteurs Alice Jill Edwards, Clément Nyaletsossi Voule, and Morris Tidball-Binz, “UN experts call for international torture-free trade agreement,” United Nations Office of the High Commissioner for Human Rights, April 29, 2024, <https://www.ohchr.org/en/press-releases/2024/04/un-experts-call-international-torture-free-trade-agreement>; “Resolution adopted by the General Assembly on 18 December 2019,” United Nations General Assembly, A/RES/74/14, December 18, 2019, para. 20.

⁴² “Executive Order 14148.”

⁴³ “Executive Order 14074.”

⁴⁴ “Concluding observations on the combined tenth to twelfth reports of the United States of America,” Committee on the Elimination of Racial Discrimination, UN Doc. CERD/C/USA/CO/10-12 21, September 2022, par. 21.e.