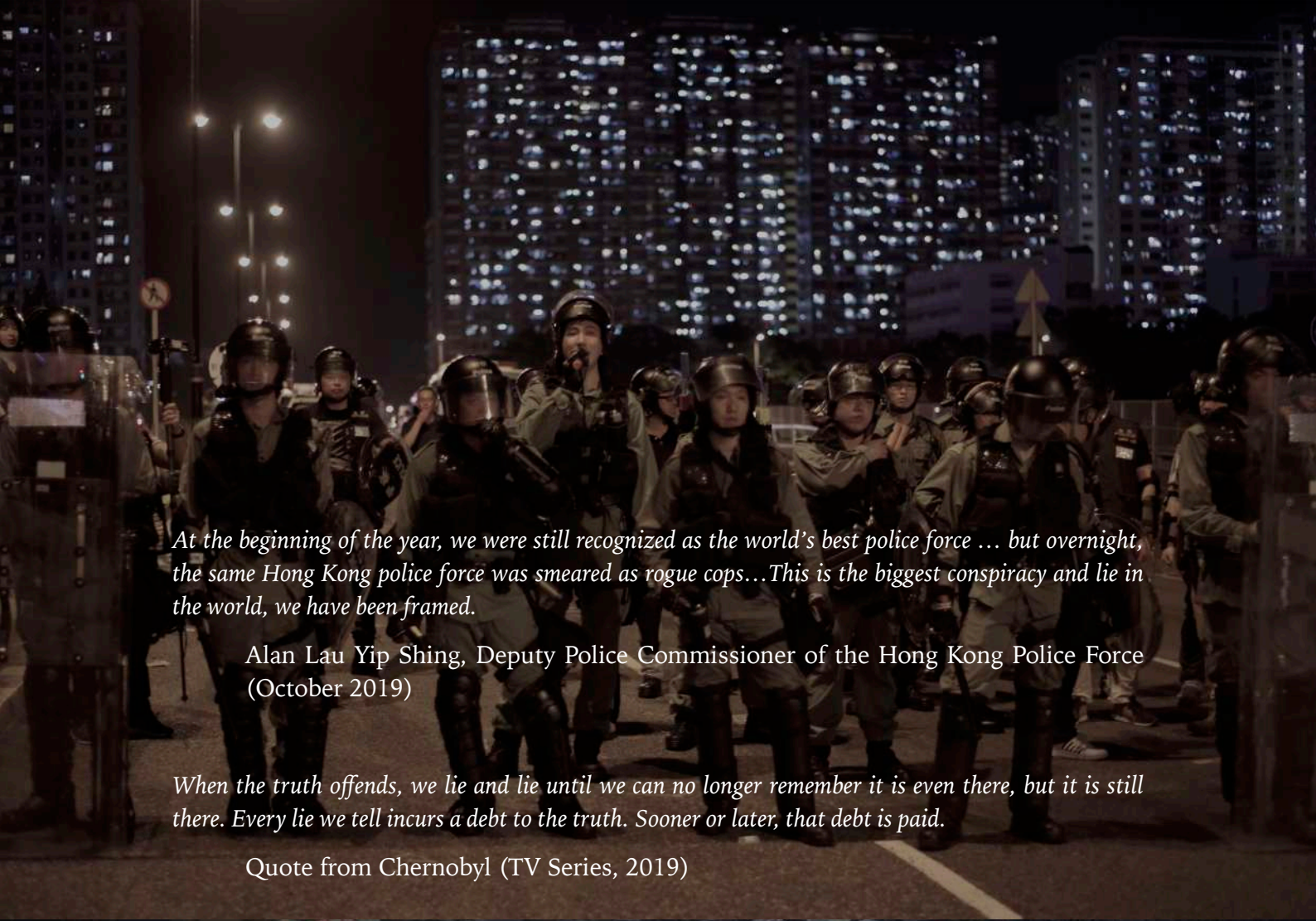


Silencing Millions:
Unchecked Violations of Internationally
Recognized Human Rights
by the Hong Kong Police Force

靴下無聲：
香港警察侵犯人權報告



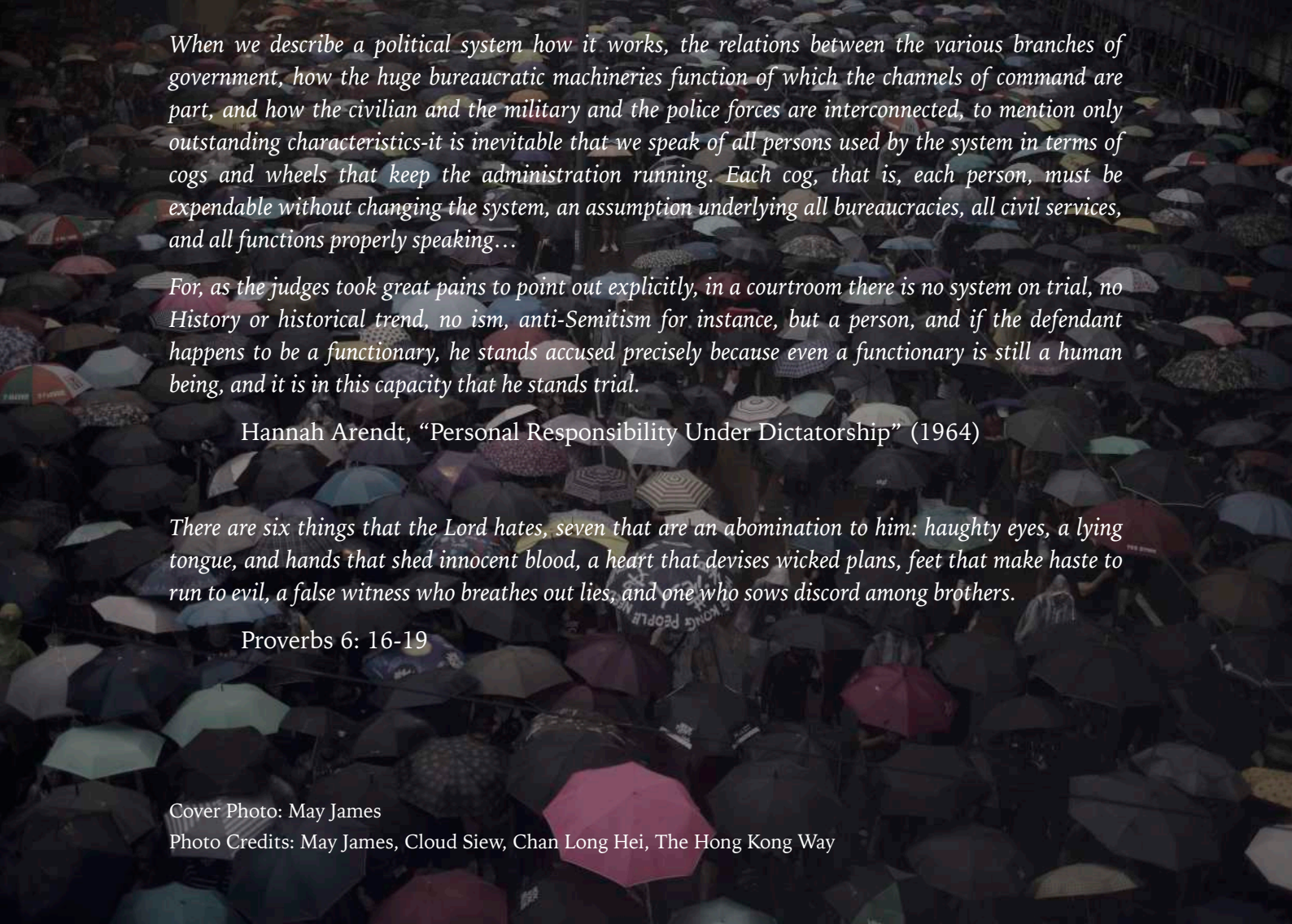


At the beginning of the year, we were still recognized as the world's best police force ... but overnight, the same Hong Kong police force was smeared as rogue cops... This is the biggest conspiracy and lie in the world, we have been framed.

Alan Lau Yip Shing, Deputy Police Commissioner of the Hong Kong Police Force
(October 2019)

When the truth offends, we lie and lie until we can no longer remember it is even there, but it is still there. Every lie we tell incurs a debt to the truth. Sooner or later, that debt is paid.

Quote from Chernobyl (TV Series, 2019)



When we describe a political system how it works, the relations between the various branches of government, how the huge bureaucratic machineries function of which the channels of command are part, and how the civilian and the military and the police forces are interconnected, to mention only outstanding characteristics-it is inevitable that we speak of all persons used by the system in terms of cogs and wheels that keep the administration running. Each cog, that is, each person, must be expendable without changing the system, an assumption underlying all bureaucracies, all civil services, and all functions properly speaking...

For, as the judges took great pains to point out explicitly, in a courtroom there is no system on trial, no History or historical trend, no ism, anti-Semitism for instance, but a person, and if the defendant happens to be a functionary, he stands accused precisely because even a functionary is still a human being, and it is in this capacity that he stands trial.

Hannah Arendt, "Personal Responsibility Under Dictatorship" (1964)

There are six things that the Lord hates, seven that are an abomination to him: haughty eyes, a lying tongue, and hands that shed innocent blood, a heart that devises wicked plans, feet that make haste to run to evil, a false witness who breathes out lies, and one who sows discord among brothers.

Proverbs 6: 16-19

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學術自主
公民自強



About Us

Progressive Scholars Group (PSG) is a scholar network in Hong Kong which aims at promoting “academic autonomy and a strong civil society”.

Research Objective

This research aims at documenting the violations of internationally recognized human rights by Hong Kong Police from June to December 2019.

Research Team

The “police brutality working group” of Progressive Scholars Group (PSG) is responsible for conducting this research. Members include scholars from different disciplines such as political science, history and law.

Welcome Feedback

We welcome your comments and suggestions on this research report. Please write to us at hkprogressivescholars@gmail.com.



Executive Summary

- This report categorizes, discusses, and explains the possible contraventions of the international laws of law enforcement (LOLE), international human rights laws (IHRL), and various international standards by the Hong Kong Police Force (HKPF) during the 2019-2020 Hong Kong Protests (the “Protests”).
- The scale and impact of the alleged misconduct of the HKPF during the Protests were unprecedented, to the extent that it may lead to changes in LOLE and IHRL.
- Many of the misdeeds allegedly committed by members of the HKPF were avoidable and were not merely products of confusion and circumstances.
- To justify the use of seemingly excessive force, the HKPF often tried to exaggerate the violence of the protesters and to portray all forms of protests violent or criminal.
- The use of excessive force to suppress the Protests by the HKPF intensified the situation and led to an escalation of violence, not the other way round.
- The HKPF’s denial of any wrongdoings and its tendency to blame the public and the media for the collapse of its image and its disastrous failure led to widespread public hostility towards the HKPF.
- The leaders of the HKPF repeatedly prevented the HKSAR government from de-escalating through their public pronouncements.
- These cases of misconduct and abuse of power reflected some of the systematic problems within the HKPF, such as but not limited to gross incompetence of its leadership, poor understanding of LOLE and IHRL, lack of accountability, toxic militaristic and machismo culture, disdain of civil authority, preferential recruitment, and the ever-increasing distance between the HKPF and the public.
- The current monitoring mechanism, consisting of the Complaints Against Police Office (CAPO) and the Independent Police Complaints Council (IPCC), are inadequate as they lack the incentive or power to handle the complaints against the HKPF during the Protests.
- The HKSAR government and the PRC government behind it consistently refused to launch an independent inquiry to investigate allegations of the HKPF’s violations of local and international laws.
- Because of its scale and impact, the author of this report maintains that, if the HKSAR government is unable or unwilling to set up an independent commission of inquiry that was equipped with adequate “power, capacity, and independent investigative capability” as suggested by the independent expert panel of IPCC, the alleged misdeeds of the HKPF should be investigated by competent international bodies such as the United Nations Security Council, Human Rights Council (UNHRC), the Office of the UN High Commissioner for Human Rights (OHCHR), or the International Criminal Court (ICC), as they are all empowered to launch independent inquiries.



Executive Summary

- Concerned states can follow the example of the United States to establish sanction regimes and mechanisms against individuals violating human rights in Hong Kong, by passing legislation similar to the Hong Kong Human Rights and Democracy Act of 2019 (HKHRDA) and Global Magnitsky Human Rights Accountability Act. In particular, the United Kingdom can use its International Criminal Court Act 2001 to initiate an investigation on the HKPF personnel who were British nationals. Other countries may also adopt similar measures. The international community should also support and monitor any UN and other international bodies to investigate violations of human rights by the HKPF and ensure accountability. Nations should immediately stop selling law enforcement equipment, firearms, Less-Lethal (LL) ammunitions, and other high-tech equipment to the HKPF that can be used against the people in Hong Kong.
- International human rights standards and the rule of law must be upheld and respected, if the HKSAR government and the PRC government want to restore peace and maintain Hong Kong's status as one of the international financial hubs. This can only be done through a thorough international independent investigation of the HKPF's alleged misconducts during the Protests, criminal prosecution of HKPF officers where appropriate, and a substantial reform of the HKPF when needed so that its outlook, culture, structure, training, regulations, and equipment are in line with updated LOLE as well as IHRL. Local legislation that encouraged HKPF officers to abuse their powers such as Emergency Regulations Ordinance (Cap. 241), Public Order Ordinance (Cap. 245), Summary Offences Ordinance (Cap. 228), and Independent Police Complaints Council Ordinance (Cap. 604) must be revamped or abolished. IPCC should be given enough power, capacity, and independent investigative capability through legislation and more importantly international oversight.
- The people of Hong Kong should be equipped with the relevant knowledge of international human rights standards and politically empowered to ensure they have a say in the process so that actual changes can be made. It is in this context that popular elections for both the Legislative Council and the Chief Executive are imperative.
- As of January 2020, the HKPF is stepping up its "shock and awe" tactics on even the most peaceful political expressions. International pressure is urgently required to stop this, and a thorough investigation and swift punishment for those who were involved in the misconducts is perhaps the only way to prevent further escalation of violence. A repeat of the Lytton Commission of 1932 would be a recipe for disaster.



Notes on Methodology

This report covers around 1,200 cases of alleged police brutality and misconducts happened between 9 June 2019 and 21 January 2020 in Hong Kong.

The major source of information of this report is a HKPF Brutality Database: <https://tl.hkrev.info/police-timeline>; various media (local and international) reports are also consulted. Whenever possible, multiple sources of information are consulted to the best ability of the author.

It should be noted, as the international experts studying the cases collected by the *Washington Post* suggest, that images and video clips provided by the media and the databases “do not always illustrate the full picture of events around a specific incident”. Thus, the report discusses the cases as *allegations and potential violations* of LOLE and IHRL; the author of this report believes that to ensure fairness to all parties concerned, the formation of an independent international commission of inquiry with enough authority and expertise is imperative.

Domestic laws will not be discussed in this report in detail as it has been and will probably be handled by more competent bodies such as the Hong Kong Bar Association, which also called for the establishment of a commission of inquiry: <https://www.hkba.org/sites/default/files/20200114%20-%20Letter%20to%20CE%20and%20Paper%20on%20Establishment%20of%20Comission%20of%20Inquiry.pdf>.

Preface

The author of this report believes that the survival of Hong Kong as one of the international financial centers in Asia relies mainly on the existence of the rule of law, preservation of a diverse and tolerant civil society, existence of a free press, a fair government, and efficient infrastructure. The purpose of this report is to chronicle and to put in context the systematic abuse of power by the HKPF that threatened the very foundation of modern Hong Kong as an economic powerhouse, a vibrant and diverse society, and the home of more than seven million men, women, and children of different ethnicity, culture, and conviction. Without properly reforming the HKPF, the author believes, it would be very risky for anyone to engage in meaningful economic, academic, cultural, social, touristic, and any other activities in the self-proclaimed international city. The fact that the author of this report has to remain anonymous speaks a lot about the current situation in terms of freedom from fear, freedom of speech, and academic freedom in Hong Kong.





The 2019-2020 Hong Kong Protests: An Outline

1. In June 2019, the HKPF was asked to handle a political protest of unprecedented scale in a highly developed international city, facing an angry population that was educated, creative, resourceful, and largely unarmed. To a considerable extent, it was the gross incompetence of the leaders of the Hong Kong Police Force (HKPF, also known as “the Force”), widespread misconduct at all levels, and inexplicable brutality of individual officers that the event became a prolonged conflict that was unmatched in the history of post-WWII Hong Kong in terms of human suffering and economic losses.
2. The origin of the Protests was the HKSAR government’s proposal to pass the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (thereafter as “the extradition bill”) that allowed the Hong Kong Special Administrative Region (HKSAR) government to transfer fugitives to the People’s Republic of China (PRC), which, unlike Hong Kong, does not have a Common Law system. The proposal ignited widespread fear among the Hong Kongers that the “One Country, Two Systems” arrangement would be further eroded, and their personal freedom would be in jeopardy. On 20 December, *Reuters* released a detailed report suggesting that the proposal of the extradition bill was originated in Beijing.¹
3. After months of minor protests that were largely peaceful, the HKSAR government, led by Carrie Lam and supported by (her hand-picked) Executive Council and the pro-PRC majority of the Legislative Council, was determined to pass the bill despite growing opposition. Lam and her allies dismissed dissenting views (including the opinion of the Hong Kong Bar Association) as being ignorant of the detail of the bill and blamed the opposition parties (loosely known as the Pan-Democrats) for stirring up trouble. In May, the struggle between the pro-PRC and the pan-Democrats legislators in the Bills Committee of the Legislative Council reached a deadlock. The government then attempted to force through the bill in the Legislative Council, as the pro-government camp had a majority after the “Disqualification Incident” in 2016, during which six Pan-Democrat Legislative Councilors were removed from office.
4. The Pan-Democrats mobilized the public to attend a demonstration held on 9 June, as public discontent about the government’s handling of the bill mounted and as the voting date approached. On 7 June, however, there was a curious attack against an HKPF vehicle; two men threw Molotov cocktails at the vehicle then left the scene (later arrested and tried). The absence of a clear motive, the unnatural movement of the perpetrators, and the curious reactions of the HKPF personnel on the spot all led to more suspicion and anger, especially with the unpleasant memory of the HKPF’s conducts during the Occupy



The 2019-2020 Hong Kong Protests: An Outline

Movement in 2014 in the minds of many.

5. On 9 June, a peaceful demonstration against the bill took place on Hong Kong Island; the organizers claimed that there were as many as 1,000,000 participants (the HKPF estimation was 240,000). Towards the end of the demonstration, some protesters tried to rush into the plaza in front of the Legislative Council but were beaten back by HKPF officers armed with batons. In the evening of the day, Carrie Lam shocked the city by issuing a short statement that the voting of the bill would take place on 12 June.

6. On 12 June, tens of thousands of protesters started a peaceful sit-in near the Legislative Council; meanwhile, hundreds of protesters started to force through the gates of the building complex. CP Stephen Lo Wai Chung, the Commissioner of Police, declared the event a “riot” and the HKPF suppressed the protesters with force. The suppression led to a rally of an unprecedented scale on 16 June, participated by 2,000,000 as its organizers claimed (the HKPF estimation was 338,000). By then, the protesters and their supporters consolidated their demands to the “Five Demands”: 1) withdrawal of the extradition bill, 2) formation of an independent commission of inquiry into alleged police brutality, 3) retraction the classification of event as “riot”, 4) amnesty for arrested protesters, and 5) resignation of Carrie

Lam (later transpired to universal suffrage for both the Legislative Councilors and the Chief Executive in July). The HKSAR government responded by postponing the extradition bill and remained silent on other demands. Cheung Kin Chung, the Chief Secretary, issued a statement that the event was not a riot, but was openly challenged by SSGT Lam Chi Wai, the chairman of the Junior Police Officers Association (JPOA).

7. The political situation in Hong Kong quickly deteriorated in the following weeks. On 21 June, tens of thousands of protesters surrounded the HKPF headquarters, throwing eggs at its gate. On 1 July, the 22nd anniversary of the establishment of the HKSAR, protesters entered the Legislative Council building and selectively vandalized the symbols of political and institutional power, after the HKPF had inexplicably withdrew from the complex following an almost eight-hour standoff. A PRC flag was thrown into the sea. The PRC responded to these actions by mobilizing the state media to condemn the Protests as a Color Revolution. Apparently, the public opinion in the PRC stood firmly behind Beijing.

8. In the following two weeks, smaller scale protests took place in the neighborhoods in Hong Kong, with locally related themes that addressed social problems that were seen as the result of frictions between Hong Kong and the



The 2019-2020 Hong Kong Protests: An Outline

PRC. One such protest held on 7 July was about expelling a group of mainland singers who occupied the Tuen Mun Park as their performing stage; the HKPF, however, protected the mainland singers and its action caused much resentment. During another community protest held in the evening of 14 July (a Sunday), riot police stormed into a shopping mall at Sha Tin where a large crowd of shoppers and diners was present.

9. On 21 July, after a largely peaceful demonstration, a group of protesters defaced the national emblem at the front gate of the Liaison Office, the official representative of the PRC in Hong Kong. In the same evening, a pro-PRC and pro-HKPF mob entered the Yuen Long MTR Station and randomly assaulted the passengers, including some of the returning protesters from the peaceful demonstration of the day. Thereafter, protesters and HKPF riot police clashed in the neighbourhoods, especially where police stations and police quarters could be found. In many cases, the HKPF adopted an inexplicably high-handed approach to the protesters, and, in many cases, the bystanders who voiced their anger at the HKPF. The JPOA responded by calling the protesters “cockroaches” (*gaat-zaat*), a nomenclature that was widely adopted by HKPF officers.

10. Then, as the HKSAR Government refused to concede to any of the demands and the HKPF stepped up the use of force even against passerby and onlookers, the protesters started to disrupt the running of the city by targeting the mass transit systems and the Hong Kong International

Airport. On 5 August, clashes between riot police and protesters took place in different parts of the city, and one HKPF officer attempted to fire at the protesters at the Hong Kong International Airport. On that day, the HKPF fired 800 canisters of tear gas. Then, violent clashes broke out almost every weekend. The PRC stepped up the information offensive against the protesters, especially after a reporter from the state-run *Global Times* was beaten up during a clash at the airport.

11. Because of the mounting popular unrest and the anger purportedly generated by the HKPF’s actions, another large-scale demonstration took place on 17 August, and the organizers claimed that 1.7 million participated. The HKSAR government, however, offered little meaningful response to the protesters, while the PRC state media insisted that it was caused by a small minority that “bordered to terrorism”. In the coming two weeks, small-scale protests in the neighborhoods continued, with more cases of alleged police brutality being circulated on social media and in online forums.

12. The situation quickly deteriorated on 31 August, the fifth anniversary of the PRC’s decision to block the introduction of universal suffrage of the Chief Executive in Hong Kong. It was the first time when firebombs were being used in a large number. In the evening, a group of masked HKPF Raptor officers stormed into an MTR station platform and a train, ferociously beating and pepper spraying the passengers, after a scuffle between pro-government passengers and the



The 2019-2020 Hong Kong Protests: An Outline

protesters. The confused event led to speculations among the public that an unspecified number of people died during the raid. The HKPF denied any wrongdoing and the MTR has refused to release the CCTV footage of the platform. Public hostility towards the HKPF reached a new height.

13. As the situation became increasingly out of control, Carrie Lam announced that the extradition bill was withdrawn on 4 September, almost two months after she said the bill was “dead” on 9 July. In that month, pressure mounted on the HKSAR government to end the protest as the 70th anniversary of the PRC (1 October 2019) approached. This led to the first (and until mid-December the only) public forum between Carrie Lam and randomly selected members of the public, including an ex-HK Auxiliary Police officer who was one of the few voices that praised Carrie Lam in that meeting². Immediately after that, however, Carrie Lam reiterated that she had no intention of accepting other demands of the protesters. Throughout the month, protests of smaller scale continued, with more MTR stations, PRC-related business, and pro-government shops and restaurants being vandalized. On 1 October, intense clashes broke out throughout the city, and an HKPF officer fired a live round at a 15-year-old student, critically wounding him. Three days later, the HKSAR government responded by invoking the emergency power to introduce the Anti-mask Law. This led to another city-

wide protest throughout the day and in the subsequent weeks. Clashes in the districts continued; during a non-violent flash-protest targeted the wedding banquet of an HKPF officer in Tseung Kwan O on 4 November, Chow Tsz-lok, a 22-year-old university student, was found seriously wounded in a carpark next to the scene and died four days later.

14. The death of Chow sparked a new round of protest in the coming weeks, as the protesters tried to disrupt the traffic of the city in the early morning of 11 November. On that day, an unarmed 21 years old student was shot by an HKPF officer. In the afternoon, protesters set fire on a man who chased and beat up protesters who were trying to disrupt the running of the MTR. Protesters blocked the traffic of several major roads near the university campuses, and the HKPF attempted to storm these campuses, starting from the Chinese University of Hong Kong (CHUK) at Sha Tin. On 12 November alone, over 1,500 tear gas canisters were fired at CUHK. On 18 November, the HKPF attempted to storm the campus of the Hong Kong Polytechnic University (PolyU) at Tsim Sha Tsui, as the protesters used the campus to block the nearby roads. During these operations, the HKPF deployed not only the usual anti-riot gears but also armored cars and military grade firearms. Meanwhile, sporadic clashes between the protesters and the pro-PRC protesters broke out; one 70 years old onlooker was killed by a flying brick on 13 November. The sieges of the



The 2019-2020 Hong Kong Protests: An Outline

universities led to public and international outcry. On 19 November, the US Senate passed the Hong Kong Human Rights and Democracy Act.

15. While the PolyU was still under siege, the election of the District Council took place on 24 November, with the Pan-Democrats won a sweeping victory, taking 388 out of 452 seats in the eighteen district councils. Three days later, the President of the United States Donald Trump signed the Hong Kong Human Rights and Democracy Act. In response to the situation, Carrie Lam announced that the government considered to form a committee to “review” the events since June. On 30 November, the High Commissioner for Human Rights of the United Nations, Michelle Bachelet, wrote an open letter on the *South China Morning Post* appealing the HKSAR government to launch “a proper independent and impartial judge-led investigation into reports of excessive use of violence by the police”³. However, on the next day, CP Chris Tang Ping Keung openly declared that it would be “unjust” for the HKPF to be investigated for its actions during the Protests⁴. Thereafter, the HKPF used fewer tear gas and LL ammunitions but increasingly relied on melee and round up tactics against the protesters, which led to more local and international outcry.

16. On 1 December, the first weekend after the election, the HKPF used tear gas, beanbag rounds, and baton to disperse the three public

events that had obtained permission from the HKPF; this led to a new round of conflicts⁵. A week later, hundreds of thousands of protesters participated in a rally organized by the Civil Human Rights Front; the organizers claimed that at least 800,000 participated. The day ended largely peacefully. Throughout December, smaller scale clashes took place in the neighborhoods, with undercover police beating up flash-mob protesters who tried to spray graffiti, obstruct traffic, or disrupt the running of pro-PRC shops and restaurants. On 19 December, the HKPF claimed that the Spark Alliance, a crowd-fund to provide financial assistance for the arrested protesters, was a money laundry organization. Four were arrested, and 70 million HKD was frozen. From 24 to 31 December, a number of clashes broke out in the commercial areas, when riot police and undercover detectives attempted to stop any form of protest activities (mostly non-violent). Thereafter, forty political and human rights figures from eighteen countries wrote an open letter to Carrie Lam, urging her “to make it possible for an independent inquiry into police brutality to be established” and if she resists, “[they will] call on the international community to establish an international, independent inquiry mechanism.” On 1 January 2020, another large-scale demonstration organized by the Civil Human Rights Front took place; the organizers claimed that 1.03 million attended the march. The event was cut short by the



The 2019-2020 Hong Kong Protests: An Outline

HKPF, on the pretext that a bank was vandalized (not robbed). More than 400 peaceful protesters and passerby were arrested.

scale rallies at Central and Yuen Long, the theme of both events were about the misconducts of the HKPF.

17. In January, the call for an independent inquiry from the society remained overwhelmingly clear. On 14 January, an unnamed member of the IPCC suggested that the first report of the IPCC might include a request to the Chief Executive to launch an independent commission of inquiry. However, IPCC announced that the release of the report would be postponed, and a member of the special subcommittee formed to review the Protests testified that she had yet to see the commanders concerning the 21 July attack as of the end of 2019 and that IPCC and the special subcommittee lacked the power to investigate the misconducts. On 15 January 2020, the Hong Kong Bar Association issued a letter to the Chief Executive calling for “the setting up of a Commission of Inquiry to inquire in to Government’s handling” of the 2019-2020 Protests. Carrie Lam did not directly responded to the proposal, but “rejected” that there was a problem of police brutality during the seven months of Protests. In the meantime, the HKPF declared that it is considering to procure Tasers to deal with the protesters, and claimed to have discovered a group of radical protesters who procured firearms in preparations for attacks against HKPF officers. On 19 and 21 January, the HKPF again used force to disperse large



The Hong Kong Police in June 2019

18. Established in 1844, the HKPF was one of the oldest police forces of the world (the New York Police Department was established in 1845) and one of the first colonial police forces. As the British had kept a small garrison throughout the colonial period (1841-1997, during which Japan ruled Hong Kong from 25 December 1941 to 30 August 1945), the HKPF was a semi-military force that could assist the military even in wartime. During the Battle of Hong Kong in 1941, the HKPF was mobilized to fight alongside the British and Commonwealth garrison. Throughout the history of the HKPF, the political loyalty of its personnel remained understandably the prime concerns of its leadership. This partly explained the lenient treatment of the problem of police corruption in 1977, during which thousands of HKPF officers who committed acts of corruption but had not been charged were pardoned.

19. As of 2018, the HKPF had an establishment of 456 Superintendents or above ranks, 2,616 Inspectors, 27,757 Junior police officers (JPOs), 4,569 Civilian staff, and 4,501 part-time Auxiliary Police. Hong Kong has been a safe city in the recent years despite the political turmoil; for example, the number of violent crimes decreased from 14,934 in 2007 to 12,153 in 2013, and to 8,864 in 2018. However, the same period witnessed the militarization of the HKPF, but many of the

equipment brought since the 2000s saw little action except during the mass protests. In fact, during this period also witnessed an increase in the number of HKPF officers committing all sorts of crimes⁶. Sometimes, the charged officers used psychological pressure incurred during the political-related protests as defence (in one case, more than two years after the protests that “gave him much pressure”)⁷.

20. The HKPF was commanded by Commissioner of Police (CP); until November 2019, the CP was Stephen Lo Wai Chung, who was succeeded by Chris Tang Ping-keung. Under the CP are the Deputy Commissioner of Police, Operations (DCP OPS) and Deputy Commissioner of Police, Management (DCP MAN). The former is responsible for operational matters and the latter focuses on training and administration. Chris Tang was the DCP OPS before becoming CP; thus, he was (and was also widely seen as) the man directly responsible for the direction, planning, and execution of the HKPF operations from 9 June. The HKPF was organized into six police regions (Hong Kong Island, Kowloon East/West, New Territories North/South, and Marine) and 23 districts. In “internal security situations”, regional Police Tactical Unit (PTU) companies would be deployed into “tiers” and supported by Emergency Units (EU) and other branches.



The Hong Kong Police in June 2019

21. From 1945, the HKPF gradually developed its ability to quell large-scale civil unrests that were partly instigated by the Chinese Nationalists and Communists. In 1958, the HKPF established the Police Training Contingent, later reformed to become the PTU in 1966, an anti-riot outfit. HKPF officers assigned to the PTU would receive three months of special training, including anti-riot and crowd control drill. Basic military tactics and use of firearms are also being taught. By 2019, the PTU had 12 companies and one HQ unit. In 1974, the Special Duties Unit (SDU) was formed under the HKPF, as a special operations unit that modelled after the British Special Air Service.

22. The HKPF gained much public support during the early years of the Special Administrative Region because of the relatively calm political situation and the continuation of the HKPF's turn to community policing. On 1 July 2003, over 500,000 participated in the anti-National Security Bill march without incident, and HKPF officers on the spot were often cheered by the demonstrators. The popularity of the HKPF probably reached its height during the Sixth Ministerial Conference of the World Trade Organization in 2005, when the HKPF (including the PTU) faced the Korean farmer protesters at Wanchai. During the confrontation that lasted for five days, the HKPF fired 34 rounds of tear gas and six bean

bag rounds. In all, 910 were arrested and 141 wounded (61 police)⁸.

23. After the WTO Operation, the HKPF witnessed a process of militarization, because of the experience of the operation, the rise of the “anti-terrorism” rhetoric in the PRC and Hong Kong, and the proliferation of Less-Lethal (LL) and Crowd Control equipment in North America and Europe. By 2019, in addition to the usual weapons such as firearms and LL equipment such as pepper spray or rubber bullets, the HKPF had armored cars, water cannon truck (Specialised Crowd Management Vehicles, SCMV), and sound cannon (Long Range Acoustic Device, LARD), making it one of the most lavishly-equipped police forces in Asia. The annual expenditure of the HKPF also rose steadily from around 10,864,000,000 HKD in 2006 to 20,682,000,000 HKD in 2019⁹.

24. From the early 2010s, the refusal of the PRC Government to widen political participation led to a deterioration of the political situation that pushed the HKPF to the forefront of conflicts. This led to a rapid decline in the public support for the HKPF, especially after the release of 87 tear gas rounds on the first day of the Occupy Movement (28 September 2019). During the Occupy Movement that lasted 89 days, individual HKPF officers were accused of using excessive force, such as assaulting subdued protesters or even



The Hong Kong Police in June 2019

passerby, and being unfair in the treatment of suspects from different political camps. The Occupy Movement also marked the sharp cultural separation of the HKPF from the Hong Kong society, reflected by the emergence of organizations that supported the police, known as the “Blue Ribbons”.

25. To tackle the Occupy Movement, the HKPF formed the Special Tactical Squad (STS), also known as the “Raptor Unit”. It consisted of officers from the PTU school as well as Airport Police and was considered as an elite unit, although the need for such a unit against lightly armed protesters was never answered. It mainly participated in the removal of obstacles during the final stage of the Occupy Movement but saw more actions during the 2016 Protest at Mong Kok.
26. Complaints against HKPF officers were handled internally by the Complaints Against Police Office (CAPO), with the Independent Police Complaints Council (IPCC) being the oversight organization. However, it has been criticized as a toothless tiger, despite the HKSAR government’s claim that it was adequate to handle the complaints. In 2018, only 77 out of 2544 complaints (3%) against HKPF officers were being substantiated and endorsed by IPCC¹⁰.
27. After the Occupy Movement, the HKPF personnel associations became more vocal, replacing pro-government and pro-CCP

associations (Blue Ribbon groups) that received scant public support except certain sections of the society. A dangerous pattern similar to the relationship between the Imperial Japanese Army and the civilian government in Japan during the 1930s gradually developed. As of 2019, there were four HKPF personnel associations: Police Superintendents’ Association (警司協會), Overseas Inspectors’ Association (海外督察協會), Hong Kong Police Inspectors’ Association (香港警務督察協會), and Junior Police Officers Association (香港警察隊員佐級協會, JPOA). The four associations became more aggressive in expressing their opinion on issues ranging from police welfare to how police offenders should be sentenced. On 22 February 2017, the four associations held a rally at the Police Sports and Recreation Club, in support of the officers who were charged for beating up subdued citizens during the Occupy Movement. According to its organizers, 33,000 attended the meeting, including pro-PRC political figures such as Regina Ip Lau Suk-ye (who was running for CE), Maria Tam Wai-chu, a member of the Committee for the Basic Law of the National People’s Congress Standing Committee, as well as several pro-PRC Legislative Councilors such as Starry Lee Wai-king, Elizabeth Quat, and Junius Ho Kwan-yiu. It was the first large-scale political rally of the HKPF, but the HKSAR government had not strongly responded to that.



The Protesters

28. As there are numerous reports and discussions about the composition of the protesters, this section focuses on the aspect that is most relevant to this report: the “weapons” used by the protesters. It is because on numerous press conferences and releases, the Police Public Relations Branch (PPRB) stressed that HKPF officers faced life-threatening situations that justified their use of “appropriate force”. These claims, however, were almost always made categorically rather than on specific instances during which HKPF officers were being accused of using excessive and disproportional force.
29. Pro-establishment and pro-PRC social-media outlets often claimed that the HKPF was facing “terrorists,” and had the Protests took place in the United States, it would be a “shoot-to-kill” situation. It should be noted, however, that unlike the protesters in the United States (or many parts of the world that witnessed mass protest in 2019), almost none of the protesters during the Hong Kong Protests were in possession of any firearms and even the most violent protesters had not received military training. In early 2020, there were suspected cases of protesters gathering firearms and explosives. While no gun attacks occurred as yet, it is possible that the escalation would continue if there is no local or international law remedies and interventions against police brutality in the foreseeable future.
30. Throughout the protests, the protesters gradually escalated the use of force, and the HKPF response could be described as disproportionate, excessive, and indiscriminate. Eventually, the HKPF deployed a large number of military firearms during the siege of the PolyU in November 2019. In June, most of the more determined protesters (known as *yung-mo* [the braves] or *chung-chung-zi* [chargers]) were equipped with umbrellas (some with a metal head), hiking sticks, baseball bats, water bottles, and bricks. Some protesters (including peaceful protesters) had standard safety helmets for construction workers or biker helmets, and a small number of them had body armor commonly used in sports. As police violence escalated, especially after the 21 July Incident, the use of firebombs became more widespread, and there were incidents when members of the HKPF claimed to be attacked with corrosive acids, air-soft guns, and sports bow (the last item only seen during the sieges of the universities). This was matched with a liberal use of rubber bullets and other LL rounds, tear gas, water cannon, and in some cases, the use of live rounds and military-grade weapons.
31. One of the best-known features of the Hong Kong Protests was the mobility of the protesters and the fluidity of their actions, hence the popularity of the slogan “be water”. Connected through communication apps such as Telegram, the protesters planned



The Protesters

operations and formed *ad hoc* groups to achieve specific objectives. The movement was also known as without a clear leader, despite the government's assumptions.

32. The movement was sustained by internet influencers on social media platforms and online forums. Visual and textual records of police brutality or suspects' outrageous actions could lead to rapid and massive response from the public in a few hours.

33. In the conflict zone, there were usually a large number of reporters, volunteer first aiders and doctors, government rescue personnel (medical personnel and firefighters), human rights watchers and humanitarian workers (social workers and representatives of religious organizations as well as human rights organizations), onlookers, and passerby. In many cases, because of the actions of the HKPF, the onlookers would join the protesters, chanting slogans and profanities against the police. On the other hand, pro-HKPF onlookers might fight against protesters, usually alone; in the early months of the Protests, these lone attackers would face little opposition from the protesters, who espoused the principles of "peace, rational, and non-violence (*wo-lei-fei*)". From late July, however, the protesters started to engage in vigilantism (*si-liu*) against these lone attackers (usually middle-aged men and women) because the HKPF was seen as colluding with them. On 11 November, a

protester set fire on a man who tried to chase and beat up protesters and later argued with onlookers at Ma On Shan MTR Station. The man was seriously wounded¹¹. Another 70 years old onlooker was killed by a flying brick on 13 November when he was among a group of pro-HKPF protesters who were throwing bricks towards the protesters. The two events received international coverage, and the PRC government, as well as pro-PRC media, used them as proofs that the protesters were dangerously violent¹². Carrie Lam took a keen personal interest in the two cases, ignoring thousands of others who were wounded during the Protests.

International Law of Law Enforcement (LOLE) and International Human Rights Law (IHRL)

34. As an international financial hub that enjoys certain preferential treatments by major states and international organizations, Hong Kong is expected to conform to the existing international standards on policing and adhere to international law. However, records show that the HKSAR government and the HKPF's understanding of the international law of law enforcement (LOLE) and international human rights laws (IHRL) was outdated at best. At worse, some of the HKPF officers had little knowledge and respect of both.
35. Currently, LOLE is "a body of international law derived from a combination of customary rules and general principles of law"¹³. It is made up of international treaties related to human rights and political rights as well as international human rights instruments. The main instruments of LOLE are the *Code of Conduct for Law Enforcement Officials* (1976, thereafter as *Code of Conduct*) and the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (1990, thereafter as the *Basic Principles*), both recognized as international rules and standards by the European Court of Human Rights, the Inter-American Court of Human Rights, and the United Nations Human Rights Committee¹⁴. The UN Human Rights mechanisms supplemented and complemented these two instruments with subsequent documents such as resolutions, report of special rapporteurs, and guidelines (discussed below). Currently, there are five principles governing the use of force by law enforcement agents, namely *legality, necessity, proportionality, precaution, and non-discrimination*.
36. *Principle of Legality*: as stipulated in Principle 1 of the *Basic Principles*, the use of force was only legal when it is within "the rules and regulations on the use of force and firearms against persons by law enforcement officials" and when it is used to attain a legitimate objective¹⁵. Domestic laws on the use of force should not violate international law (also related to the principle of legality). Relevant sections in the two instruments on the principle of legality:
- a) *Code of Conduct*
 - Article 3: Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.
 - b) *Basic Principles*
 - Principle 1: Governments and law enforcement agents shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials. In developing such rules and regulations, Governments and law enforcement agencies shall keep the ethical issues associated with the use of force and firearms constantly under review.
37. *Principle of Necessity*: as stipulated by numerous international documents, it is unlawful for law enforcement agents to use force when non-violent means are available. When the use of force is inevitable, law enforcement agents can only legally use the minimum force that can achieve the objective. Moreover, force can only be used legally by law enforcement agents to the extent to perform their legitimate duty and nothing more. Thus, the use of force by law enforcement agents is illegal when it is used as revenge or as extra-legal punishment¹⁶. Relevant sections in the two instruments on the principle of necessity:
- a) *Code of Conduct*
 - Article 3: Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.
 - Commentary: (a) This provision emphasizes that the use of force by law enforcement officials should be exceptional; while it implies that law enforcement officials may be authorized to

use force as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used.

b) *Basic Principles*

- Principle 1: Governments and law enforcement agents shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials. In developing such rules and regulations, Governments and law enforcement agencies shall keep the ethical issues associated with the use of force and firearms constantly under review.

c) *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (2014) (as the RSR 2014 below)*

- Paragraph 75: It is widely accepted that it is the task of the police to facilitate and, if necessary, manage peaceful protest. In addition to the general provisions outlined above, three principles deal with the specialized case of policing of assemblies in the *Basic Principles*. In the case of lawful and peaceful assembly, no force may be used. If there is good reason to disperse an unlawful assembly that is peaceful, only the minimum force necessary may be used. Lethal force clearly has no role to play. The mere fact that some protesters in the crowd are violent does not turn the demonstration as a whole into a non-peaceful assembly. In violent assemblies (that are both unlawful and not peaceful) minimum force should also be used, and firearms may be used only in accordance with Principle 9. Indiscriminate fire into a crowd is never allowed.

d) *Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies (2016) (as the JRSR 2016 below)*

- Paragraph 57: The use of force by law enforcement officials should be exceptional, and assemblies should ordinarily be managed with no resort to force. Any use of force must comply with the principles of necessity and proportionality. The necessity requirement restricts the kind and degree of force used to the minimum necessary in the circumstances (the least harmful means available), which is a factual cause and effect assessment. Any force used should be targeted at individuals using violence or to avert an imminent threat.

38. The European Court of Human Rights further elaborated the principle of necessity concerning the use of force by law enforcement agents: “in respect of a person who is... confronted with law-enforcement officers, any recourse to physical force which has not been made strictly necessary by his own conduct diminishes human dignity and is, in principle, an infringement’ of the right to freedom from torture and inhuman or degrading treatment¹⁷”.

39. *Principle of Proportionality*: the principle of proportionality has always been misunderstood as law enforcement agents could only use the same level of force as the suspected criminals. In fact, the principle of proportionality sets the limit of the level of force that was necessary for law enforcement agents to attain their legitimate objectives¹⁸. However, the principle of proportionality should always be read alongside human rights standards and the principle of necessity, rather than being freely interpreted by the law enforcement agents. Even in unlawful and violent situations, lethal force (be it firearms and other means) should only be used to protect lives under imminent lethal threat¹⁹. Moreover, the principle of proportionality is also about the proportion between the force employed by law enforcement agents to achieve their objectives and the seriousness of the offence. Relevant sections in the two instruments and other protocols on the principle of proportionality are:

a) *Code of Conduct*

- Article 3: Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.
- Commentary: (b) National law ordinarily restricts the use of force by law enforcement officials in accordance with a principle of proportionality. It is to be understood that such national principles of proportionality are to be respected in the interpretation of this provision. In no case should this provision be interpreted to authorize the use of force which is disproportionate to the legitimate objective to be achieved.
- Commentary: (c) The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms, especially against children. In general, firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others and less extreme measures are not sufficient to restrain or apprehend the suspected offender. In every instance in which a firearm is discharged, a report should be made promptly to the competent authorities.

b) *Basic Principles*

- Principle 5: Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall: (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;

c) *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (2014)*

- Paragraph 75: It is widely accepted that it is the task of the police to facilitate and, if necessary, manage peaceful protest. In addition to the general provisions outlined above, three principles deal with the specialized case of policing of assemblies in the *Basic Principles*. In the case of lawful and peaceful assembly, no force may be used. If there is good reason to disperse an unlawful assembly that is peaceful, only the minimum force necessary may be used. Lethal force clearly has no role to play. The mere fact that some protesters in the crowd are violent does not turn the demonstration as a whole into a non-peaceful assembly. In violent assemblies (that are both unlawful and not peaceful) minimum force should also be used, and firearms may be used only in accordance with Principle 9. Indiscriminate fire into a crowd is never allowed.

d) *Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies (2016)*

- Paragraph 58: The proportionality requirement sets a ceiling on the use of force based on the threat posed by the person targeted. This is a value judgement that balances harm and benefit, demanding that the harm that might result from the use of force is proportionate and justifiable in relation to the expected benefit.

40. *Principle of Precaution*: the principle of precaution is “a precursor to the principles of necessity and proportionality”. It is a duty under international law that law enforcement agencies need to plan their operations “in a manner that minimizes the risk that its law enforcement agencies and officials may kill or injure a member of the public (or another law enforcement officials).”²⁰ Thus, any indiscriminate use of force or use of force that disregard the safety of others can be illegal. According to the *Basic Principles*:

- Principle 1: Governments and law enforcement agents shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials. In developing such rules and regulations, Governments and law enforcement agencies shall keep the ethical issues associated with the use of force and firearms constantly under review.
- Principle 2: Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms. These should include the development of non-lethal incapacitating weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury to persons. For the same purpose, it should also be possible for law enforcement officials to be equipped with self-defensive equipment such as shields, helmets, bullet-proof vests and bullet-proof means of transportation, in order to decrease the need to use weapons of any kind.
- Principle 5: Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall: (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved; (b) Minimize damage and injury, and respect and preserve human life

41. *Principle of Non-discrimination*: as *United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement* (2019) suggests, “(in carrying out their functions), law enforcement officials shall not discriminate against any person on the basis of race, ethnicity, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, disability, property, birth, or other similar criteria.” Moreover, “to ensure non-discrimination and de facto equal treatment of persons subject to the use of force, a heightened level of care and precaution shall be exercised with respect to individuals who are known or are likely to be especially vulnerable to the effects of a particular weapon.” Relevant sections in the two instruments on the principle of non-discrimination:

a) *Code of Conduct*

- Article 2: In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.
- Commentary: (a) The human rights in question are identified and protected by national and international law. Among the relevant international instruments are the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Standard Minimum Rules for the Treatment of Prisoners and the Vienna Convention on Consular Relations.

42. When discussing policing politically inspired protests/assemblies, one should also consider international human rights laws (IHRL). The right to engage in peaceful protest was guaranteed by the *Universal Declaration of Human Rights and International Covenant on Civil and Political Rights* (ICCPR; the PRC had signed but not ratified it). The *Basic Principles* of 1990 divided assemblies into three types: lawful (and non-violent), unlawful but non-violent, and violent. It contained two principles as to how to handle different types of assemblies:

a) *Basic Principles*

- Principle 13: In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.
- Principle 14: In the dispersal of violent assemblies, law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9.

43. In 1997, the Office of High Commissioner of Human Rights (OHCHR) issued the *International Human Rights Standards for Law Enforcement*. It was one of the earlier attempts to consolidate various international laws and instruments into a set of standards for law enforcement agencies around the world²¹. It states that “Law enforcement officials are obliged to know, and to apply, international standards for human rights,” as “Human Rights is a legitimate subject for international law, and international scrutiny”²². Then, in the past decade, as a response to the militarization of police forces and the violent suppression of assemblies by law enforcement agencies worldwide, the UN Human Rights Council passed resolutions on human rights in peaceful protests, protection of journalists, and creating civil society space:

- a) 12/16 of 2 October 2009 and 16/4 of 24 March 2011, on freedom of opinion and expression;
- b) 15/21 of 30 September 2010, 21/16 of 27 September 2012 and 24/5 of 26 September 2013, on the rights to freedom of peaceful assembly and of association;
- c) 19/35 of 23 March 2012 and 22/10 of 21 March 2013, on the promotion and protection of human rights in the context of peaceful protests;
- d) 21/12 of 27 September 2012, on the safety of journalists;
- e) 24/8 of 26 September 2013, on equal political participation;
- f) 22/6 of 21 March 2013, on protecting human rights defenders;
- g) 24/21 of 27 September 2013, on civil society space: creating and maintaining, in law and practice, a safe and enabling environment.
- h) * and the General Comment No. 34 on Article 19 of the ICCPR on Freedom of Expression by the UN Human Rights Committee

44. Between 2014 and 2019, the UN human rights bodies further updated the human right standards concerning protests and assemblies in the face of the proliferation of Less-Lethal weapons and widespread social movements. In 2014 and 2016, the UN Human Rights Council adopted two resolutions (25/38 and 31/37) about “The promotion and protection of human rights in the context of peaceful protests”²³. Requested by the Human Rights Council, the Special Rapporteurs on Extrajudicial, Summary and Arbitrary Executions and on Rights to Freedom of Peaceful Assembly and of Association submitted two reports in 2014 and 2016. Then in 2018, the UN Human Rights Committee issued a General Comment No. 36 on Article 6 of the ICCPR. In August 2019, the Office of the United Nations High Commissioner for Human Rights (OHCHR) issued the *United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement*, as a guideline for law enforcement agencies around the world. It specified a number of unlawful weapons, issued guidelines on the lawful use of different types of LL weapons, and the use of which during assemblies. The UN Human Rights Committee also passed the first reading of the draft of the General Comment (Number 37) on Article 21 of the ICCPR in late 2019.

45. Because of the recent changes in human rights standards, it should be noted that facilitating assemblies is now seen as a positive obligation of the State¹, which is expected to not only refrain from imposing overt limitations on assemblies but also to protect the rights of the participants². It is also noted that the people who organize and participate peaceful assemblies should not be disproportionately punished³. Contents of peaceful assemblies should not be restricted except advocacies for “national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,” especially for assemblies with a political message⁴. Peaceful assemblies, even though not meeting all the domestic legal requirements, should be protected by Article 21 of the ICCPR⁵. Also, the State should not “prohibit insults to the honour and dignity of officials or State organs”⁶.
46. The duty of law enforcement during assemblies is to “respect and ensure the exercise of the fundamental rights of the participants, while also taking reasonable measures to protect other members of the public, including journalists, monitors and observers, as well as public and private property, from harm”⁷. Law enforcement officials should be properly trained to facilitate assemblies, and should communicate with parties involved in assemblies⁸. Intimidation tactics such as stop-and-search against individuals organizing or participating in an assembly, detention, or recording of individual faces may affect “the rights to liberty and bodily security, as well as privacy” and are potentially unlawful⁹. Moreover, the criteria for law enforcement agencies to use force during an assembly was tightened; the use of force should be judged by “the principles of legality, precaution, necessity, proportionality, and accountability”¹⁰. Domestic laws and regulations of law enforcement agencies should be updated according to the requirements posed by international law¹¹. Dispersal of peaceful assemblies should be done only in exceptional circumstances, and the use of force should be avoided¹². Firearms, including those firing “rubber-coated or plastic bullets” are “not an appropriate tool for the policing of assemblies”¹². Moreover, “widespread or systematic use of lethal force against participants in peaceful assemblies may constitute a crime against humanity”¹³.
47. During an assembly, “acts of sporadic violence or offences by some should not be attributed to others whose intentions and behaviour remain peaceful in nature”¹⁴. Items carried by participants that “are or could be viewed as weapon is not necessarily sufficient to render the assembly violent” (in Hong

¹Paragraph 13 of the Joint Report of the Special Rapporteurs; Paragraphs 26-27, 80-84 of the General Comment No. 37 on the ICCPR Article 21 by the United Nations Human R Committee.

²Paragraphs 14-16, 18-27, 29-35 of the Joint Report of the Special Rapporteurs; Paragraphs 27, 31-33, 59 of the General Comment No. 37 on the ICCPR Article 21.

³Paragraph 27 of the Joint Report of the Special Rapporteurs; Paragraphs 75-76, 79 of the General Comment No. 37 on the ICCPR Article 21.

⁴Paragraphs 33 and 55 of the Joint Report of the Special Rapporteurs; Paragraph 25, 36, 68 of the General Comment No. 37 on the ICCPR Article 21.

⁵Paragraph 18 of the General Comment No. 37 on the ICCPR Article 21.

⁶Paragraph 56 of the General Comment No. 37 on the ICCPR Article 21.

⁷Paragraph 85 of the General Comment No. 37 on the ICCPR Article 21.

⁸Paragraphs 85, 92 of General Comment No. 37 on the ICCPR Article 21.

⁹Paragraph 43 of the Joint Report of the Special Rapporteurs; Paragraphs 93-94 of the General Comment No. 37 on the ICCPR Article 21.

¹⁰Paragraph 50 of the Joint Report of the Special Rapporteurs; Paragraph 89 of the General Comment No. 37 on the ICCPR Article 21.

¹¹Paragraphs 90-91 of the General Comment No. 37 on the ICCPR Article 21.

¹²Paragraph 98 of the General Comment No. 37 on the ICCPR Article 21.

¹³Paragraph 99 of the General Comment No. 37 on the ICCPR Article 21.

¹⁴Paragraph 20 of the Joint Report of the Special Rapporteurs; Paragraphs 19-21 of the General Comment No. 37 on the ICCPR Article 21.

Kong's case, these items could be helmets, goggles, and umbrellas)¹⁵. Face cover for assembly participants should not be prohibited, given the recent advances in surveillance technologies¹⁶. Moreover, "violence by the authorities" against the participants of a peaceful assembly "do not render the assembly violent"¹⁷. It is suggested that the use of force during peaceful assemblies should be exceptional and subjected to the principles listed above¹⁸. When force is necessary, it should be used against the individuals who were engaging in violent acts rather than indiscriminately¹⁹. Law enforcement officers should be able to be individually identified, and the command structure of the law enforcement agency be made transparent²⁰. The use of undercover/plainclothes officers is seen as problematic as it carries "a high risk of rights violations"²¹. Moreover, undercover/plainclothes officers "must never incite violence on the part of other participants, for example, by acting as agents provocateurs"²². Recent documents also noted the responsibility of the State to protect the journalists and established the right of those who observed, monitored, and recorded assemblies²³.

48. Moreover, law enforcement agencies should not disperse peaceful assemblies on the pretext of disruption of daily life or economic activities, as "inconvenience to others, or temporary disruption of vehicular or pedestrian traffic, are to be tolerated"²⁴. It is also because "assemblies are an equally legitimate use of public space as commercial activity or the movement of vehicles and pedestrian traffic"²⁵. The responsibility of business enterprises to observe human rights laws during peaceful assemblies is also noted, and the State should not condone or encourage the business enterprises to violate human rights during peaceful assemblies²⁶. Most important, the State should not "rely on some vague notion of 'public order' as a ground to justify overbroad restrictions on the right of peaceful assembly," because public order also entails respect for human rights, "including the right of peaceful assembly"²⁷.
49. The issue of accountability is increasingly seen as an important element of LOLE. The State is now responsible for the action and omissions of its law enforcement agencies and "should promote a culture of accountability for law enforcement officials"²⁸. To enhance police accountability, "record keeping of decisions made by command officers at all levels is also required"²⁹. The public should have

¹⁵Paragraph 23 of the General Comment No. 37 on the ICCPR Article 21.

¹⁶Paragraph 70 of the General Comment No. 37 on the ICCPR Article 21.

¹⁷Paragraph 20 of the General Comment No. 37 on the ICCPR Article 21.

¹⁸Paragraphs 57 and 59 of the Joint Report of the Special Rapporteurs

¹⁹Paragraph 95 of the General Comment No. 37 on the ICCPR Article 21.

²⁰Paragraph 65 of the Joint Report of the Special Rapporteurs; Paragraphs 88, 100 of the General Comment No. 37 on the ICCPR Article 21.

²¹Paragraph 77 of the Joint Report of the Special Rapporteurs

²²Paragraph 34 of the General Comment No. 102 on the ICCPR Article 21.

²³Paragraphs 68-71 of the Joint Report of the Special Rapporteurs; Paragraph 34 of the General Comment No. 37 on the ICCPR Article 21.

²⁴Paragraph 62 of the Joint Report of the Special Rapporteurs; Paragraph 53 of the General Comment No. 37 on the ICCPR Article 21.

²⁵Paragraph 32 of the Joint Report of the Special Rapporteurs

²⁶Paragraphs 83-87 of the Joint Report of the Special Rapporteurs

²⁷Paragraph 50 of the General Comment No. 37 on the ICCPR Article 21.

²⁸Paragraph 100 of the General Comment No. 37 on the ICCPR Article 21.

²⁹Paragraph 65 of the Joint Report of the Special Rapporteurs

“easy, prompt, effective, and practical” access to information related to assemblies³⁰. It is the obligation of the State to investigate any allegations of human rights violations during assemblies “promptly and effectively through bodies that are independent and impartial”³¹. The State should also provide remedy to those whose rights are being violated, and punish the perpetrators through civil and criminal sanctions where appropriate³². Civilian oversight bodies should be set up to monitor law enforcement agencies “in addition to criminal, public, and private legal remedies for police misconduct”³³. Remedies should be provided, and should be “proportional to the gravity of the violation and the harm suffered, and should include elements of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition”³⁴.

50. As they are of key importance for this report, the more relevant sections of the documents concerning the Protests are included in Appendix IV.
51. From the 1990s, the Hong Kong government did pay attention to the changing international human rights standards, and the HKPF did have a guideline to control the police use of force. The Police Force Ordinance (Cap. 232) granted the HKPF statutory power to arrest and use force (S. 50), and the Police General Orders (PGO) that contained Force Procedures Manual (FPM) was the guideline for HKPF personnel when performing their various duties. The FPM was not entirely disclosed to the public. The FPM contained a “Use of Force Continuum”, which was “a table of a continuum of measures which an officer might use to deal with increasing levels of resistance from a person”²⁵. According to *HKOI* and the *Washington Post*, the current Use of Force Continuum included six stages, including “Psychological intimidation,” “Verbal non-compliance,” “Passive Resistance,” “Defensive Resistance,” “Active Aggression,” “Deadly Force Assault”, each responded with different level of force being employed²⁶: <https://www.washingtonpost.com/graphics/2019/world/hong-kong-protests-excessive-force/>

³⁰Paragraph 80 of the Joint Report of the Special Rapporteurs

³¹Paragraph 90 of the Joint Report of the Special Rapporteurs; Paragraphs 101-102 of the General Comment No. 37 on the ICCPR Article 21.

³²Paragraphs 89 and 91 of the Joint Report of the Special Rapporteurs

³³Paragraph 94 of the Joint Report of the Special Rapporteurs

³⁴Paragraph 95 of the Joint Report of the Special Rapporteurs

52. According to the disclosed version of the PGO on the use of force, the HKPF was subject to restrictions that was similar to the *Code of Conduct* and the *Basic Principles*²⁷:

- Use of Force (29-01 of PGO)
 - An officer should “exercise a high degree of restraint when dealing with the public”
 - An officer “shall not resort to the use of force unless such action is strictly necessary and he is otherwise unable to effect his lawful purpose”
 - “Only the minimum force necessary to achieve the purpose may be used and once that purpose has been achieved, the use of force shall cease” - “The force used must be reasonable in the circumstances”
- Use of Police Firearms (29-03)
 - An officer may discharge a firearm where the officer’s object was “to protect any person, including himself, from death or serious bodily injury” or “to effect the arrest of any person who he has reason to believe has just committed a serious and violent crime, and who attempts to evade such arrest”
 - “to quell a riot or insurrection”
 - “provided that no lesser degree of force can achieve this purpose”
- Drawing or Presenting Police Firearms (29-04)
 - When an officer may draw a revolver from his holster or point or aim it as a precautionary measure
- Use of OC Foam (29-09)
 - Use of OC Foam (aka pepper spray) “can be considered to obtain compliance when a person is involved or likely to become involved in violent or other behaviour likely to injure himself/herself or others”

53. From the above, the PGO guideline was similar to Principle 9 of the *Basic Principles*. However, whether Principle 5(a) of the *Basic Principles* is included in the instruction is unknown. Principle 5(a) reads: “Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved”. Thus, the use of force and firearms, according to the *Basic Principles*, should be in proportion to the seriousness of the offence. Without stressing on the principles of proportionality and necessity, it is possible that “[preventing] assault that may lead to death or serious bodily harm” or “to quell a riot or insurrection” can be easily used as excuses to use firearms or excessive force. The exaggeration of the danger faced by the HKPF personnel was comically shown when the driver of the HKPF armored car recounted that he believed he was “in a battlefield” when he found his \$6,000,000HKD armored car was being shot at by slingshots, Molotov cocktails, and “hard objects”²⁸.
54. From the behavior of the HKPF officers during the Protests, one can see that the HKSAR government and the HKPF paid little attention to the changes in LOLE and IHRL standards in the recent years or their implications, despite the fact that the resolutions of the UN Human Rights Council would be sent to the states around the world. In particular, there was no revamping of various local legislations based on Paragraph 10 of the UNHRC Resolution of 25/38 that urged the states to “ensure that their domestic legislation and procedures are consistent with their international obligations and commitments in relation to the use of force in the context of law enforcement and are effectively implemented by officials exercising law enforcement duties, in particular applicable principles of law enforcement, such as the principles of necessity and proportionality”²⁹. Moreover, the Public Order Ordinance (Cap. 245) and the Emergency Regulations Ordinance (Cap. 241) that gave the HKSAR government almost unlimited power were allowed to exist. A closer look at the misconducts of the HKPF officers shows that the teaching of IHRL and LOLE was probably not an important part in the training of HKPF officers, and this potentially caused a contravention of the principle of precaution. In fact, not even the existing guidelines on the use of force were properly followed. Moreover, by branding the Protests a riot or a threat to national security and relying on Cap. 245 as the legal foundation of the extensive use of force and mass arrest, the HKPF’s action contradicted with the Resolutions of 25/38 and 31/37 of the UN Human Rights Council, the JRSR 2016, as well as the (Draft) GC No. 37 on Article 21 of the ICCPR in 2019. An increased tie with the PRC police was not an excuse of this problem, as IHRL and LOLE are customary international law and the HKSAR government had cited the *Basic Principles* (an instrument of LOLE) to defend its procurement of certain equipment (such as the SCMV’s).
55. When replying to press inquiries, the HKPF suggested that it was facing situations such as “illegally blocking roads, paralyzing traffic, unlawful assembly, wanton destruction of public and private property and violent attacks on people merely holding different views occur that seriously threatens public order and public safety” without commenting on any individual cases³⁰. However, according to Paragraph 9 of the JRSR 2016 and Paragraphs 19 and 20 of the (Draft) GC No. 37 of the ICCPR, acts of violence during a protest should be dealt with case by case in separation and thus isolated acts of violence should not be used to justify a systematic escalation of the use of force by the HKPF.

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Categories of Police Brutality and Abuse of Power

A. Disruption of Public Demonstrations

A. Disruption of Public Demonstrations

i. Description

56. Except for the massive demonstration of 9 June, the HKPF had disrupted or attempted to disrupt numerous non-violent processions and assemblies. The means employed by the HKPF ranged from refusing to issue Notice of No Objection (NNO) to prematurely end peaceful processions that had obtained NNO or outright dispersal by force.
57. Empowered by the Public Order Ordinance (Cap. 245), the Commissioner of Police (CP) could object to any public procession consisting of more than 30 persons on the grounds of “the interest of national security,” “the protection of the rights and freedoms of others,” “public safety,” and “public order” that were defined by the HKPF (S. 13). Although a decision by the CP could be appealed to by an Appeal Board, the chance for a success was limited as the formation of the Board was controlled by the government³¹. Moreover, Cap. 245 also gave the HKPF the power to disperse public assemblies if its officers (of inspector rank or above) “reasonably believes it is likely to cause or lead to a breach of the peace” (S.17(2)). “Necessary force” can also be used to disperse, arrest, and overcome resistance (S. 45(b)). The law also gave HKPF personnel immunity from being charged for causing injury or death to person or damage or loss of property, provided that the force used was deemed necessary (S. 46(3)).
58. The Public Order Ordinance was first introduced after the 1967 Riot, as a legal tool to tackle political activities incited by the Chinese political parties. In 1995, as the result of the passing of the Hong Kong Bill of Rights Ordinance (Cap. 383), the Public Order Ordinance was amended. The licensing procedure of the Ordinance related to public processions was replaced by a notification system, and the CP “might prohibit the holding of a public procession if he reasonably considered such prohibition to be necessary in the interests of public safety or public order”³². These changes were made so that it would not contravene the Hong Kong Bill of Rights Ordinance, which was based on the ICCPR. Article 17 of Cap. 383 reads: “the right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others”³³. This was the same as Article 21 of the ICCPR.
59. After the Handover, however, the Public Order (Amendment) Ordinance 1995 was again amended. The new version introduced the NNO system and added another two grounds for the CP to object to the holding of a public procession: “if he reasonably considers it necessary in the interests of national security or on the protection of the rights and freedoms of others”³⁴.

60. On the other hand, however, Article 27 of the Hong Kong Basic Law reads: Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike³⁵. The contradictions between Article 27 of the Basic Law, Article 17 of Cap. 383, and the restrictions imposed on public assemblies by certain sections of the Cap. 245 (such as S. 13-15, and 18) remained unresolved. The public often complained that the HKPF freely interpreted S. 18 (Unlawful Assembly) and S. 19 (Riot) during the Protests. In one extreme case, HKPF officers threatened to arrest a family of three who criticized the HKPF on the street at Tai Po for unlawful assembly³⁶. In another case on 7 October, the parents were detained, leaving a wailing child in the middle of the street³⁷. Similar cases also exist³⁸.
61. The first and probably one of the worst cases of the HKPF's disruption of assemblies was the crackdown on the 12 June 2019 demonstration near the Government Headquarters and the Legislative Council at Admiralty. On that day, the HKPF launched a curious encirclement operation against tens of thousands of people who were attending a non-violent demonstration near the Legislative Council, while hundreds of more radical protesters tried to break into the Demonstration Area of the Legislative Council. At around 1520, the HKPF displayed a red flag to the crowd near the Legislative Council and then started to push forward, dispersing and arresting the protesters near the Demonstration Area³⁹. HKPF officers were seen beating protesters ferociously with baton and shield, including those who were subdued. At the junction of Lung Wui Road and Tim Mei Road near Citi Tower, tens of thousands of peaceful protesters were attending a demonstration organized by the Civil Human Rights Front. At around 1600, HKPF riot police pushed from Tim Mei Road and Lung Hop Street. Many of the protesters there had no protective gears such as helmets or gas masks. The HKPF then pushed in opposite directions in a "Cannae style" encirclement, with tear gas being used in a way similar to artillery in a real war. The HKPF repeatedly fired tear gas canisters into the crowd, and a number of them fell at the medical posts. Thousands of protesters who were left with no route to disperse were pushed against the Citic Tower, the gates of which were not opened until the last minute⁴⁰. The action, apparently commanded by some expatriate officers such as CSP Rupert Dover (Acting RC, NTS), was probably an attempt to "shock and awe" the protesters so that they would not dare to stage another protest. CP Stephen Lo Wai Chung then announced the events near the Legislative Council as a "riot" and declared that forceful actions would be taken⁴¹. On the next day, however, Cheung Kin Chung, the Chief Secretary, denied that the government had classified the event as a "riot," and suggested that it was a decision made by the CP. Lo backtracked five days later⁴². From retrospect, the "decisive battle" mentality of the HKPF commanders at the front on that day and the refusal of the HKPF (and the HKSAR government) to admit its mistake and failure led to the largest political, economic, and social turbulence in Hong Kong ever since the Japanese invasion of 1941.
62. Thereafter, the HKPF repeatedly refused to issue NNO for large-scale public assemblies. According to Amnesty International Hong Kong, the HKPF refused to issue NNOs to at least eleven large-scale peaceful assemblies/demonstrations between 27 July and 31 August⁴³. The HKPF also arrested the organizers of peaceful protests, on the pretext that violent acts had occurred⁴⁴. However, despite the refusal of the HKPF to issue NNO, numerous large-scale public events were staged by various groups, such as the peaceful "human-chain" event, and they ended peacefully. Sometimes, HKPF officers would round up and "register" or arrest those who participate in peaceful protests. Many of the arrested had no protective gear with them; even if they had, that would not constitute an intent to engage in violent acts, although the HKPF often wanted the public to believe⁴⁵.

63. The HKPF also disrupted events that had obtained NNO, such as using the tactics of “kettling” by surrounding the crowd⁴⁶, firing tear gas into the crowd within NNO-allowed area, blocking road traffic by setting up checkpoints⁴⁷, or declaring the event illegal by rescinding NNO early⁴⁸. HKPF also used overwhelming force against small-scale peaceful demonstrations such as singing in public; insults were hurled at the participants who posed no threats⁴⁹. During the massive rally on 18 August (during which the organizers claimed that as many as 1.7 million participated), no violent acts occurred because the HKPF was largely absent on that day. There was a direct link between the HKPF’s crackdown on peaceful assemblies and the intensification of the protest. When protesters occupied the Legislative Council on the evening of 1 July, a graffiti on one of the columns read: “It was you who taught me peaceful marches are useless”⁵⁰.
64. As the HKPF started to suppress even peaceful assemblies, protesters tried to disrupt the rush hour traffic by blocking MTR stations and major roads from September. HKPF riot police appeared at MTR stations and piers and used baton and pepper spray to suppress these protests; excessive force was used in arresting non-violent protesters⁵¹.
65. During largely peaceful assemblies/demonstrations (during which roadblocks would be set, graffiti would be painted, and selected properties [government and private] such as road signs might be vandalized), HKPF officers, including some of the most senior figures of the force were seen actively provoking protesters, threatening (such as “I can recognize you”) and challenging citizens to “come down” (to him and the large number of HKPF officers downstairs)⁵². On 27 October, during a large-scale rally against police brutality that had obtained NNO, CSP Rupert Dover, the controversial HKPF commander, entered the venue, and his presence provoked the participants. He then ordered tear gas rounds being fired into the crowd and dispersed tens of thousands of participants of the rally (many without any protective gear)⁵³.
66. From November, the HKPF’s crackdown on public assemblies intensified, and it started to disrupt large-scale events (including those that had obtained NNO) that were participated mainly by non-violent protesters, apparently in order to terrorize them. On 2 November, the HKPF declared the gathering of Pan-Democrat candidates of the District Council Election an unlawful assembly (which had not obtained NNO) and then fired tear gas rounds into a sitting and unarmed crowd (including children and aged participants as well as onlookers) after a very short warning. They then rushed in to arrest a number of candidates and peaceful protesters. Disproportionate force was used to restrain three unarmed and already-subdued candidates⁵⁴. The HKPF apparently intended to round up rather than to disperse the crowd as riot police, supported by water-cannon vehicles, approached the crowd from both eastern and western sides of the streets in the Wan Chai-Causeway Bay area. More than a hundred unarmed protesters, mostly young men and women, were detained at Southorn Stadium. They were ordered to squat with hands up for more than an hour, with their hands and arms marked by non-fading ink, before being sent away⁵⁵. At night, there was a running battle between the HKPF and the more determined and violent protesters in Causeway Bay amidst onlookers and passerby. During the operation, the intention of the HKPF was unclear as it fired tear gas continuously in different directions, often in the direction of reporters and volunteer first aiders. Numerous shops and citizens were gassed.

67. The two events at Central that had obtained NNO were also dispersed in a similar manner. The HKPF ordered the peaceful protesters of the two events, which numbered thousands, to disperse ten minutes after the official start of the event. They were asked to leave, without any direction and assistance from the HKPF, which proceeded to disperse the crowd within an hour after declaring the end of the two events. Numerous tear gas canisters were used to disperse the crowd. The protesters responded by setting fire near a number of entrances of the Central MTR Station to cover the withdrawal of the weak and the elderly⁵⁶. In Kowloon, hundreds of unarmed protesters participating in a protest-themed music event (which also obtained NNO) were dispersed before scheduled time after the arrival of riot police. Protesters then set fires and built roadblocks along Nathan Road. Throughout the evening, sporadic acts of road blockage took place in the Mong Kok-Yau Ma Tei area, with the police responded by firing tear gas, often at dispersed individuals who might not be protesters. According to the Hospital Authority, 54 were injured during clashes on 2 November, including 35 males and 19 females, with age from 16 to 71⁵⁷.
68. Even after the situation of Hong Kong had stabilized following the passing of the Hong Kong Human Rights and Democracy Act as well as the Pan-Democrats' landslide victory during the District Council election, the HKPF maintained a provocative and aggressive stance against peaceful assemblies. During a peaceful gathering that obtained NNO in the evening of 28 November, HKPF riot police appeared in full anti-riot gear, when tens of thousands of citizens celebrated the passing of the Hong Kong Human Rights and Democracy Act in a peaceful manner. Masked HKPF officers brandished pepper-spray dispensers and tried to incite violent response by throwing random insults. One man was arrested for possessing a laser pen, a common item that would be found during a rally at night⁵⁸. HKPF officers also declared some slogans chanted by the peaceful protesters "unlawful" without any legal basis⁵⁹. However, as the crowd remained peaceful, the HKPF withdrew without making further arrests, and the night ended largely peacefully.
69. In December, the HKPF continued its "shock and awe" tactics that had achieved nothing in the past months. The reason for the HKPF's insistence on using the widely discredited (and in fact hated) method probably deserves special attention by the commission of inquiry if it is to be formed. On 1 December, another large-scale rally took place in Tsim Sha Tsui, participated by as many as 380,000 as the organizer claimed. The event was meant to be a peaceful march, so many of the participants were the elderly and children. At around 1600, small clashes between protesters and HKPF officers broke out, with the latter deployed pepper spray and pepper ball guns. The HKPF claimed on social media that "a mob of several hundred" gathered and "smoke grenades" were being thrown at them. The HKPF then announced the end of the event at around 1700 and fired tear gas and rubber bullet rounds into the crowd before it could be dispersed⁶⁰. However, when the RTHK released a note about not being able to find the so-called smoke grenades, the PPRB edited the above-mentioned post on social media⁶¹. On 2 December, when the PPRB was being asked repeatedly by journalists about the claim of protesters using smoke grenades, the PPRB claimed that HKPF officers were being attacked with water bottles and bricks and refused to comment on smoke grenades⁶².
70. On 8 December (the International Human Rights Day), the Civil Human Rights Front organized a peaceful demonstration on Hong Kong Island that was participated by more than 800,000 (as the organizers claimed), the HKPF restricted the traffic towards the Island and allowed only a trickle of cars to leave the cross harbor tunnels⁶³. During the demonstration, HKPF officers were seen throwing random and discriminatory insults towards the participants. Jimmy Sham Tsz-kit, one of the organizers of the demonstration, was being insulted because of his sexual orientation⁶⁴. Reporters and human right watchers were again subjected to provocations and insults⁶⁵. Apparently, some HKPF officers

attempted to incite violent reactions from the crowd so that they could escalate. The public responded by ridiculing such attempts as polys of HKPF officers to obtain more overtime bonus from the HKSAR government. A day before the rally, the HKPF claimed that a “criminal group” was found trying to frame the HKPF by firing into the crowd with live bullets. Eleven were arrested⁶⁶. In the evening of the day, minor clashes took place in the streets of Mong Kok; an HKPF officer was seen using a pepper ball gun to shoot at the back of the head of an unarmed protester who was leaving the scene. The HKPF officer fired at his target from less than five meters⁶⁷.

71. As the more violent protests gradually subsided in mid-December, the HKPF became more oppressive towards the peaceful protesters. HKPF officers arrested people for engaging in peaceful actions such as posting protest-related posters without warning⁶⁸. Even during commemorative demonstrations such as the one dedicated to the death of Chow Tsz Lok (see “Allegations”) attended by mourning citizens, riot police in full gear appeared at the scene, causing much disruption while achieving nothing. Citizens were again subjected to random searches and insults that aimed at escalation and intimidation⁶⁹. During the protests between 24 and 31 December, HKPF rounded up hundreds of non-violent protesters who were chanting slogans in commercial areas⁷⁰. A restaurant that was organizing a party to commemorate the protests received warning from the HKPF⁷¹.
72. On 1 January 2020, another large-scale demonstration organized by the Civil Human Rights Front took place. Before the march, the PPRB suddenly released a poster on social media, claiming that the Civil Human Rights Front was planning a massive riot with the goal of randomly vandalizing shops in Hong Kong. The “poster” failed to draw much attention and was ridiculed⁷². The march, which the organizers claimed that 1.03 million attended, progressed peacefully for three hours after it began, until the HKPF claimed that a bank was being vandalized (not robbed). The HKPF then demanded hundreds of thousands of protesters to disperse immediately. Less than an hour later, one apparently disobedient HKPF officer threw a tear gas canister into the marching crowd within the allowed area. Thereafter, tear gas and rubber bullets were discharged indiscriminately into the crowd. Sporadic acts of vandalism by the protesters took place, and the HKPF rounded up more than 500 protesters and passerby in different parts of Hong Kong, including three human rights watchers. Many were released without being charged. Civil Rights Observer wrote a detailed report concerning the various breaches of IHRL during the crack down⁷³. On 19, another large scale non-violent rally took place, but it was cut short by the HKPF after it declared the organizers allowed too many people to participate. Scuffle between protesters and a number of HKPF officers resulted. The HKPF then proceeded to use tear gas to disperse the crowd. On 21 January, the HKPF forcefully dispersed the already-leaving participants of a peaceful assembly at Yuen Long MTR Station commemorating the 21 July attack (see “The Suspected Use of Titushky” Section) on the pretext that there was a fight in the crowd (which the participants claimed never happened).

ii. *Potential violations of LOLE and IHRL*

73. The disruption of non-violent protests by the HKPF potentially contravened LOLE and IHRL. The HKPF made it excessively difficult to conduct a peaceful demonstration through the manipulation of the NNO system and other measures such as stopping traffic. Such actions violated the principles of necessity and proportionality, and thus potentially violated Articles 19, 21, 25 of the ICCPR; Articles 2-4 of the UNHRC Resolution 25/38; Articles 2, 5 of the UNHRC Resolution 31/37; Paragraphs 21-25, 29-35, 37-40 of the JRSR 2016; and Paragraphs 40-84 of the (Draft) GC No. 37 of the ICCPR. The HKSAR government that failed to change the local legislations to respect and ensure the right of peaceful assembly violated both Articles 2 and 21 of the ICCPR. The HKPF also had a tendency to exaggerate the violence and disruption caused by the protests and the protesters, and individual officers even claimed that all protests were uprisings that aimed at overthrowing the HKSAR government. This led to disproportionate and unnecessary responses that contravened Paragraphs 48-50, 53-55, and 79 of the (Draft) GC No. 37 of the ICCPR, and thus potentially violated Article 21 of the ICCPR.

74. During non-violent protests that witnessed sporadic acts of violence, the HKPF often suppressed the entire assembly with baton charges, tear gas, and LL ammunitions. This was excessive, indiscriminate, and arbitrary use of force and potentially violated Articles 6, 7 of the ICCPR; Articles 2, 3, 5 of the *Code of Conduct*; Principle 4, 5, 8, 12-14 of the *Basic Principles*; “The use of force,” “Permissible circumstances for the use of firearms,” “Procedures for the use of firearms,” and “Civil disorder” Sections of the IHRSL; Articles 3, 4, 17 of the UNHRC Resolution 25/38; Articles 2, 5 of the UNHRC Resolution 31/37; Paragraphs 9, 50, 57-63 of the JRSR 2016, and Paragraphs 85, 89-91, 95-99 of the (Draft) GC No. 37 of the ICCPR. Whether a public assembly was violent or not should not be arbitrarily defined by the HKPF officers; according to Paragraphs 19-21 of the (Draft) GC No. 37 of the ICCPR, while “there is not always a clear dividing line between assemblies that are peaceful and those that are violent, but there is a presumption in favour of considering assemblies to be peaceful.” Moreover, the question of whether an assembly ceases to be peaceful must be answered with reference to the violence that originates or is deemed to originate from the participants. Even if protesters carried items that could be viewed as weapons would not immediately make an assembly violent (Paragraphs 23 of the (Draft) GC No. 37 of the ICCPR).
75. By arresting organizers of demonstrations for violent acts not committed by them, the HKPF contravened Paragraph 26 of the JRSR 2016 and Paragraph 75 of (Draft) GC No. 37 of the ICCPR as it violated the principle of individual liability. For arbitrary arrest and detention of participants of peaceful assembly and bystanders, see “Discriminations in Policing” Section.
76. The use of methods by the HKPF such as random stop and search of potential protesters on the streets and arbitrary detention of potential protesters imposed excessive restrictions on freedoms of movements and of peaceful assemblies, and thus potentially contravened Articles 12, 17, 19, 21, 25-26 of the ICCPR, Paragraph 76 of the JRSR 2016, and Paragraphs 93-94 of the (Draft) GC No. 37 of the ICCPR.
77. In small scale non-violent protests such as posting at Lennon Walls, HKPF officers arrested the protesters for being suspected of committing various criminal charges and often used humiliating ways to detain protesters and passerby alike. The use of these methods of intimidation were arbitrary, unnecessary and disproportionate, and deprived the arrested or detained of their freedom of assembly, expression, and movement, thus potentially contravened Articles 21, 25, and 29 of the ICCPR; Articles 2 and 3 of the *Code of Conduct*; Paragraphs 2-4 of the UNHRC Resolution 25/38; Paragraphs 2, 5 of the UNHRC Resolution 31/37; Paragraphs 8, 11, 14-15, 33-34 of the JRSR 2016; and Paragraphs 9, 15, 36, 53-56, 58, 60, 68-69 of the (Draft) GC No. 37 of the ICCPR.

78. Relevant local legislations, LOLE, and IHRL are as follows:

- **Hong Kong Basic Law**
 - Article 27
- **Hong Kong Bill of Rights Ordinance Cap. 383**
 - Article 17
- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 17 (surveillance of those involved in assemblies)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principle 4, 5, 8
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 5, 7
 - Policing in Democracies; Paragraphs 1, 2, 6, 7
 - Non-Discrimination in Law Enforcement; Paragraphs 1, 2, 4, 5, 6
 - Police Investigations; Paragraphs 2, 4, 5, 6, 8
 - Arrest; Paragraphs 1, 2
 - Detention; Paragraph 2
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1
 - Civil Disorder; Paragraphs 1-16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-4
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
 - Community Policing; Paragraphs 1-11

- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recognizing also that any such restrictions [on peaceful assembly] must be based in law, in accordance with States' obligations under applicable international human rights instruments and subject to a competent, independent, impartial and prompt administrative or judicial review,
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - And Paragraphs 3, 4, 17
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 2, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 14, 15, 18-27, 29-35, 37-48, 50-65, 76
 - Paragraphs 83, 84 (on private property owners' responsibility to respect human rights)
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 1-103 (better be discussed in a case-by-case basis)



Categories of Police Brutality and Abuse of Power

B. Tactics in Crowded Space

B. Tactics in Crowded Space

i. Description

79. Throughout the Protests, the HKPF created numerous glaring scenes that achieved nothing but fueled public anger. This was especially true when HKPF officers tried to chase down or beat up protesters in crowded spaces, hitting passerby, journalists, medical personnel, and human rights watchers in the process⁷⁴.
80. As early as on 12 June, the Raptor Unit was already attempting to storm into a major shopping mall at Admiralty, where peaceful protesters gathered and rested. Raptor officers hurled insults at those that were inside, challenging the protesters to “come out”⁷⁵. On that day, the HKPF also pepper sprayed a group of unarmed protesters from the top of a staircase, at the risk of causing a stampede⁷⁶.
81. On 14 July, during a protest within the Sha Tin New City Plaza shopping mall and the MTR station that connected to it, the PTU and other HKPF officers repeatedly rushed into the mall and the station and hit protesters and passerby with baton, shield, and pepper spray in an indiscriminate manner⁷⁷. Before that, a large number of protesters who participated in a peaceful demonstration earlier were trying to leave by taking MTR, but plainclothes police officers suddenly sealed off the station and started “kettling” a large number of protesters inside the shopping mall. During the clash, one plainclothes police officer, without protective gear, gave chase to a number of protesters, leaving his colleagues behind. He was then found himself in the middle of an escalator alone and was kicked down the escalator and beaten up by a large crowd, only to be rescued by a camera man and the Pan-Democrat Legislative Councilor Chu Hoi Tik. The fight between HKPF officers and protesters took place when hundreds of shoppers and diners, including a large number of children and the elderly, were still inside the mall. It should be noted that when the HKPF was forcing through the gates of the mall, none of the shops and the facilities of the mall was vandalized by the protesters. The mall also denied having called the police. The PPRB insisted that the HKPF entered the shop because its members were trying to disperse a “life-threatening mob” although it provided no proof⁷⁸.
82. In some cases, HKPF officers’ reckless actions in cramped spaces led to potentially lethal results. On 13 July, a group of HKPF officers, led by an officer in white shirt, charged at a teenager with batons on a narrow footbridge during an operation. Apparently, the officer mistook the teenager, who suffered from Leg Length Discrepancy, with another protester who ran away. Apparently, in panic, the teenager jumped from the footbridge, only to be caught by a cameraman. The officer who chased the teenager *stepped back* when the teenager jumped. When the teenager was saved, the policemen rushed forward and claimed that they saved him and blamed the teenager for jumping⁷⁹.

83. Apparently, the HKPF still believed that resorting to baton charge inside narrow spaces was a viable tactic, as on 11 August a group of riot police charged down an escalator and beat unarmed protesters with batons after a fusillade of pepper ball shots. The protesters were pushed down along the escalator, and only because of the resistance of the protesters at the front that a stampede was avoided (see Sample Case 4 in Appendix I)⁸⁰. Similar cases happened throughout the protest⁸¹.
84. Thereafter, the HKSAR government and the HKPF insisted that the latter had the right to enter malls and other privately owned premises, citing Cap. 232 of the Hong Kong Law. However, in some cases, HKPF officers ignored the possibility of causing chaos or even a stampede by threatening to rush (or actually rushing) into shopping malls even though they faced no threats and there were no violent/criminal acts taking place inside. For example, on 24 August, a group of HKPF officers pretended to rush into a shopping mall in Wong Tai Sin, and the crowd inside the mall ran away. The officers then laughed and left the premise⁸². Had the officer was certain that there was a suspect inside, he should have entered. If not, then he was possibly abusing his power as an HKPF officer.
85. The very worst case of HKPF operation in crowded spaces was the storming of the platform and the train of the Prince Edward MTR Station on 31 August. During the day, a large-scale march took place on Hong Kong Island, participated by hundreds and thousands of peaceful protesters. Throughout the day, intermittent clashes took place in different parts of the Island. In the evening, some protesters shifted to Kowloon, while many more were returning home. At around 2245, there was a fight between several pro-HKPF men and a dozen protesters, with both sides throwing water bottles and umbrellas at each other after one of the pro-HKPF men took out a hammer from his bag⁸³. As a result of the incident, the MTR called the HKPF, and the HKPF apparently believed that a large group of the more violent protesters were on the train at Prince Edward Station.
86. At around 2300, several dozens of masked Raptor officers armed with batons, pepper spray, and LL guns rushed into the station and forced into a train (not the one where the clash had occurred). At that time, the station was still full of passerby. The Raptor officers, in an increasingly excited state, stormed the escalators, the platform, and the carriage, randomly beating and pepper-spraying people (none armed except with umbrellas or similar items) at the scene⁸⁴. At around this time, the MTR sealed off the station. Volunteer first aiders were not allowed to enter the station to tend the wounded. The first aiders inside the station were ordered to face the wall and were guarded by HKPF officers⁸⁵. Reporters were also driven away by force⁸⁶. At 2317, the first government rescue personnel arrived, and the HKPF officers inside the station reported that there were no wounded in the platform and on the train⁸⁷. Communication between the Fire Department and the Emergency Medical Service showed that the number of wounded was changed several times, showing the chaotic situation. At least one of the wounded in the station suffered from serious head wounds because of baton hits⁸⁸. On 1 September, the HKPF claimed that 40 were arrested at Prince Edwards station but did not disclose the number of wounded⁸⁹. The number of both wounded and arrested, however, remained unclear three months after the event, as the HKPF changed the numbers twice. On 3 December, FactWire, an investigative press agency, released a report suggesting that as many as 63 were arrested and 11 were sent to hospital during the event. They were able to interview 47 out of 52 of those arrested inside the station, and some suggested that they were sent to the police station rather than the hospital after they were arrested⁹⁰. MTR had yet to disclose the CCTV footage of what happened in the station that night.

87. This incident was one of the worst HKPF debacles (the other would be the 21 July pro-HKPF mob attack) that led to public outrage against the HKPF and the HKSAR government (see “Police Brutality and Intensification of Protest” Section). It also gave rise to the theory that personnel of the Chinese Armed Police Force (*wujing*) participated in the action, hence the ferocity against the unarmed passengers. According to the polls conducted by the Hong Kong Public Opinion Research Institute and the Centre for Communication and Public Opinion Survey, more or less half of the respondents suggested that they believed that the HKPF had been trying to hide the death cases in the 31 August raid⁹¹. In the following months, there were clashes near the Mong Kok Police Station that was right next to an exit of the Prince Edward MTR Station, where people laid flowers to commemorate the event.
88. In November, the HKPF’s reckless tactics led to other serious incidents, as its leadership paid little attention to the human rights and PR dimensions of its operations. At around 2315 of 18 November, when the HKPF was trying to round up a large group of protesters retreating along Nathan Road, a stampede occurred at Yau Mat Tei. During the action, the Raptor Unit used flash grenades at the crowd, and ammunitions of unspecified types were fired. Although volunteer first aiders and firefighters at the scene tried to rescue those trapped, HKPF officers pepper sprayed the first aiders and stopped the firefighters from rescuing the wounded. Reporters were also dispersed. Some of the onlookers and first aiders were arrested. Fire Services Department records shows that there were at least 66 wounded, of which 16 were serious cases. Still, more than 30 of the wounded protesters were sent directly to the police station before receiving treatment⁹². This was a direct breach of Article 6 of the *Code of Conduct*.
89. Still, the HKPF continued to same kind of operations in crowded areas such as shopping malls. During the series of clashes in the commercial areas between 24 and 31 December, HKPF officers (many were plainclothes police officers without showing any identifications) charged into shopping malls and attempted to make arrests during many confusing melees. Overly excited HKPF officers used batons, shields, and pepper spray canisters to hit the head rather than other parts of the body of the suspects. Riot police brought LL weapons into malls full of non-protesters and pointed their weapons in an indiscriminate manner⁹⁴. During a clash at Yuen Long, one unarmed man fell from the second floor to the ground in a mall when he was trying to escape from charging riot police and plainclothes police officers armed with batons⁹⁵. He was seriously wounded.

ii. *Potential violations of LOLE and IHRL*

90. The HKPF’s tactics in crowded space often paid no attention to the safety and human rights of the protesters as well as others nearby. As shown in the above cases, HKPF officers launched frontal assaults with various LL weapons against protesters who posed little real threat to the HKPF officers. In some cases, HKPF officers attacked the back of the protesters in narrow spaces such as staircases or escalators, causing chaos that might have led to stampedes. At least once on 18 November, a stampede was caused by the use of such tactics. The use of force by the HKPF in the above cases was indiscriminate, arbitrary, disproportionate, unnecessary, and excessive, and potentially contravened Articles 6, 7 of the ICCPR; Articles 3, 5, 6 of the *Code of Conduct*; Principles 4, 5, 8, 12-14 of the *Basic Principles*; “The use of force,” “Permissible circumstances for the use of firearms,” Procedures for the use of firearms,” and “Civil disorder” Sections of the IHRSLE; and Article 2, 9 of the UNHRC Resolution 25/38.
91. The HKPF as an organization that failed to prevent and investigate the incidents, as well as hold the officers involved accountable violated the principle of precaution (Paragraph 4 and 5 of the UNHRC Resolution 31/37; Paragraphs 50-55 and 89-94 of the JRSR 2016; and 100-101 of the GC No. 37 of the ICCPR).

92. Relevant local legislations, LOLE, and IHRL are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 17 (surveillance of those involved in assemblies)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 3, 5, 6
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Articles 4, 5, 8, 12-14
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-4
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 2, 9, 10, 12, 13, 15
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraph 5

- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 42, 44, 50-63
 - Paragraphs 83, 84 (on private property owners' responsibility to respect human rights)
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89, 91, 96-99
 - Paragraph 97 (on tear gas)
 - Paragraph 97 (on water cannon)
 - Paragraph 98 (on firearms, including LL firearms)



Categories of Police Brutality and Abuse of Power

C. Use of Firearms

C. Use of Firearms

i. Description

93. Until January 2020, HKPF officers fired 19 live rounds during the Protests. There was also an unconfirmed case of the firing of assault rifle rounds on 18 November. Because of the absence of a clear strategic direction, faulty command and control, confusing tactical deployment of HKPF units, poor/lack of training, or maybe sheer incompetence and unprofessional attitude, HKPF officers often pointed and discharged firearms into protesters in situations that could be avoided.
94. The very fact that so many HKPF officers carried firearms and live rounds into the conflict zone where the protesters had no firearms was problematic and would only encourage the officers to use them. In fact, on more than one occasion, HKPF officers were unable to secure their firearms and ammunition when they were on duty. It was only because of the peaceful inclination of the protesters that none of these dropped firearms and ammunition were used against HKPF officers⁹⁶.
95. In general, HKPF officers who used firearms found themselves extremely close to protesters, either intentionally or because of poor judgment and discipline. The first instance of HKPF officers drawing firearms at protesters took place on 30 July at Kwai Fong. During a confrontation between the HKPF and a group of protesters armed with bricks, water bottles, and umbrellas. SSGT Lau Chak Kei suddenly rushed forward into a crowd to try to grab one protester with a hand, with a baton on another. In the process, he was surrounded by protesters who assaulted him with umbrellas and hiking sticks. He retreated, got hold of a Remington shotgun (whether it was loaded, and with what ammunition, is unknown), and pointed it to the crowd, which immediately dispersed. He indiscriminately pointed the shotgun to everyone around him, including reporters and onlookers. He then marched, in an aiming pose, towards an MTR station via a transport exchange, where there were many bystanders and passerby not involved in the protest. The several HKPF officers around him also held firearms or batons but were not in aiming pose. On his way, protesters threw water bottles, umbrellas, and other rubbish at him, while he pointed his weapon in different directions without warning or firing. He then retreated from the station and left. Throughout the incident, he made no arrests⁹⁷. For his haphazard action, he was hailed as a hero by the PRC media and was later invited to attend the PRC National Day Military Review on 1 October.

96. The first attempt to fire a live round by an HKPF officer took place on 13 August at the Hong Kong International Airport. At around 2300, after a brief scuffle between protesters and HKPF officers, a uniformed HKPF officer suddenly entered the Departure Hall alone to grab a young woman who was walking with a companion with a suitcase (possibly a tourist, who rushed back to assist her). The woman was walking away from the scene with the back facing the officer and had no knowledge of the incoming assault. The HKPF officer then found himself inside a large crowd of protesters who beat him with fists, umbrellas, and sticks; apparently in panic, he pulled out his unloaded revolver and immediately pulled the trigger, and then sat on the floor as his legs were visibly shaking. The crowd was dispersed by the sight of the revolver⁹⁸. The reason for that officer to rush into the Departure Hall to grab a woman is unknown. The action was filmed by major news channels and led to much public outcry. On 16 August, SSP Kong Wing Cheung of the PPRB showed footage of the incident in a press conference; in the footage shown, the section showing the officer grabbing the traveler was edited out⁹⁹.
97. On 30 September, the pro-PRC media *HK01* released a “leaked” instruction of the HKPF, showing several changes made on the PGO. In the old version, the use of firearms was only appropriate when an officer met “assault that intends to inflict death or serious bodily harm”; in the new version, firearms could be used when an officer faced “assault that may lead to death or serious bodily harm”¹⁰⁰. This gave additional flexibility for HKPF officers to use firearms.
98. On 1 October, the 70th anniversary of the PRC, HKPF officers stepped up the use of firearms, even though they faced the same threat as before. Again, the HKPF thinly deployed riot police in areas where large groups of protesters gathered. At least four shooting incidents occurred that day, involving six shots¹⁰¹.
99. At around 1540, a small group of riot police (around five) from a patrol van was attacked at Yau Ma Tei by a group of protesters with umbrellas, bricks, water bottles, and other debris on the street. At least three riot police officers drew their revolvers, with one fired a warning shot to the sky. The protesters dispersed. The riot police then withdrew to the patrol van and left the scene¹⁰².
100. At around 1600, a group of riot police was facing protesters at Tsuen Wan. A plainclothes police officer fired his pistol behind a line of riot police, towards a group of protesters out of the camera. From the footage, the plain-cloth officer and the riot police were not facing imminent lethal threat (no bricks or Molotov cocktail thrown at them at close range), and the one who fired his revolver did not issue any warning, even to the riot police in front of him. One riot police officer was seen trying to persuade the plainclothes officer to go back and stop firing. No one was hit in the incident¹⁰³.
101. At around 1600, during another confrontation between around ten riot police officers and two dozen protesters who were armed with umbrellas and walking sticks at Tsuen Wan, a more serious incident occurred. One riot police officer who stood at the back during the brawl with a shotgun on one hand used another hand to draw a revolver and rushed forward for at least five meters towards the protesters with *two firearms on both hands*. He was wearing full body armor and was also in possession of a pepper spray and an extendable baton. Still at the back of several riot police officers, he was approached by a masked protester who attacked him with a 1” plastic water pipe. The officer then fired his revolver at the upper torso of the protesters at point-blank range without warning. When the protester was hit, the riot police at the scene did not stop and subdued another protester who tried to help the wounded

protester, who was a 16-years old student¹⁰⁴. Another riot police officer was then found trying to frame the wounded protester by placing a iron rod next to him. The wounded protesters received critical wounds in the lung but survived. The PPRB justified the shooting by claiming that the officer who fired the revolver was facing a life-threatening situation. However, unlike SSGT Lau, the action of this officer was not celebrated by the PRC media.

102. At more or less the same time, at Wong Tai Sin, during a confrontation between an unknown number of protesters and a group of around ten HKPF officers, two plainclothes officers drew their Glock pistol and one fired at the crowd. The crowd was throwing debris and Molotov cocktails at the group. They were the only two officers who were not wearing protective gear. One officer did not even have a helmet. The shot hit no one. One of the officers was seen laughing when pointing his pistol at the protesters¹⁰⁵.

103. Since then, members of the HKPF became more willing to use live rounds. On the evening of 4 October, an off-duty HKPF officer attempted to break a roadblock with his car but was surrounded by protesters. Instead of withdrawing, he tried to fight the crowd. In the melee, he drew his pistol and shot the leg of one of the protesters. Molotov cocktails were then thrown at him, and he dropped his pistol and fled. It was only because no protesters picked up the weapon that he was able to retrieve it¹⁰⁶.

104. On 11 November, a single HKPF traffic police officer approached around a group of ten protesters who were trying to block a road outside the Sai Wan Ho market, where many passerby and onlookers were present. The traffic police officer (an SSGT), apparently highly excited, suddenly pulled his revolver and rushed into the crowd, grabbing the collar of one protester. He pulled the protester, apparently a teenager, towards the muzzle of his revolver, and then pointed the revolver to the rest of the group, using the protester as his shield. After these curious actions, he found himself surrounded by several protesters who were unarmed. One protester approached him with both hands opened (in a gesture showing he was not armed), but the SSGT fired a live round into the upper torso of the protester in less than one meter without warning, still holding the first in a “hostage” pose. After firing the first round, he let go of the first protester who escaped, and fired two rounds at another protester who was hit in the leg. After shooting, he kneeled on the body of the first wounded protester without any attempt to provide/find medical assistance and did not notify the incident to the incoming police officer, who dragged the wounded protester on the ground. The protester lost a kidney and received a severe wound in the liver, but recovered in two weeks. The HKPF found it so difficult to explain this case that its officers claimed that the wounded protester was trying to grab the gun from the officer. However, the wounded protester was only charged for unlawful assembly¹⁰⁷. The shooting, however, received praise from at least some of the HKPF officers. SSGT Lau Chak Kei, the “national hero”, said that the shooting was “of the international standard [of policing]”. An HKPF officer shouted to the public that “three rounds were not enough”. Another exclaimed “thanks for coming out to be shot by us”¹⁰⁸.

105. Throughout the Protest, there was a tendency for members of the HKPF to point their firearms (including Less-Lethal weapons) at the head of the protesters (both peaceful and more violent ones), rescue personnel, journalists, and bystanders and passerby who were in turn provoked by such actions. On 29 September, one riot police officer was found giggling and pointing a shotgun at a peaceful rally from a footbridge¹⁰⁹. Another startling incident involved a uniformed HKPF officer kicked a kneeling pastor while pointing a revolver at the journalists (with protesters far away at the back) during an operation on 25 August¹¹⁰. The PPRB defended the action and suggested that the officer was “using his leg to push away a protester (who was not),” and the action was “very reasonable”¹¹¹. HKPF officers drew out their pistols and revolvers when Molotov cocktails were thrown at them from afar or even when facing unarmed protesters¹¹². At one time, an HKPF officer pointed a revolver at a group of citizens in a lift who clearly posed no threat at point-blank range¹¹³. On at least two occasions, Raptor officers used subdued citizens as a shield to advance or even used the shoulder of the arrested to support his/her firearm¹¹⁴. These cinematic but unprofessional moves speak much about the HKPF’s attitude and training.

106. So far, traffic police officers had the highest tendency to use their firearms, possibly because they were not equipped with other LL weapons such as pepper spray¹¹⁵.

107. In November, the HKPF also became more ostentatious in displaying military grade firearms; during the sieges of the universities, the HKPF deployed almost its entire arsenal to storm the university campuses. Assault rifles, submachine guns, shotguns, and even sniper rifles were deployed against protesters who were mainly students and young people who received no military training¹¹⁶. The only ranged weapons the besieged had were Molotov cocktail, a few sports bow (no sharpened arrow), and one or two makeshift catapults. When being shot at with arrows, the HKPF announced that it would deploy lethal firearms if more arrows were used; no more use of arrows was reported since then¹¹⁷. Chan Cho Kwong, the ex-chairman of the JPOA who was a candidate of the District Council election (who lost by a wide margin), claimed that the HKPF faced “unequal” firepower and should be authorized to use assault rifles¹¹⁸. Thereafter, as if echoing Chan, HKPF officers threatened the public to “repeat the Tiananmen” on the streets¹¹⁹.

108. In the early morning of 18 November, protesters surrounded an ambulance carrying a wounded protester and two HKPF officers. The HKPF officers were attacked with flying bricks and water bottles, and the two officers fired three shots at the crowd. No one was hit, and the crowd dispersed; the wounded protesters also escaped amidst confusion caused by the shots.¹²⁰

109. At around the same time, HKPF personnel were seen entering the front gate of the campus of the PolyU with assault rifles, although the PPRB denied this had happened.¹²¹

110. Even after the situation was briefly stabilized because of the District Council election, the HKPF still clung on to their lethal firearms. On 27 November, during a peaceful lunchtime demonstration in the business district of Kowloon Bay, HKPF riot police appeared with assault rifles to face the unarmed office workers¹²². By late December, the HKPF had little qualms about displaying firearms no matter the situation they faced, including the undercover detectives who patrolled the shopping malls full of holiday shoppers. Even during peaceful assemblies where no firebombs were used, riot police officers would bring their AR-15 facing “life-threatening attacks” such as flying water bottles¹²³. The problem was again exacerbated by the general incompetence of the HKPF. On 22 December, a riot police officer who lost his spectacles was left behind by his colleagues and found himself surrounded by unarmed but angry protesters, who threw insults and a number water bottles at him. He then pulled his revolver and randomly pointed at people (because he cannot see clearly), before being pulled back by other officers¹²⁴.

ii. *Potential violations of LOLE and IHRL*

111. The use of firearms by HKPF officers during the Protests did not meet the international standards as some of the HKPF officers claimed. In the United Kingdom, the use of firearms is defined as “pointing and discharging the weapon (including unintentional discharge)” for which “the officer is both legally and organizationally accountable”¹²⁵. According to the *British Manual of Guidance on the Management, Command, and Deployment of Armed Officers*, before the use of any firearms, officers should “identify themselves and state that they are armed,” “clarify who it is they are seeking to communicate with,” and “communicate in a clear and appropriate manner”¹²⁶. Most important, the manual suggests that the primary intention of using firearms is “to prevent an immediate threat to life by shooting to stop the subject from carrying out their intended or threatened course of action”. In aiming, the body mass rather than head should be the target unless “impractical in the circumstances” or “presenting increased risk to life”¹²⁷. The *Code of Practice on Police use of Firearms* of the British Home Office suggests that “whenever the use of force is necessary police officers will¹²⁸:

- respect human life, and minimize damage and injury;
- exercise restraint in such use and ensure that their responses are proportionate and appropriate in the circumstances and consistent with the legitimate objective to be achieved; and
- ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest practicable moment.

112. In many cases above, the use of firearms by HKPF officers in the above-mentioned cases (except for the warning shot fired on 1 October) was unlawful in terms of LOLE and IHRL because they were arbitrary, unnecessary, disproportionate, indiscriminate, and excessive. In most cases, the officers who fired their weapon did not warn the protesters before firing; thus, the firing was arbitrary (potential violation of Articles 6, 7 of the ICCPR; Articles 3, 5 of the *Code of Conduct*; and “Permissible circumstances for the use of firearms” and “Procedures for the use of firearms” of the IHRSL). HKPF officers repeatedly used firearms (both pointing and firing firearms) in non-life-threatening situations, making their use excessive (potential violation of Articles 6, 7 of the ICCPR, Principles 4, 5, 12-14 of the *Basic Principles*, and “Permissible circumstances for the use of firearms” of the IHRSL). Moreover, while HKPF repeatedly tried to portray the protesters as extremely violent, none of the protesters who

were shot with live rounds were holding life-threatening weapons, and some were not armed at all. This shows that the use of live rounds against the protesters in most cases was disproportionate (potential violation of Articles 6, 7 of the ICCPR, Principles 4, 5, 12-14 of the *Basic Principles*, and “Permissible circumstances for the use of firearms” of IHRSLE).

113. The legality of many cases of shooting was also in question because the officers involved also violated local guidelines on the use of firearms (potential violation of Principle 1 of the *Basic Principles*, Article 1 of the *Code of Conduct*). Moreover, the PGO of the HKPF that included “to quell a riot or insurrection” as a condition to use firearms also contravened the principle of precaution (potential violation of Articles 6, 7 of the ICCPR, Articles 1, 2, 5 of the *Code of Conduct*), as it allowed too much room for HKPF officers to use firearms in non-life threatening situations while the HKPF was already equipped with so many different types of Less-Lethal weapons. In some cases, HKPF officers did not provide immediate medical assistance (or allow immediate medical assistance) to those who were shot. This was a potential violation of Article 6 of the *Code of Conduct* and Principle 5(c) of the *Basic Principles*. The HKPF also failed to equip its traffic police officers with other equipment other than their revolvers to deal with different situations, and this is also a violation of the principle of precaution.

114. The display of military grade firearms in peaceful protests also violated the principles of necessity and proportionality, thus potentially violating Principles 4, 5, 12-14 of the *Basic Principles*, as well as Paragraph 67 of the JRSR 2016. Moreover, it was also possibly a move to intimidate the peaceful protesters. Even pointing firearms towards peaceful protesters and bystanders who posed no physical threat to the HKPF officers could be considered as excessive and disproportionate, as suggested by Paragraph 38 of the JRSR 2016.

115. Individual HKPF officers involved in the use of firearms should be investigated for possible violations of international laws and standards (Principles 22-24 of the *Basic Principles*, Section J of the JRSR 2016, Paragraphs 100-101 of the (Draft) GC No. 37 of the ICCPR), local laws, as well as the PGO. The HKPF should change the PGO according to international human rights standards, and punish and persecute the HKPF officers who failed to follow the PGO; those who were responsible for failing to update the guidelines to keep up with the international standards or even changing them to encourage the use of firearms against the protesters should also be held accountable.

116. Relevant LOLE and IHRL are listed below:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression by displaying and using firearms during assemblies)
 - Article 21 (restrictions on peaceful assemblies by displaying and using firearms during assemblies)
 - Article 25 (restriction of the right of political participation by displaying and using firearms during assemblies)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 3, 5

- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 7, 8, 9, 10, 12, 14, 18-20, 24
 - The HKPF as an organization possibly contravened Principle 2, as it failed to provide traffic police with necessary LL weapons
 - Principles 22-26 (for reviewing the use of firearms)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1-4
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-4
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 9, 10, 12, 13
 - The HKPF as an organization possibly contravened Paragraph 14, as it failed to provide traffic police with necessary LL weapons
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 2, 3, 5
 - The HKPF as an organization possibly contravened Point 4, as it allegedly loosened the regulations of firearms usage.
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 42, 44, 50-63
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89-91, 96-99
 - Paragraph 98 (on firearms)



Categories of Police Brutality and Abuse of Power

D. Use of Less Lethal Weapons

D. Use of Less Lethal Weapons

117. Throughout the Protests, HKPF officers have repeatedly ignored international guidelines and regulations on the use of Less-Lethal (LL) Weapons. While it is impossible to discuss every cases of abuses in detail in this report, the cases can be summarized into the following categories:

- Use of Baton and Shield
- Use of Less-Lethal Firearms and Ammunitions
- Use of Tear Gas
- Use of Pepper Spray
- Use of Laser Device
- Use of Sound Device
- Use of Water Cannon
- Use of Unlawful Equipment/ Unlawful Use of Equipment

i. Description

- Use of Baton and Shield

118. Since 12 June 2019, visual records show that HKPF officers showed little restraint and self-control in the use of baton against both peaceful and more violent protesters as well as journalists, medical personnel, onlookers, and even passersby.

119. HKPF officers were seen chasing individual or groups of protesters, alone or in very small groups of two to three officers, holding batons, inside crowded space such as narrow streets, shopping malls, escalators, and footbridges. Officers were also seen waving their batons while charging, even hitting their own colleagues in the process.

120. When using the baton, many HKPF officers also disregarded the potential of seriously wounding or killing the target. HKPF officers were found hitting the head and neck of their targets, often from behind, who in many cases were not violent protesters and had no protective gears, or even passerby and tourists¹²⁹. Sometimes, even their colleagues failed to stop the HKPF officers in extreme emotional state from beating the head of passerby¹³⁰. On 13 July, a HKPF officer used a baton to hit the head of a Legislative Councilor, who questioned why that HKPF officer almost forced a teenager to jump off a footbridge¹³¹. In fact, it was the disturbing images of HKPF brutally beating peaceful or subdued protesters with baton on 12 June that the protest became more widespread and increasingly violent¹³². Sometimes, HKPF officers resorted to batons on peaceful protesters, journalists, and even

human rights watchers when they were losing an argument or were trying to disperse them¹³³. In a curious case, when a group of HKPF riot police walked across a zebra crossing in red light, they were almost hit by a vehicle; one HKPF officer raised his baton threatening to break the window of the car¹³⁴. One student who was an onlooker during the clash on 7 September at the Tai Po Hui MTR Station suffered from PTSD after his head was being hit by a baton. He was unable to participate in the scheduled university entrance examination in 2020¹³⁵.

121.As the senior HKPF officers turned a blind eye or even participated in it, HKPF officers were seen beating up the head of subdued and arrested protesters (or in some cases onlookers and passerby) with baton¹³⁶. In fact, the use of baton was downgraded from “medium level of force” to “low level of force” in the instructions of the HKPF on 30 September, in a sense encouraging the use of baton¹³⁷. On 27 October, a SP was accused for hitting the head of an elderly woman with a baton¹³⁸. In a footage taken on 18 November, a masked HKPF officer repeatedly beat the leg of a subdued protester, apparently in a highly emotional state. Similar incidents occurred in the same footage¹³⁹. SSP Kong Wing Cheung of PPRB, when responding to this case, suggested that the HKPF “has a different understanding of “completely subdued” compared to “the general public”¹⁴⁰.

122.The HKPF was also found using shields as a weapon to attack reporters and peaceful protesters, including women and the elderly, causing substantial wounds such as bone fractures¹⁴¹. Extremely emotional officers also used their shields to hit the cars on the road for no reason¹⁴².

123.Although the Frankly Chu Jing Wei case (concluded in 2019) established the precedent that an excessive use of baton when not in self-defense is a punishable crime, many HKPF officers apparently paid little attention to this, especially when they started to hide the ID numbers on their uniforms and their passes (see “Display of Identity and Insignia” Section).

124.On 10 September, the HKPF allowed the off-duty officers to be equipped with extendable batons, as a means to defend themselves against vigilantism¹⁴³. However, there were at least one case when off-duty officer used baton to threaten the public in non-protest related disputes¹⁴⁴. In this case, the HKPF officer concerned was possibly breaching a local law as well; however, the police who arrived at the scene did not arrest that man. The PPRB refused to comment on whether the man concerned was an HKPF officer¹⁴⁵. Off-duty officers also used baton to attack citizens before revealing their identity¹⁴⁶. On 7 December, an American banker was arrested for trying to stop a man from using a baton to hit another man. The man with baton denied that he was an HKPF officer and was tackled by the banker. The banker was charged for assaulting a police officer¹⁴⁷. An off-duty HKPF officer even carried an extendable baton to the Restricted Area of the Hong Kong International Airport; even though the Airport Security called the HKPF, the off-duty officer was let go¹⁴⁸.

125.The fact that off-duty officers used baton to try to make arrests actually encouraged impersonation of HKPF officers; at least one Titushky claimed himself an off-duty police officer and brandished a baton in a busy shopping mall, possibly because of this loophole¹⁴⁹.

126. In UN police and US military training manuals available from open source, there are some restrictions on the use of baton even in self-defense situations. For example, the *UN Peacekeeping Pre-deployment Training (PDT) Standard* of 2015 stipulated that a police officer could only strike at the head, neck, spine, and genital of the target “when the application of deadly force is necessary.”¹⁵⁰ In the US Army Civil Disturbance Operations training manual, baton “is never raised above the head to strike a subject in a club fashion” as it would “likely to cause permanent injury.”¹⁵¹ The PTU’s training manual posted by the *Washington Post* suggested that batons should “never strike the head, neck or back” and “never strike targets who are leaving, turn their backs on officers, or are prostrate on the ground.” Moreover, batons should only be used to hit muscles rather than bones¹⁵². It should be noted that in the recent years, the more developed countries of the world adopted a stricter control in the police use of baton. In November 2019, a Spanish police officer was sentenced for four months jail after he was found guilty for beating an arrested man with his baton¹⁵³.

- *Use of Less Lethal Firearms and Ammunitions*

127. In this section, “Less-Lethal (LL) firearms and ammunitions” refers to rubber bullets, bean-bag rounds, sponge grenades, pepperballs, and their launchers (see Appendix III for their specifications). From reports and videos, the problems of the use of LL firearms and ammunitions by the HKPF officers can be summarized into the following categories:

- Firing without adequate warning
- Aiming/firing at heads
- Firing from tall buildings and footbridges
- Aiming/firing at journalists, medical personnel, and bystanders

128. On 12 June, HKPF officers fired 19 rubber bullets, three beanbag rounds, and around 30 sponge-grenades at the protesters that allegedly threw bricks at them at Admiralty¹⁵⁴. On that day, the first shots of rubber bullet caused considerable public outrage. The HKPF was accused for firing rubber bullets at a flat trajectory without warning on the eye level of the protesters who stood at around 10 meters away, hitting two protesters in the eye and in the head. The protester who was hit in the eye carried no weapon when he was shot. Whether the other protester was armed was unclear¹⁵⁵. Another unarmed middle-aged female protester was shot at in less than 10 meters with pepperballs in the head¹⁵⁶. The officers who were filmed firing the weapon and the commanders involved giving instructions were subjected to doxing and were the subject of numerous protest-related artwork and meme.

129. After the firing of LL rounds on 12 June, the HKPF did not employ them for a month, even when the protesters were storming the building of the Legislative Council. The HKPF did not use LL ammunitions until the day when the protesters vandalized the national emblem of the PRC at the Liaison Office on 21 July. On that day, five rounds of rubber bullets and 24 sponge grenades were used¹⁵⁷. The HKPF was again being accused of firing without adequate warning. CSP John Tse Chun Chung, the then-head of the PPRB, claimed that the HKPF had already issued a “categorical warning” that implied the firing of LL ammunitions¹⁵⁸. The use of LL ammunitions gradually increased, and reached the height in mid-November during the sieges of the universities.

On 19 November, the HKPF announced during a press conference that it fired 1,391 rubber bullets, 325 beanbag rounds, and 265 sponge grenades during the operations near the Hong Kong Polytechnic University and the Yau Ma Tei-Tsim Sha Tsui-Mong Kok area¹⁵⁹. The HKPF had no qualms about firing LL ammunitions inside university campuses¹⁶⁰. Flash grenades were also used for the first time during the siege of the PolyU¹⁶¹. The figures suggested the growing intensity of the conflict and the HKPF's increasingly liberal, or even reckless, way of deploying LL ammunitions in its operations. The Hong Kong Hospital Authority announced on 19 November that at least 300 were admitted to hospitals during the siege of the PolyU, "with injuries related to water cannon blast, tear gas, and rubber bullets"¹⁶².

130. From 21 July, the HKPF officers fired their LL ammunitions with little warning, especially in the middle of intense confrontations or when HKPF officers were apparently trying to overrun large groups of protesters or even bystanders and onlookers¹⁶³. It is difficult to understand the tactical rationale behind some of these actions. One particularly disturbing case involved a group of Raptor officers and riot police firing their pepperball guns at the back of a group of non-resisting protesters who were trying to leave the scene along an escalator at Tai Koo MTR Station on 11 August¹⁶⁴. The range of firing was as close as two meters or less. Most of those who were shot, from the visual records, were not equipped with protective gears such as helmet or gas masks. The HKPF officers' action could cause a stampede, but they continued to fire and advance, without allowing the crowd to disperse. During another operation near Wan Chai on 2 November, HKPF officers again fired on the eye level, from a perpendicular position, at a large crowd of dispersing protesters who were running away from tear gas¹⁶⁵. Again, such action made little sense in terms of crowd control tactics. On 25 December, one HKPF officer fired pepperballs at a man who was dangerously hanging on the roof of a two-story building. He then fell to the ground and was seriously wounded. HKPF officers were found shouting "jump down" at him before he fell¹⁶⁶.

131. HKPF officers were also found aiming or firing LL ammunitions at heads. On 12 November, during an operation at the City University, a police officer (rank unknown) was recorded ordering "to fire at the head (*se tau*)" of the protesters. SSP Wong Wai Shun (SSP Ops Bureau) claimed that the police officer in question was instructing his subordinate to aim at the "upper torso (*se seung-boon-san*)" but he said "to fire at the head" for the sake of brevity¹⁶⁷. There are numerous visual records showing HKPF officers pointing and aiming their LL firearms at the head of the protesters, journalists, subdued suspects, or even bystanders who posed no threat, showing little care of the potential danger¹⁶⁸. LL weapons were also pointed at windows of residential flats¹⁶⁹. The officers involved were often in a highly emotional state or trying to provoke the crowd. One was seen jokingly pointing his weapon from a footbridge when a large group of peaceful protesters marched below¹⁷⁰.

132. Another dangerous and unlawful way of using LL ammunition by the HKPF was firing from higher or hidden positions such as corners, tall buildings, and footbridges without warning. Firing from these positions while still aiming at the head of the protesters increases the chance of hitting heads and eyes, leading to a higher chance of inflicting serious injuries¹⁷¹.

133. While the HKPF maintained that its officers would only use LL ammunitions against serious threats to personal safety such as protesters with firebombs or sharp weapons, more often than not HKPF officers were found firing LL ammunitions at peaceful protesters, journalists, medical personnel, or even bystanders, often without warning¹⁷². Even against the more violent protesters, the HKPF fired LL ammunitions without warning when protester only threw rubbish at them¹⁷³. This habit of firing at heads arbitrarily possibly led to the incident of 11 August, during which a female protester was hit by a bean bag round shot at her from a distance of 17 meters¹⁷⁴. The protester lost an eye.¹⁷⁵ On 29 September, a HKPF riot police officer, when withdrawing, suddenly turned back and fired a rubber bullet without warning towards a group of reporters from a very close (around five meters) distance, hitting an eye of an Indonesian reporter. The Indonesian reporter lost her right eye. The police explained that there were “violent protesters” at the scene, but the claim was not supported by visual records available¹⁷⁶. Later on the same day, another protester’s eye was hit by a tear gas canister, but the HKPF refused to allow volunteer first aiders to help him¹⁷⁷.

134. In a curious incident on 31 December, a group of riot police fired LL rounds of unspecified type towards a box; before that, the officers told the reporters that the box could be a bomb. So far, no actual bombs were found at conflict zones during the protests¹⁷⁸.

135. According to the manufacturers of the LL ammunitions, many of the models used by the HKPF were not suitable for aiming at the head and vulnerable parts of the body. The Product Specification Sheet of CTS 12ga Model 2581 Super-Sock, the same type that hit the female protester’s eye, suggests that “shot placement rather than deployment range is the critical factor in determining the extent of injury caused. Shots to the head, neck, thorax, heart or spine can result in fatal or serious injury”¹⁷⁹. Tipperman, the producer of the pepperball gun used by the HKPF, also noted that operators of the weapon should “never aim or shoot at the head, face, eyes, ears, throat or spine. Impact in these areas could result in unintended severe or permanent injury or death”¹⁸⁰. The producers of other LL ammunitions used by the HKPF also issued similar warnings.¹⁸¹

136. The *UN Peacekeeping PDT Standards* published in 2015 suggest that the so-called LL weapons are still lethal in different circumstances¹⁸²:

- As different parts of the body differ in vulnerability, and because people vary in weight and fitness, any weapon powerful enough to incapacitate may be capable of killing under certain circumstances. Thus “less-lethal force” does have some risk of causing death: in this context “less-lethal” means only “not intended to kill”.
- Several groups maintain there is great room for improvement in non-lethal weapons and procedures for their use. Claims for the relative safety of such weapons are usually contingent on their being used “properly”.

137. The *UN Peacekeeping PDT Standards* also point out that LL ammunitions are “designed to minimise the risk of death or serious injuries when used as intended”. It also suggests that if improperly used, these ammunitions are lethal, thus they are named as “less than lethal” rather than “non-lethal”¹⁸³. The UN manual suggest the following guidelines for the use of different types of LL ammunitions:

Ammunition Type	Quotations from the UN Manual
Rubber bullets, wax bullets, plastic bullets, beanbag rounds, ring air foil projectiles	... What is regarded as an acceptable risk of injury will of course depend upon the circumstances. In dispersing a crowd which is disorderly and perhaps causing only property damage, inflicting serious injury would be regarded as unacceptable.
Sponge Grenade	<p>...Using SKP at short distance may cause severe and irreversible injures. The shooting distance should be between 15 and 30 meters and never less than 7-10 meters (according to the type of launcher), except in case of self-defence. When using SKP at long distance, the shooting will lose its efficiency and the aggressor will be able to run away.</p> <p>The aim of SKP use is to temporarily create incapacitating effects in order to allow police officers to proceed with the arrest of the aggressor(s).</p> <p>As defined in the arrest methods (see Lesson Plan on arrest methods), the target has to be clearly identified; the use of force has to be legal; the distance and the environment must be appreciated in order to avoid collateral damages.</p>

138. According to *HK01* and the *Washington Post*, the HKPF has a guideline on the use of LL weapons. When using rubber bullets, officers should only aim at lower limbs of the target and are forbidden to fire within five meters¹⁸⁴. While it is difficult to measure the actual range of firing, the restriction on aiming at lower limbs is clearly not being followed in many cases, as illustrated above. When being asked whether it was reasonable to fire pepperball from the range of one meter at the back of protesters and passerby during an operation at Tai Koo Station, ACP Mak Chin-ho, ACP (Operations), claimed that the pepperball gun was a “non-lethal weapon” and he could not answer its “reasonable range”. As quoted above, the producer of the pepperball gun marked its weapon as LL and issued a warning about improper use. In fact, the *Washington Post* released a set of PTU training manual, which suggested that LL ammunitions should not be aimed at “the head, neck or throat” and that LL ammunitions should only be used at persons assaulting an officer¹⁸⁵.

- Use of Tear Gas

139. The use of tear gas by the HKPF created a potential public health hazard in Hong Kong. Up till December 2019, the HKPF fired more than 7,500 tear gas canisters¹⁸⁶. In 2014, throughout the Occupy Movement that lasted for 89 days, the HKPF used 90 tear gas canisters. The tear gas used by the HKPF during the 2019-2020 Protests include the following types and models (see Appendix III)¹⁸⁷.

140. A general lack of forethought has been shown by the HKPF in the use of tear gas; the police has fired tear gas in the following manners:

- Firing from opposing directions towards a large crowd, without giving a clear route for the crowd to disperse¹⁸⁸
- Firing in commercial areas during business hours¹⁸⁹
- Firing in crowded residential areas¹⁹⁰
- Firing near elderly homes¹⁹¹
- Firing towards the journalists with no protesters nearby¹⁹²
- Firing in enclosed environments¹⁹³
- Firing large numbers in a short period of time in a small area
- Firing randomly without crowds of protesters in effective range¹⁹⁴
- Firing at vehicles without protesters around and without warning¹⁹⁵
- Firing towards rescue personnel and vehicles¹⁹⁶
- Firing at a closing lift with people inside¹⁹⁷

141. Compared to previous large-scale political movements/protests, the number of tear gas rounds fired by the HKPF increased dramatically. On 5 August 2019 alone, the HKPF fired more than 800 tear gas rounds in a single day¹⁹⁸. On 18-19 November, the HKPF fired more than 1,400 tear gas rounds at the Polytechnic University and the nearby area¹⁹⁹. Numerous schools in the area were affected²⁰⁰.

142. HKPF tear gas rounds hit the protesters, journalists, first aid personnel, and passerby²⁰¹, leading to at least ten cases of serious injuries (two life-threatening); there were also cases when tear gas rounds or tear gas entered residential areas²⁰², apartments²⁰³, markets²⁰⁴, shops and food stalls²⁰⁵, public transport vehicles [with and without passengers] or station areas²⁰⁶, shopping malls²⁰⁷, universities²⁰⁸, primary and secondary schools²⁰⁹, kindergartens²¹⁰, and elderly homes²¹¹. The HKPF also fired tear gas rounds with the goal of dispersing groups of vehicles on roads²¹². At least one residential flat and one newspaper stand were destroyed by fire after being hit by tear gas canisters²¹³.

143. The HKPF also showed poor firing discipline when using tear gas gun, such as pointing and aiming at the head²¹⁴, firing without warning²¹⁵, and firing at point-blank or lethal range [~10m]²¹⁶. When Legislative Councilor Wu Chi Wai demanded to see the commander of the operation on 12 June, HKPF officers fired at least two tear gas rounds within five meters where Wu stood²¹⁷. HKPF officers sometimes fired tear gas rounds from tall buildings (in one case, HKPF officers fired tear gas rounds from the 41st floor of a building, that is 176m from the ground). The HKPF was also found firing tear

gas from moving police vehicles²¹⁹. HKPF officers also fired tear gas into near-empty areas with no clear purpose²²⁰. At one time, HKPF officers deliberately fired tear gas canister into a vehicle²²¹. There are also cases that canisters were accidentally shot into vehicles²²².

144. Tear gas was also used in busy streets where there were no visible threats without warning²²³. In a curious operation, the HKPF fired tear gas rounds at a group of teenagers in a basketball field at Sheung Shui on 10 November 2019. The HKPF made one arrest in that operation after searching the bag of one of the gassed teenagers²²⁴.

145. As early as in August, tear gas rounds with passed expiry date marked on them were found in protest sites²²⁵; this led to an allegation of the HKPF using expired tear gas rounds, a claim that was denied by the PPRB. From October, the HKPF used tear gas rounds produced in the PRC²²⁶. The PRC-made rounds used more explosives than their counterparts, making them more likely to set fire on flammable surfaces. It was suggested that the higher burning temperature also makes the PRC-made tear gas rounds release more Hydrogen Cyanide²²⁷. According to a study conducted by the protesters, Norinco canisters produced 50 ppm of Hydrogen Cyanide, while an expired Nonlethal Technologies canister produced 8.6 ppm of Hydrogen Cyanide²²⁸. While more laboratory tests are required to discern the differences between different models of tear gas rounds, there was a case of possible intoxication. On 13 November, Chan Yu Hong, a journalist working for *Stand News* who covered the Protests from June, claimed that he was diagnosed with Chloracne, allegedly as the result of over-exposure to dioxins²²⁹.

146. In November 2019, the HKPF launched a number of operations at the universities that involved the use of an unprecedented number of tear gas rounds. On 12 November alone, the HKPF fired more than 1,500 tear gas rounds at the Chinese University of Hong Kong, in what appears to be an attempt to break into the campus. The police arrested five during the operation that lasted for more than 12 hours. 60 were injured during the clash²³⁰. At around 1930, before issuing warning, the HKPF fired tear gas rounds at the direction of the Vice-Chancellor of the CUHK when the later was negotiating with the protesting students²³¹. The spokesperson of the HKPF claimed that the officers were firing at “rioters behind the Vice-Chancellor”²³². On the same day, the HKPF also fired tear gas rounds into the student hostels of the City University of Hong Kong²³³. On 16 and 17 November, when the HKPF was trying to break into the campus of the Polytechnic University and clear the nearby roads, it again fired a large number of tear gas rounds²³⁴. A study conducted by the CUHK after the HKPF operation suggested that the soil and water of the campus was little affected by dioxins after the extensive use of tear gas on 12-13 November²³⁵. However, a study commissioned by the *Apple Daily* found that residues of CS at the campus²³⁶.

Potential Health Hazard Created by the HKPF's Way of Deploying Tear Gas

147. According to an estimation done by the *Economists* in November 2019, 88% of the population in Hong Kong (estimated 6,504,960) has been exposed to tear gas and CS (2-chlorobenzalmalononitrile) residue from 12 June 2019, when it was first deployed²³⁷. In more than one occasion, pupils and kindergarten students were exposed to tear gas²³⁸. There were reports about children and the elderly suffering from skin ailments because of tear gas²³⁹.

148. As CBRN specialists such as Dan Kaszeta points out, many of the existing studies on the toxicity of CS are based on tests being done on Caucasian male adults, and its impact on other groups of people are little known²⁴⁰. The potential health hazard as the result of the extensive and seemingly unrestrained use of tear gas by the HKPF in the crowded urban space has led to increasing concern by the public. On 14 October, a research team led by Emily Chan Ying Yang published a correspondence on the *Lancet* about the public hazard posed by the way the HKPF used tear gas and the lack of decontamination effort on the part of the HKSAR government²⁴¹.

149. The HKSAR government first responded to this issue on 22 October, more than three months after the first use of tear gas, when Professor Sophia Chan Siu-chee, the Secretary for Food and Health, claimed that the effect of tear gas posed no long-term threat on the citizens' health²⁴². She also rejected Emily Chan Ying Yang and her team's suggestion of investigating in the actual impact of tear gas in crowded areas²⁴³. Chan Ka Hung, Research Fellow at Oxford, suggests that current studies are insufficient to fully assess the impact of long-time exposure to CS residues²⁴⁴. While FEHD personnel cleaned the streets after each conflict, it is not known whether the method adopted was sufficient to deal with the CS residues, especially those released after October. The FEHD personnel, usually old people working under contractors, were particularly vulnerable but least protected. On 11 November, Sophia Chan admitted that the government had no full knowledge of the composition of the tear gas used by the HKPF²⁴⁵. The Health Department agreed on 9 November to draw up a guideline for the general public to handle tear gas exposure²⁴⁶.

150. On 14 November, the HKPF finally responded to this issue when SSP Wong Wai Shun (SSP Ops Bureau) challenged the relationship between tear gas and Chan Yu Hong's conditions without giving any supporting evidence²⁴⁷. A day later, he even suggested that the dioxin released by burning rubbish by the protesters posed a bigger threat to the public²⁴⁸. Meanwhile, the press also started to notice the impact of tear gas on wildlife and vegetation, although the long-term impact has yet to be known²⁴⁹.

151. There was at least one suspected leakage of tear gas that affected an entire district. On the late afternoon of 28 October 2019, numerous reports of unknown gas leakage were received by emergency services at Tuen Mun. As it was a working day, tens of thousands of citizens, including school children and the elderly, were affected. At least 11 were hospitalized, with the age from 4 to 70. As the unknown gas apparently came from the north of Tuen Mun, where the HKPF and PLA training facilities were located (separately), residents surrounded the Tuen Mun Police Station in the evening, demanding an explanation²⁵⁰. The residents were met with more tear gas rounds fired at them, some even hitting residential blocks²⁵¹. Up till mid-January 2020, the HKSAR government has yet to provide an explanation on this incident²⁵².

The HKPF's Use of Tear Gas and International Standard

152. HKPF spokesmen claimed that the use of tear gas by the force met with “international standard,” citing the French Yellow Vest Protests and the American Border Incidents in 2019 as comparable examples without explanations²⁵³. However, it would be very difficult for the HKPF to defend itself in the face of international standards. According to the *Tactical Use of Gas Canisters* section of the *UN Peacekeeping PDT Standards for Formed Police Units*, the use of tear gas should be considered “when foot manoeuvres have failed or are inefficient”²⁵⁴. The police must also refrain from releasing tear gas canister too close from the crowd, and “the presence of women and children must be considered before any launch”²⁵⁵. The UN manual also urged the users to consider the risk of using tear gas near “sensitive buildings” such as schools so that they would not be contaminated. The effect of gas on the people should also be assessed²⁵⁶.
153. When launching tear gas, the UN manual required the law enforcement agents to always leave “a clear exit route...for the crowd to disperse”²⁵⁷. The police was also expected to give a warning to the crowd for at least three times, using a loud speaker system so that it would be heard by everyone in the crowd. Time should also be given to the crowd to respond to the warning and leave the scene, unless the police unit finds itself in immediate danger²⁵⁸. The tactical intention of deploying tear gas is always to channel and disperse the crowd towards a single direction, following foot manoeuvre of the police (e.g. an advancing line)²⁵⁹.
154. In many cases, the above international standards were not observed by the HKPF, and the failure to observe the basic standards led to life-threatening situations that could be avoided if a better trained and disciplined force was present. For example, during the mass gatherings on 12 June and 2 November, the HKPF launched tear gas rounds from different directions without leaving a clear way for the crowd to disperse. In addition, as Anna Feigenbaum points out, the use of tear gas in enclosed spaces such as MTR stations by the HKPF may “lead to more severe health effects, as well as trampling, stampeding and other confined-space injuries”²⁶⁰. She also highlights the so-called safe dosage of exposure to tear gas often uses adult male as standard, thus omitting the potential health hazards for children and the elderly²⁶¹.
155. As of January 2020, the issue of tear gas has received more media attention and it is expected that more scientific evidence will be available to allow a better understanding of the health hazard posed by tear gas and CS residues, especially from the tear gas rounds fired by the HKPF from October 2019.

- Use of Pepper Spray

156. Throughout the Protests, HKPF officers were found pepper spraying at not only the protesters (including peaceful protesters)²⁶² but also at journalists, onlookers, passerby, medical personnel, and even at children and the elderly. On 12 June, an HKPF officer in white shirt (SSGT or IP rank or above) was filmed sneaking at the back of a group of reporters and pepper sprayed them from behind²⁶³. On the same day, HKPF officers also used pepper spray and pepper water dispensers to shoot at unarmed protesters²⁶⁴, journalists²⁶⁵, or peaceful bystander resting after being tear gassed at point blank range²⁶⁶. Even subdued/arrested citizens were pepper sprayed in the face²⁶⁷.

157. The arbitrary use of peppery spray more or less became the norm throughout the Protests²⁶⁸. Even disabled peaceful protesters who had not provoked the HKPF were also pepper sprayed without warning²⁶⁹. HKPF officers were sometimes found pepper spraying at the arrested/subdued in point-blank range²⁷⁰. One particularly glaring case was reported by the *New York Times* on 23 September; one arrested protester told the reporter that HKPF officers pepper sprayed his wounds when he was subdued²⁷¹. During a peaceful rally in lunch time at Central, a SP pepper-sprayed and pushed a pregnant woman who criticized the behavior of the HKPF to the ground on a footbridge, in front of a large number of angry onlooker and protesters, none of them were armed. When the SP arrested the pregnant woman, he pepper-sprayed her again²⁷².

158. The HKPF also used pepper spray in the busy business districts and neighborhoods and without warning at bystanders and onlookers, even children and the elderly were hit²⁷³. In most cases, the HKPF did not provide any medical assistance for the affected. Pepper spray were always used to point at people even though they were not engaging in any violent acts²⁷⁴.

159. On 29 September, a riot police officer pepper sprayed without warning at Legislative Councilor Chu Hoi-tik, who was trying to negotiate with the HKPF representative²⁷⁵. At least one HKPF officer was seen laughing and chasing reporters with his pepper spray dispenser²⁷⁶. Pepper spray was also used in confined space such as a lift²⁷⁷. These actions clearly violated all the safety regulations of the pepper spray producers as well as the international standards in the use of this equipment (discussed at the end of this section).

160. On 26 December, the HKPF was found using “coloured pepper spray” of unknown composition²⁷⁸.

161. The abovementioned uses of pepper spray likely violated the PGO, as it suggested that pepper spray should be used only when a person “involved or likely to become involved in violent” behavior²⁷⁹.

- Use of Laser/Light Device

162. Since August 2019, the HKPF has deployed high-powered torch lights in crowd control operations, facing peaceful protesters, hostile but non-violent protesters and bystanders, as well as the more violent activists. As the HKPF had not released their instructions on the use of such equipment, we have no idea whether the HKPF has established any guidelines regulating its use. However, the reports about HKPF officers' apparent abuse of laser and high-powered lights shows a potential absence of any detailed guideline.

163. The HKPF developed a habit of pointing high-powered torch lights or laser beams at the face of the people, including not only protesters but also Legislative Councilors who tried to negotiate with the police²⁸⁰, journalists²⁸¹, and bystanders or onlookers²⁸². In some cases, such action could be seen as attempts to light up the face of a suspect engaging in violent acts (many were masked), but in many others the HKPF officers used the beam to block the camera of the journalists²⁸³, intimidate and shame individuals (often came with the use of provocative language)²⁸⁴, disrupt peaceful assemblies and demonstrations²⁸⁵, and even cause eye injuries²⁸⁶.

164. While the HKPF had not disclosed the type of beams deployed, it was found in mid-November 2019 that the HKPF was using Acebeam W30 Laser Device in its operations²⁸⁷. According to its manufacturer, W30 is a Class 2M wide spectrum BLOS (Beyond-Line-Of-Sight) that "generates a high concentrated single output of 500 lumens beam". Its manufacturer stated that it should not be used to aim at "person and aircraft and vehicles in operations"²⁸⁸. According to the British "Laser radiation: safety advice", "repeated, deliberate exposure to the laser beam (of a Class 2M laser device) may not be safe". It also suggests that "a person receiving an eye exposure from a Class 2 laser beam, either accidentally or as a result of someone else's deliberate action (misuse) will be protected from injury by their own natural aversion response"²⁸⁹.

165. During an operation at Yuen Long on 21 September 2019, HKPF officers were found kicking an arrested and subdued protester who was wearing a yellow vest (suggesting the person might be a first-aidier or a member of Guarding the Children, a peaceful protest group that aimed at de-escalating the situation at the conflict zones). While the onlookers and journalists were trying to film what was happening, several police officer used their laser beams to point at the cameras, in an attempt to obstruct the filming. When being questioned about the incident, SSP Vasco Williams, Acting Senior Superintendent (Ops), NTNR, claimed during the press conference that the police officers in the footage were kicking a "yellow object," and questioned the authenticity of the footage that was being circulated²⁹⁰. Later, more footage on the same incident surfaced, but the officers involved were not identified²⁹¹.

166. The HKPF also installed powerful lights surrounding the police stations in densely populated areas, causing much disruption for the local population. The HKPF argued that the stations, protected by high walls and waterfilled barriers, were under threat and the lights could protect them²⁹².

- Use of Sound Device

167. In a number of cases, the HKPF used loudspeakers in ways that caused pain and discomfort. On 17 November, during the siege of the PolyU, an HKPF officer used a loudspeaker to speak to Legislative Councilor Hui Chi Fung, who only stood at less than five meters from him, taunting him to “save his brothers [trapped inside the campus]”²⁹³.

168. During the siege of the PolyU, the HKPF deployed one set of Long Range Acoustic Device at the entrance of the PolyU campus. On 17 November, it was reported that the HKPF turned on the device, and the nearby journalists reported feeling discomfort in the head and ear²⁹⁴. The PPRB suggested that the device was only used to communicate with the protesters. According to the producer, LRAD Corporation, the Long Range Acoustic Device had an effective range of about 300 meters. The use of LRAD during a protest in New York has led to lawsuits against the NYPD, with the U.S. Court of Appeals for the 2nd Circuit ruled that the use of LRAD could be considered excessive force²⁹⁵.

- Use of Water Cannon

169. After the Occupy Movement, the HKPF obtained three water cannon truck (Specialised Crowd Management Vehicles, SCMV) for crowd control purpose. The chassis of the SCMVs were built by Mercedes-Benz and the water cannons were made by a French company. According to Secretary for Security John Lee, the PTU would be responsible for “staff training and arrangement” of the SCMVs and he suggested that the use of which would be in line with the *Basic Principles*²⁹⁶.

170. The HKPF first deployed SCMVs on 25 August at Tsuen Wan. The effectiveness of the vehicle was questioned, as it lacked power to disperse the protesters while making bad press and causing considerable damage in infrastructure and property, especially to the shops along the dense and narrow streets. Purportedly to enhance its effectiveness and facilitate identification of protesters, the HKPF added blue dye and some unspecified chemical in the water used by the SCMVs. From September, journalists and medical personnel who were fired at by the water cannon reported feeling pain in the eye, skin, and the respiratory system. One reporter was seriously wounded when his head hit the pavement after being knocked down²⁹⁷.

171. On 20 October, during a peaceful protest that celebrated the multi-cultural heritage of Hong Kong, the HKPF deployed SCMVs to fire at the crowd on Nathan Road and almost caused a stampede²⁹⁸. Dye water hit numerous peaceful protesters and non-protesters, including children. Multiple shops and built heritage were damaged²⁹⁹. When an SCMV arrived at the front gate of the Kowloon Masjid, where Legislative Councilor Jeremy Tam Man Ho was standing with Mohan Chugani, the ex-Chairman of the India Association Hong Kong and a number of others (including several reporters who wore bright yellow vests), it fired the blue liquid at the group without warning. None of them in the group were dressed in black as other protesters did. The SCMVs were active throughout the day, and even fired at a flat on the second floor of a residential block³⁰⁰. The HKPF refused to release the chemical composition of the liquid used³⁰¹. Thereafter, blue water was found dumped near the piers at Central and Causeway Bay³⁰². Brad Adams of the Human Rights Watch suggests that it is the first time he heard of such use of water cannon and that it can be considered as an indiscriminate use of force. Moreover, he urges the content of the compound to be tested³⁰³.

172. After that, SCMV's were still being used, although they became less effective as apparently only dye water was being used. However, they still caused damage in properties³⁰⁴. On 11 November, an HKPF officer at Mong Kok announced that the SCMV's will "indiscriminately" fire at citizens and "rioters"³⁰⁵. During clashes between 24 and 31 December, water cannon indiscriminately fired at the crowds, hitting shops and moving vehicles³⁰⁶.

173. The indiscriminate and excessive use of water cannon revealed that the HKPF failed to observe the *Basic Principles*, cited by John Lee as a justification for procuring the SCMV's in the first place. In fact, as a weapon that was almost impossible to pinpoint its target, the use of water cannon was almost certainly indiscriminate and it is surprising that when John Lee brought up the *Basic Principles*, no one opposed to it.

- Use of Unlawful Equipment/ Unlawful Use of Equipment

174. There were several cases of HKPF officers using unlawful weapons during the Protests. On 12 June, an HKPF officer threw a steel bar at a group of protesters³⁰⁷. On 28 July, a highly excited police officer pointed a modified baton towards the protesters and onlookers during an operation in Yuen Long MTR Station. The end of her baton was attached with three apparently plastic rings with studs, making it able to tear open skin and flesh when hitting people³⁰⁸. One HKPF riot police was seen throwing a rubbish bin down from a footbridge at the protesters on 1 October³⁰⁹. An HKPF officer was seen hitting the head of an unarmed man with the canister of a pepper spray³¹⁰. On 18 November, an HKPF officer was found using a brick to hit the head of a subdued protester³¹¹.

175. These acts possibly violated various LOLE and IHRL, and as a law enforcement agency, the HKPF that did not prevent the occurrence or punish the officers involved also potentially contravened the principle of precaution (discussed below).

ii. Potential violations of LOLE and IHRL

176. The use of LL weapons by HKPF officers in the cases discussed above were potentially unlawful not only because local guidelines were violated. LL weapons were used in ways that would be considered as lethal, such as using batons and LL firearms to strike at the head. HKPF officers also used LL weapons against large groups of protesters who posed no threat to the officers, such as those who were gathering for a sit-in or dispersing. As in the case of the use of firearms, the HKPF often claim that the protesters were extremely violent, but it was actually the responsibility of the HKPF officers to single out violent protesters and end their actions while enable the peaceful protest to continue (Paragraph 9 of the JRSR 2016 and Paragraphs 19 and 20 of the (Draft) GC No. 37 of the ICCPR). Moreover, even when the use of force was necessary, according to the *Code of Conduct*, the *Basic Principles*, the IHRSLE, Paragraphs 57-60 of the JRSR 2016, and Paragraphs 89-91 of the (Draft) GC No. 37 of the ICCPR, only minimum force necessary and in proportional to the offense may be used.

177. In many cases, HKPF officers used various LL weapons indiscriminately against journalists, medical personnel, and passerby, who posed no threat to the HKPF officers, other persons, or properties. Even children and the elderly people were affected during these arbitrary and indiscriminate use of LL weapons. The actions chronicled above potentially contravened the principles of legality, necessity, and proportionality of LOLE and thus potentially violated various international standards, such as but not limited to Articles 6, 7 of the ICCPR; Articles 3, 5 of the *Code of Conduct*; Principles 4, 5, 12-14 of the *Basic Principles*; “The use of force,” “Permissible circumstances for the use of firearms,” “Procedures for the use of firearms” of the IHRSLE; Paragraphs 57-63 of the JRSR 2016; and Paragraphs 89-91 of the (Draft) GC No. 37 of the ICCPR. The use of tear gas, water cannon, and sound cannon were in many cases arbitrary, disproportionate, indiscriminate, and excessive, and contravened Articles 6, 7 of the ICCPR; Articles 3, 5 of the *Code of Conduct*; Principles 4, 5, 12-14 of the *Basic Principles*; “The use of force” of the IHRSLE; Paragraphs 57-63 of the JRSR 2016; and Paragraphs 89-91 of the (Draft) GC No. 37 of the ICCPR. Even pointing LL weapons towards peaceful protesters and bystanders who posed no physical threat to the HKPF officers could be seen as excessive and disproportionate, as suggested by Paragraph 38 of the JRSR 2016.

178. In most cases, the HKPF did not provide (or allow) immediate medical assistance to those attacked by HKPF officers with LL weapons. This was a violation of Article 6 of the *Code of Conduct* and Principles 5(c) of the *Basic Principles*.

179. In the case that the HKPF officer used modified baton in action, the officer concerned violated the principles of legality and necessity, and the modification was an excessive use of force (Articles 6, 7 of the ICCPR; Articles 3, 5 of the *Code of Conduct*; Principles 4, 5, 12-14 of the *Basic Principles*; Paragraphs 50-55 of the JRSR 2016). The HKPF that failed to prevent and investigate the incident, as well as punish the officer(s) in question violated the principle of precaution (Paragraph 4 and 5 of the UNHRC Resolution 31/37; Paragraphs 50-55 of the JRSR 2016; and 100-101 of the GC No. 37 of the ICCPR).

180. Individual HKPF officers involved in the use of LL weapons should be investigated for possible violations of international law and standards (Principles 22-24 of the *Basic Principles*; Section J of the JRSR 2016, Paragraphs 100-101 of the [Draft] GC No. 37 of the ICCPR) as well as local laws. As in the case of firearms, the HKPF should change the PGO according to the international human rights standards, and punish and persecute the HKPF officers who failed to follow the PGO; those who were responsible for failing to update the guidelines to keep up with the international standards or even changing them to encourage the use of LL weapons against protesters should also be held accountable.

181. From the above, the HKPF's use of LL weapons possibly contravened the following LOLE and IHRL:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression by displaying and using firearms during assemblies)
 - Article 21 (restrictions on peaceful assemblies by displaying and using firearms during assemblies)
 - Article 25 (restriction of the right of political participation by displaying and using firearms during assemblies)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 18-20
 - Principles 22-26 (for reviewing the use of firearms)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1-4
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-4
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Recalling also the importance of adequate training for officials exercising law enforcement duties assigned to deal with public protests, and of refraining, to the extent feasible, from assigning military personnel to perform such duties,
 - Also Paragraphs 2, 3, 6, 7, 8, 9, 10, 12, 13, 15

- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 2, 3, 4, 5
 - The HKPF as an organization possibly contravened Paragraph 4 and 5, as it allegedly loosened the regulations of firearms usage.
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 16 (use of LL weapons against disabled and ethnic groups), 50-63
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89, 91, 96-99
 - Paragraph 97 (on tear gas)
 - Paragraph 97 (on water cannon)
 - Paragraph 98 (on firearms, including LL firearms)



Categories of Police Brutality and Abuse of Power

E. Use of Vehicle

E. Use of Vehicle

182. HKPF officers were seen recklessly using HKPF vehicles against the protesters. On 7 October, an HKPF vehicle rushed into a crowd, hitting no one³¹². On 2 November, a Toyota Coaster single-decker minibus owned by the HKPF (allegedly by the Raptor Unit) rushed towards a group of withdrawing protesters near Mong Kok³¹³. On the morning of 11 November, during an operation to disperse the protesters who blocked the road at Kwai Fong, an HKPF traffic police officer attempted to use a motorbike to hit the protesters, who fought back with sticks and bricks. The PPRB claimed that the officer in question had been suspended for his action. On 1 December, however, CP Chris Tang Ping Keung claimed that as no one stepped up and made a formal complaint, the officer returned to duty³¹⁴.

183. At around 0045 of 19 November, when the HKPF was chasing down a large group of protesters along Nathan Road, several PTU Toyota Coaster single-decker minibuses charged towards the protesters in high speed, and only stopped in the last seconds before hitting the crowd³¹⁵. Raptor officers then disembarked and gave chase. When being questioned about the legality of such action during a press conference, SSP Wong Wai Shun (SSP Ops Bureau), claimed that “vehicles moving in high speed (charging towards the crowd) are not necessarily dangerous”³¹⁶.

184. At least on one occasion, a man was hit when he tried to stop an HKPF vehicle. When he was hit, the man was not wearing any protective gear (usual equipment of a protester) and posed no threat to the vehicle.³¹⁷.

185. The HKPF officers who misused their vehicles in the abovementioned examples used excessive and indiscriminate force and thus potentially contravened the following LOLE and IHRL:

- **Code of Conduct for Law Enforcement Officials**
 - Articles 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 7, 8, 12, 13, 18, 20

- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-4
 - Police Command and Management; Paragraphs 8, 10, 13, 15
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 10, 11, 12
 - The HKPF as an organization possibly violated Paragraph 14, as it did not provide adequate LL weapons for traffic police
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraph 5 (on providing proper training for officials exercising law enforcement duties)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 50-59, 61, 62 (for operations that aim at clearing roads)
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89, 91, 96-97

Categories of Police Brutality and Abuse of Power

F. Display of Identity and Insignia

F. Display of Identity and Insignia

186. One constant cause of friction between HKPF officers and the protesters (as well as the general public) is the unwillingness of HKPF officers to show their identifications when they were on duty. During the Occupy Movement, numerous HKPF officers were subjected to doxing and were held responsible for their criminal actions during operations. This became a pretext for the officers to hide their identifications against existing regulations and international law.

187. On 12 June 2019, there were already reports about HKPF officers hiding their police unique identification ('UI') number, identification cards, or other forms of individual identifications³¹⁸. When being asked whether they were police officers by the protesters, journalists, and citizens, many HKPF officers choose to ignore the question, shouted profanities, or even threatened to make arrests (under the charge of obstruction of police work), even if they were being questioned by Legislative Councilors³¹⁹. One even announced that it was "unnecessary" for HKPF officers to show their UI when they were on duty (which went against the PGO)³²⁰. Raptor officers were always found operating without showing their UI. When being asked for ways to make complaints against the HKPF officers who had not shown their UI, SSP Kong Wing Cheung of the PPRB only vaguely suggested the HKPF would "try their best to locate the officer in question"³²¹. In a press conference on 6 December 2019, SSP Wong Wai Shun of the Ops Bureau of HKPF dismissed the request for the presentation of warrant cards by the public as an "unreasonable" act that "challenges the authority [of a police officer]"³²².


188. Soon after the 12 June Incident, HKPF officers were also found wearing face masks and adding non-transparent visors to their helmets. The HKPF explained that these measures prevented the officers from doxing and from being hurt by laser devices. When being questioned by the Legislative Council about Raptor officers not showing their UI, John Lee Ka Chiu, the Secretary for Security, claimed that there is not enough space on the Raptor uniform to display their identification numbers. He even claimed that the HKPF officers who chose to show their UI were "giving up their privileges"³²³. Although he announced that the HKPF would introduce a new system of UI showing the identity of individual officers, this was not thoroughly followed and some HKPF officer even claimed that it was "not mandatory"³²⁴. Sometimes, several HKPF officers were found using the same UI.³²⁵

189. The refusal of numerous frontline HKPF officers to show their identification numbers intensified the confrontation between the protesters and HKPF officers. It also led to much public disgust towards the HKPF and in many cases, led to conflicts between HKPF officers and the onlookers that led to violent results. HKPF officers were found deliberately showing unrelated items instead of their UI on the uniform, to provoke the protesters and onlookers.³²⁶ Later, HKPF officers started to display custom-

-made patches that contained pro-HKPF graphics or slogans on their uniform without showing their identification cards as John Lee promised³²⁷. This suggested the widespread insubordination among frontline HKPF officers against the orders from the civilian authority.

190. By refusing to show their UI, HKPF officers and the HKPF as a law enforcement agency possibly contravened the following LOLE and IHRL:

- **International Covenant on Civil and Political Rights**
 - Article 19 (2) (restrictions on the freedom of the public to know about the legal and administrative framework within which they participate in assemblies and enables them to hold public officials accountable)³²⁸
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 8
- **International Human Rights Standards for Law Enforcement**
 - Police Violations of Human Rights; Paragraphs 2, 7, 9
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 5, 13, 18, 19
 - The HKPF as an organization possibly violated Paragraph 13, as it did not ensure the UI of its officers to be seen.
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraph 5 (on providing proper training for officials exercising law enforcement duties)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraph 65: A clear and transparent command structure must be established to minimize the risk of violence or the use of force, and to ensure responsibility for unlawful acts or omissions by officers. Proper record keeping of decisions made by command officers at all levels is also required. Law enforcement officials must be clearly and individually identifiable, for example by displaying a nameplate or number. In addition, there should be a clear system of record keeping or register of the equipment provided to individual officers in an operation, including vehicles, firearms and ammunition.
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 100: The State is responsible under international law for the actions and omissions of its law enforcement agencies and should promote a culture of accountability for law enforcement officials during assemblies. To enhance effective accountability, uniformed law enforcement officers should always display a form of identification during assemblies.



Categories of Police Brutality and Abuse of Power

G. Gender and Sex-related Misconducts

G. Gender and Sex-related Misconducts

i. Description

191. Throughout the Protests, there were a number of accusations (and one formal case) against HKPF officers for committing sex-related crimes, including sexual violence and rape. On 27 September, a masked man who claimed to be arrested on 11 August stated (through the organizer of the event) during a rally that he was sexually assaulted by HKPF officers when he was detained at San Uk Ling³²⁹. On 11 October, a CUHK student claimed that she suffered from sexual harassment by HKPF officers during detention, and she knew that she was not the only case³³⁰. Two weeks later, an unnamed and masked man who claimed to be an arrested protester also told the press in Taiwan that he knew about the torture and sexual assault cases; one case involved a teenage girl being raped by HKPF officers. The HKPF immediately denied the allegation³³¹. Then, on 9 November, the HKPF admitted that it was investigating an alleged rape case that took place at a police station³³². While the case was being investigated by the HKPF, the head of the PPRB, CSP Tse Chun Chung, told the media that the victim “had a mental problem”. CP Chris Tang suggested on 16 January 2020 that the HKPF was now investigating the case as a “deliberate misinformation”. The legal representative then issued a statement to rebuke Tang³³³. On 12 November, the KBS channel of Korea released an interview with a man who claimed himself an HKPF officer. During the interview, he claimed that there were at least two confirmed cases of rape against female protesters committed by HKPF officers³³⁴.

192. Female protesters were particularly vulnerable during the 2019 Protests, as the HKPF officers had a tendency to target female protesters, journalists, medical personnel, and even onlookers. Even in front of cameras, HKPF officers hurled sex and gender related abuses and threats at female protesters at the scene³³⁵. One common insult at female protesters (or anyone who was deemed to be one) was the accusation that they were prostitutes for the male protesters³³⁶. Pro-government social media circulated a story about a young girl who was brainwashed and then made pregnant by male protesters. Fanny Law Fan Chiu-fun, a female member of the Executive Council, mentioned such a story during a radio show. When pressed for more detail as it was a crime for anyone who had sexual intercourse with 16 years old or under, she backtracked and claimed that she was quoting her (unspecified) friend who heard it from someone else³³⁷.

193. Male HKPF officers (usually masked) were seen searching young women on the streets, and their method of searching was questionable to say the least, such as touching the body of the young women and fiddling their hair³³⁸. Male HKPF officers touched the breast of non-violent female protesters when using force to disperse or arrest³³⁹. In more than one occasion, male HKPF officers pulled off or tore apart the attire of female protesters, and in at least one occasion a male officer removed the entire dress of a female protester (the fact that she wore a dress suggested that she was by no means a violent protester)³⁴⁰. Male HKPF officers were also seen intimidating, slapping, and beating up female protesters or passerby with hand, baton, shield, and other weapons, and even sitting and stepping on them when making arrests, including against elderly women³⁴¹. During detention, there were at least three complaints about arrested female protesters being subjected to naked search (performed by female HKPF officers)³⁴². Iron chain was being used to restrain an arrested young female protester in a hospital³⁴³. Male HKPF officers also stayed in a maternity ward to guard a pregnant woman who was randomly arrested on the street. The PPRB first denied this and proclaimed “the wise does not buy rumors”; it then backtracked after more evidence surfaced³⁴⁴. Male HKPF personnel also entered a female toilet to arrest non-violent protesters³⁴⁵. A pregnant woman was made to kneel for hours and was not sent to hospital four hours after being arrested for posting posters in a pedestrian tunnel³⁴⁶.

194. On 9 December, the Association Concerning Sexual Violence Against Women released a report, showing that they have received at least 67 complaints of sexual violence during the Protests, of which 58 victims were female. Among the cases, 32 were related to HKPF personnel and 28 to the pro-PRC protesters³⁴⁷.

ii. *Potential violations of LOLE and IHRL*

195. HKPF officers who used excessive force to arrest female protesters, journalists, medical personnel, and onlookers contravened various LOLE and IHRL illustrated above (see “Use of LL Weapon” Section).

196. Individual HKPF officers that harassed and used humiliating ways to detain and arrest female protesters violated the dignity of women concerned and thus potentially violated Articles 2 and 26 of the ICCPR. They also potentially contravened Articles 1-3 (1 because sex discrimination is an offense in HKSAR), 5 of the *Code of Conduct*; the “General principles,” “Ethical and legal conduct,” and “The human rights of women” sections of the IHRSLE; Paragraph 6 of the UNHRC Resolution 25/38; Paragraph 16 of the JRSR 2016; and Paragraph 28 of the GC No. 37 of the ICCPR.

197. The HKPF as a law enforcement agency that failed to prevent these incidents and punish the offenders potentially contravened the principle of precaution (Principles 18 and 20 of the *Basic Principles*; Paragraph 13 of the UNHRC Resolution 25/38; Paragraph 5 of UNHRC Resolution 31/37; Paragraphs 38, 42, 52, 55 of the JRSR 2016) and thus potentially violated Article 2 and 21 of the ICCPR.

198. Relevant LOLE and IHRL are as follows:

- **International Covenant on Civil and Political Rights**
 - Article 2 (on discrimination on gender and sexual orientation)
 - Articles 6, 7 (using excessive force)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Article 1 Article 2 (on insults and humiliating ways of policing)
 - Article 3 (on force used against female protesters)
 - Article 5 (on sex and gender specific insults, provocations, as well as discriminatory ways of policing)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5 (on force used against peaceful female protesters)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - The Human Rights of Women; Paragraphs 1-11
 - Police Command and Management; Paragraphs 1, 13
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Recalling also the importance of adequate training for officials exercising law enforcement duties assigned to deal with public protests, and of refraining, to the extent feasible, from assigning military personnel to perform such duties,
 - Paragraphs 6: Urges States to pay particular attention to the safety and protection of women and women human rights defenders from acts of intimidation and harassment, as well as gender-based violence, including sexual assault, in the context of peaceful protests;

- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 42, 44, 50-63
 - Particularly Paragraph 16:
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraph 28 (States and its agents' responsibility to prevent discrimination)




Categories of Police Brutality and Abuse of Power

H. Violations of Religious Freedom

H. Violations of Religious Freedom

i. Description

199. According to the *New York Times*, Hong Kong is the home of 850,000 Christians and 1,500 churches. The Christian churches and other religious groups are responsible for running a large number of schools in Hong Kong, including the more historical and prestigious ones³⁴⁸. Christians as well as Muslims of different schools and denominations played a role in the Protests as a force of restraint and consolation, as well as symbols of the cultural and ethnic diversity of Hong Kong. Throughout the Protests, however, HKPF officers were hostile towards religious groups and institutions, especially those insisted on playing a humanitarian role at the front line. On 12 June, one HKPF officer taunted a Christian pastor, demanding him to “ask *your Jesus* to come down and meet me!” when the pastor was asking if it was possible to give prior warning to the protesters before the forceful dispersal³⁴⁹. During a confrontation on 20 October, the Kowloon Masjid was damaged by the water cannon of a SCMV (see “Use of LL Weapons” Sections).
200. During the early stage of the Protests, many churches opened their doors to allow the protesters to rest inside, and they often became sanctuaries. On 11 November, a group of HKPF riot police rushed into the Holy Cross Church (a Catholic Church) at Sai Wan Ho after a group of unarmed men and women who had no protective gear except for a surgical mask. The riot police beat them with batons and forced them to kneel down inside the church. Then, one HKPF officer put a hammer inside the bag of one of the subdued citizens. The scene was captured by the CCTV of the Church. The HKPF officers involved in this incident used disproportionate and excessive force to make arrests, as none of the arrested were armed or trying to resist. At least one officer was suspicious of planting evidence. The officers involved potentially violated international law and standards concerning the use of force and police conduct, and also violated the religious freedom of the citizens in Hong Kong, which was guaranteed by not only the Basic Law but also the Universal Declaration of Human Rights.



Categories of Police Brutality and Abuse of Power

I. Targeting Media

I. Targeting Media

i. Description

201. From the beginning of the Protests, some HKPF officers has been hostile to the local and international media. On 10 June, HKPF officers were recorded calling the reporters “rubbish” and tried to disperse them near the Legislative Council³⁵⁰. Journalists were subjected to verbal and physical abuses and random searches; even reporters from foreign and pro-government media outlets faced similar treatment³⁵¹. Later, as HKPF officers often blamed the media for the collapse of their image, they openly called the journalists “black reporters (hak gei),” “fake reporters,” “cockroaches,” and threw other insults at them or even damaged their equipment³⁵². HKPF officers often demanded the reporters not to take pictures and videos of them (their misconducts) but the “rioters”³⁵³. Sometimes, reporters were also being accused of commanding the protesters, with no proof whatsoever³⁵⁴. HKPF officers also accused the reporters’ work for accusing them of “obstructing police work” or demanded reporters to tell them “which law allows the reporters to take pictures [conflict scenes]”³⁵⁵.

202. HKPF officers repeatedly pointed LL weapons at the direction of the reporters, and even threatened or assaulted reporters with laser, baton, shield, pepper spray, pepperball gun, and later even tear gas, water cannon, and pepper water dispenser³⁵⁶. As early as in July, there were already reports about HKPF officers firing LL ammunitions at journalists, inflicting serious injury to an Indonesian reporter (see “Use of Less Lethal Weapons” Section)³⁵⁷. Journalists were also hit by tear gas rounds on numerous occasions. On 26 August, the JPOA issued a statement condemning the media for “obstructing the work of the HKPF”³⁵⁸. After the HKSAR government introduced the Anti-mask Law, HKPF officers often forcibly removed the gas mask of the reporters³⁵⁹.

203. In October and November, the HKPF adopted an even more aggressive attitude towards the journalists. On 1 October, one reporter was arrested when he was trying to record video at the conflict zone³⁶⁰. On 13 October, a NowTV driver was hit by a bean bag round when trying to reach his vehicle and was then arrested. When the NowTV reporters tried to tell the HKPF officers that he was one of them, they were threatened with pepper spray. He was then beaten up in the police station until his identity was found. He was seriously wounded in the face³⁶¹. On 27 October, an HKPF officer demanded a free-lance journalist to produce her identification. While she complied, she asked the HKPF officers around her to show their identifications. The request was refused, and she was arrested and detained³⁶². Another reporter from *Stand News* suffered from a similar ordeal on 3 November and was detained for 21 hours³⁶³. The ID of a reporter from *Stand News* was shown in live camera by an HKPF officer who stopped and searched him, in an attempt to publicly shame him³⁶⁴.

204. HKPF officers was also increasingly hostile to foreign correspondents. Enno Lenze, a German reporter, claimed that he was told by the HKPF that he “had to leave Hong Kong” and stop reporting. He suggested that “I worked at the ISIS-Frontlines but I’m more afraid of the HK police, since they are unpredictable”³⁶⁵. On 10 December, Vadym Voityk, a Ukrainian reporter, was refused entry into Hong Kong for an unspecified reason³⁶⁶. A NBC reporter was assaulted by a group of HKPF supporters on 15 December during a pro-HKPF rally; HKPF officers only asked her to leave the scene but did not attempt to arrest the perpetrators³⁶⁷. HKPF officers were found ordering “no English” to English speaking reporters³⁶⁸.

205. During the siege of the PolyU, HKPF officers searched the bags of the journalists operating in and near the campus and hurled the usual profanities at the journalists unprovoked.

206. Student reporters, who are also members of the Hong Kong Journalists Association, were subjected to recurring harassment by HKPF officers, who insisted that they were not reporters and even accused them of collaborating with the more violent protesters or were even one of them³⁶⁹. On 17 November, many of these reporters were forced to kneel down and were detained with hands tied for six hours near the campus of the PolyU³⁷⁰.

ii. *Potential violations of LOLE and IHRL*

207. By disrupting the work of the journalists and restricting their movement, individual HKPF officers and the HKPF potentially contravened Articles 8 and 18 of the UNHRC Resolution 25/38; Paragraphs 68-71 of the JRSR 2016; Paragraph 23 of the GC No. 36 of the ICCPR; and Paragraph 34 of the (Draft) GC No. 37 of the ICCPR.

208. By attacking reporters, individual HKPF officers and the HKPF that had not punished these officers contravened the principles of necessity, proportionality, and legality, as well as failed to ensure the safety of the journalists and media workers.

209. Indiscriminate and excessive force was used against reporters who clearly posed no physical threat to the HKPF officers. Such action potentially violated various clauses of LOLE and IHRL covered above (see “Use of LL Weapons” Section).

210. For failing to prevent its officers to harass and attack the reporters, the HKPF potentially violated principle of precaution (Articles 18 and 20 of the *Basic Principle*) as it failed to give attention to the moral and psychological qualities of its officers and failed to provide adequate training.

- **Code of Conduct for Law Enforcement Officials**
 - Article 2, 3, 5 (for arresting and using force against journalists)
- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 19 (restriction of the freedom of expression)
 - Article 26 (discrimination in policing)

- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 7, 8, 9, 10, 12, 13, 14 (for using force and firearms against journalists) 18, 20 (for insulting/harassing journalists)
 - Principles 22-26 (for reviewing the use of firearms)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 5, 7
 - Policing in Democracies; Paragraphs 1, 2, 6, 7
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 5, 6
 - Arrest; Paragraphs 1, 2
 - Detention; Paragraph 2
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1
 - Civil Disorder; Paragraphs 1-14
 - States of Emergency; Paragraphs 3-7
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 13
 - Community Policing; Paragraph 1
- **Resolution 21/12 of 27 September 2012, On the Safety of Journalists**
- **General Comment No. 34 on Article 19 of the ICCPR**
 - Paragraph 45
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 2, 3, 9, 10, 12, 13, 15 (for using LL weapons against journalists)
 - In particular Paragraphs 8, 18
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 3, 5 (for using LL weapons against journalists)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 50-59, (for using LL weapons against journalists)
 - Paragraphs 68-71
- **General Comment No. 36 on Article 6 of the ICCPR**
 - Paragraphs 12-14 (on use of force against journalists)
 - Paragraph 23
- **General comment No. 37 on Article 21 of the ICCPR**
 - Paragraph 34



Categories of Police Brutality and Abuse of Power

J. Targeting Human Rights Watchers

J. Targeting Human Rights Watchers

i. Description

211. The HKPF has shown little respect for human rights watchers who were at the scene of protests. As early as on 12 June, HKPF officers insulted human rights watchers with derogatory and discriminatory language obstructed their work. On 27 July, an HKPF officer pulled the hair and violently assaulted a social worker during a protest at Yuen Long. The social worker was not armed and had no protective gears and was not attacking anyone. He was detained for 64 hours but was only charged for “obstructing a police officer in the execution of his duty,” a minor offense that did not warrant such use of force and long detention³⁷¹. Later, more social workers at the conflict zone were arrested; one was charged for rioting; others faced deliberately humiliating treatments such as facing walls to be searched³⁷².

212. When Legislative Councilors or District Councilors were at the scene of protest as human rights watcher and sometimes negotiated with the protesters and the police officers, the latter often subjected them to harassment or even assault and arbitrary arrest³⁷³. During the International Human Rights Day march on 8 December that ended peacefully, Legislative Councilor Kwok Ka-ki, who was at the scene as a human rights watcher, was being shouted at by a masked riot police officer, saying “fxxk your mother, fake Legislative Councilor!”. The reason for accusing Kwok as a “fake” Legislative Councilor was unknown³⁷⁴. Au Nok Hin, a Legislative Councilor, was arrested for assaulting a police officer when an HKPF officer accused Au of hurting his ear with a loudspeaker³⁷⁵. A District Council candidate was tackled and arrested by a group of riot police for questioning the rationale for the removal of posters on a Lennon Wall by HKPF officers³⁷⁶. Verbal insults were also hurled at District Councilors³⁷⁷. In fact, throughout the protest, only one Legislative Councilors or District Councilors was attacked by the protesters; the Pan-Democratic Leung Yiu Chung was pushed away when he tried to stop the protesters from breaking a glass wall of the Legislative Council building³⁷⁸.

213. HKPF officers also harassed citizens who were not protesters when they tried to record what was happening³⁷⁹. At least one officer threatened to kill a citizen who took a photo of their operations³⁸⁰. HKPF officers were also seen charging in full riot gear towards the people who took photos of them from a distance unprovoked³⁸¹. HKPF officers often insulted a group of peaceful protesters known as “Guarding the Children”, and its members were called cockroaches³⁸². The chairman of the student union of the PolyU was beaten up when he arrived at the campus on 12 November to try to discern the situation³⁸³. One warden of a PolyU hostel was arrested for rioting because she stayed in the campus³⁸⁴.

214. On the morning of 18 November, Robert Godden of Rights Exposure, an international human rights organization, was arrested along with his colleague when they had put on their vests and identifications. They were charged by the HKPF for rioting near the campus of the PolyU. He suggested that he and his colleague were “subject to torrents of abuse, with an officer making racial and sexual slurs in Cantonese”. He also noted that he could hear “howls of pain” nearby when he was detained in a police station. They were released after being detained for 15 hours³⁸⁵.

215. Apparently, HKPF officers also blamed the human rights watchers for the collapse of their image and saw them as “running dogs” of “foreign powers”. During the International Human Rights Day demonstration, an HKPF officer insulted the human rights watchers, and told them to “go back to the USA” and “run faster later [hinted they would suppress the rally]”.³⁸⁶

ii. Potential violations of LOLE and IHRL

216. HKPF used unnecessary and arbitrary force against human rights watchers who posed no threat to the HKPF officers. Such actions potentially contravened various LOLE and IHRL covered above (see “Use of LL Weapons” Section). By disrupting the work of the human rights watchers, individual HKPF officers and the HKPF potentially contravened Article 18 of the UNHRC Resolution 25/38, Paragraphs 68-71 of the JRSR 2016, Paragraph 23 of the GC No. 36 of the ICCPR, and Paragraph 34 of the (Draft) GC No. 37 of the ICCPR.


217. By arbitrarily arresting human rights watchers, the HKPF officers involved potentially violated Article 12 of the ICCPR as movement of the human rights watchers was arbitrarily restricted.

218. Individual HKPF officers who were involved in the abuses and the HKPF that failed to punish these offenders potentially contravened the following LOLE and IHRL:

- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5 (for arresting and using force against human rights watchers)
- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 19 (restriction of the freedom of expression)
 - Article 26 (discrimination in policing)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 7, 8, 9, 10, 12, 13, 14, (for using force and firearms against human rights watchers) 18, 20 (for insulting/harassing human rights watchers)
 - Principles 22-26 (for reviewing the use of firearms)

- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 5, 7
 - Policing in Democracies; Paragraphs 1, 2, 6, 7
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 5, 6
 - Arrest; Paragraphs 1, 2
 - Detention; Paragraph 2
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1
 - Civil Disorder; Paragraphs 1-14
 - States of Emergency; Paragraphs 3-7
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 13
 - Community Policing; Paragraph 1
- **Resolution 22/6 of 21 March 2013, on Protecting Human Rights Defenders**
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Recalling also the importance of adequate training for officials exercising law enforcement duties assigned to deal with public protests, and of refraining, to the extent feasible, from assigning military personnel to perform such duties,
 - Also Paragraphs 2, 3, 9, 10, 12, 13, 15 (for using LL weapons against human rights watchers)
 - Also Paragraphs 8, 18
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraph 3, 5 (for using LL weapons against human rights watchers)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 50-59, (for using LL weapons against human rights watchers)
 - Paragraphs 68-71

- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14 (on use of force against human rights watchers)
 - Paragraph 23
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 34



Categories of Police Brutality and Abuse of Power

K. Disruption of Rescue and Medical Works

K. Disruption of Rescue and Medical Works

i. Description

219. Throughout the Protests, the HKPF was found repeatedly disrupting rescue and medical services. HKPF officers were found not allowing ambulances to go through cordon lines³⁸⁷, stopping/blocking ambulances³⁸⁸, preventing rescue and medical personnel from reaching the wounded³⁸⁹, and in some cases verbally harassing rescue and medical personnel, including those from the Fire Services Department and medical services³⁹⁰. Some HKPF officers even pointed weapons at them³⁹¹. Volunteer first aiders were targeted, and they were sometimes arrested and being called “cockroaches”³⁹². One volunteer first aider had his arm broken by a Raptor officer when he was arrested (he did not resist)³⁹³.

220. HKPF officers also disrupted the running of hospitals by attempting to intervene in the registration process of the patients who were arrested; HKPF officers even attempted to obtain information concerning the patients already admitted³⁹⁴. HKPF riot police in full gear and weapons in hand were seen entering and stationing in hospitals, facing unarmed and wounded protesters, medical professionals, other patients, and their families³⁹⁵.

221. When the medical professionals started a signed petition criticizing the HKPF for disrupting rescue and medical works, the JPOA demanded them to “behave themselves,” and the HKPF withdrew police posts in the hospitals, on the pretext that HKPF officers faced “verbal insults” there³⁹⁶.

222. On 21 June, when thousands of protesters surrounded the Headquarters of the HKPF, the HKPF called an ambulance to carry “sick personnel” away. However, some of the “patients” were not sent to the hospital and disembarked as soon as the ambulance had left the scene. The HKPF was criticized for using the ambulance as a PR ploy to smear the protesters³⁹⁷.

223. On 31 August, after a group of Raptor officers stormed an MTR train and a platform at Prince Edward Station, HKPF officers allegedly obstructed rescue work by refusing entry of volunteer first aiders and told the government rescue personnel that there were no wounded inside the station.

224. During the siege of the PolyU in November, the HKPF also targeted medical volunteers. In the early morning of 18 November, over fifty medical volunteers, including medical doctors and first aiders, were arrested at and near the campus of the PolyU. Volunteer doctor Darren Mann noted that the HKPF rounded up the medical volunteers and made them sit in lines like prisoners of war, with hands tied by plastic cable ties³⁹⁸ (See Sample Case 9). He also noted that HKPF personnel attempted to enter operating theaters to guard the arrested patients³⁹⁹.

225. On 17 November, HKPF officers fired tear gas near the Queen Elizabeth Hospital, forcing it to evacuate its patients⁴⁰⁰.

226. Another example of the HKPF's disruption of rescue personnel that led to potentially lethal result took place on 18 November, when a group of 50+ protesters was being chased down a narrow street at Yau Ma Tei MTR Station and a stampede occurred (See "Tactics in Crowded Spaces" Section).

227. From October on, friction between the HKPF and the Fire Services Department led to minor clashes between HKPF officers and the rescue personnel. On 15 November, HKPF officers fired tear gas into a group of firefighters who were trying to remove a roadblock near Mong Kok without warning and for no reason⁴⁰¹. The same happened again on 17 November⁴⁰².

228. Fearing arbitrary arrest, many wounded protesters sought help from underground medical support⁴⁰³.

ii. *Potential violations of LOLE and IHRL*

229. HKPF officers who used unnecessary and arbitrary force against medical personnel (either volunteers or government personnel) potentially contravened various international human rights laws covered above (see "Use of LL Weapons" Section). HKPF officers who disrupted medical and rescue works during the protest possibly violated not only the PGO (27-02) but also contravened Article 6 of the *Code of Conduct*, Principle 5(c) of the *Basic Principles*, Paragraph 7 of the GC No. 36 of the ICCPR, and Paragraph 34 of the (Draft) GC No. 37 of the ICCPR.

230. By arresting medical personnel and depriving others from receiving medical aid in the earliest opportunity, the HKPF potentially contravened Article 12 of the ICCPR, Article 6 of the *Code of Conduct*, Principle 5(c) of the *Basic Principles*, Paragraph 7 of the GC No. 36 of the ICCPR, and Paragraph 34 of the (Draft) GC No. 37 of the ICCPR.

231. Relevant LOLE and IHRL are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
- **Code of Conduct for Law Enforcement Officials**
 - Article 6
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principle 5
 - Particularly 5(c)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 5, 7
 - Police Investigations; Paragraphs 2, 5, 6

- Arrest; Paragraphs 1, 2
- Detention; Paragraph 2
- The use of force; Paragraphs 1-11
- Permissible circumstances for the use of firearms
- Procedures for the use of firearms
- After the use of firearms; Paragraph 1
- Civil Disorder; Paragraphs 16
- States of Emergency; Paragraphs 3-7
- The Human Rights of Women; Paragraphs 1-3
- Police Command and Management; Paragraphs 13
- Community Policing; Paragraph 1
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 2, 3, 9, 10, 12, 13, 15 (for using LL weapons against volunteer first aiders)
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 3, 5 (for using LL weapons against volunteer first aiders)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 43-45 (for arresting volunteer medical personnel)
 - Paragraphs 50-60 (for using force against volunteer medical personnel)
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14 (on use of force against medical personnel)
 - Paragraphs 7
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 34



Categories of Police Brutality and Abuse of Power

L. Discriminations in Policing

L. Discriminations in Policing

i. Description

232. Another major cause for the public hostility towards the HKPF throughout the movement was the stark contrast between the treatment of the people from different political camps or even age groups by HKPF officers. Although the PPRB insisted that the HKPF acted even-handedly to people from the two camps, there were cases when HKPF officers released their supporters (some of them were retired HKPF officers and the suspected Titushki) even though they were in possession of weapons or had just committed various violent acts against Legislative Councilors, peaceful protesters, bystanders, and journalists in front of the public and the HKPF officers⁴⁰⁴. On one occasion, HKPF officers refused to search for a suspect who randomly attacked the people near a Lennon Wall with a knife, and the residents found from CCTV footage that the suspect escaped after the police had left⁴⁰⁵. HKPF officers were also seen protecting mainland Chinese with overwhelming force⁴⁰⁶, including those who displayed weapons in front of peaceful protesters⁴⁰⁷. In some of the “blue ribbon” attacks, the victims, if they were young, were often ignored or even charged by the HKPF instead⁴⁰⁸. On 6 October, a pro-CCP taxi ran into a crowd; two were seriously wounded, and the crowd attacked the driver in revenge for the wounded. The HKPF did not arrest the driver but those who beat him up⁴⁰⁹. HKPF supporters were allowed to wear masks in front of HKPF officers after the introduction of the Anti-mask Law⁴¹⁰. One “blue ribbon” who displayed a knife during a peaceful protest was arrested only because he turned himself to the police⁴¹¹. Passerby attacked by HKPF supporters had to be protected by firefighters⁴¹². One restaurant was threatened by HKPF officers that someone would “clean up” their place; three days later, masked men and women vandalized the restaurant⁴¹³.

233. On the other hand, the HKPF adopted a very different attitude towards the protesters and their sympathizers. HKPF officers were particularly hostile towards the students and the young people, no matter they were supporters of the Protests or not. On the evening of 11 June, HKPF officers lined up a group of young people and made them face a wall in a busy MTR station during the off-work hours⁴¹⁴. HKPF officers were found randomly searching and subduing younger-looking person on the street in hostile and insulting attitude⁴¹⁵; some of the actions during the search was tantamount to sexual harassment (see “Gender and Sex-related Misconducts” Section)⁴¹⁶. On these occasions, triad language was often used by HKPF officers⁴¹⁷. Citizens wearing masks (a symbol of protest) were subjected to verbal insults and even physical assault even when they were not engaging in any violent actions or were not even participating in a protest⁴¹⁸. An HKPF officer threatened to arrest two teenagers for wearing t-shirts with protest-related slogans printed on⁴¹⁹. A man was forcibly pulled off from his luxurious sports

car and tackled by a group of riot police when he played the music “Glory to Hong Kong” *in his car*⁴²⁰. An elderly woman who knelt down to beg the HKPF officers not to use excessive force was pushed to the ground by a masked HKPF officer who apparently was in a questionable mental state (he walked back and forth idly after pushing her to the ground)⁴²¹. When being questioned on this case, SSP Kong Wing-cheung of the PPRB said: “if people stand in front of us, trying to block our way during our dispersal operation, we have to give them a warning to leave and if they ignore our warning, we might have to take necessary action to push them away”⁴²².

234. Citizens (including women, teenagers, and the elderly) who only criticized the HKPF (sometimes when HKPF officers damaged their property) were beaten up, violently tackled on the ground, or even arrested for breaching the very vague Cap. 245 or more serious charges⁴²³. Ironically, one protester was surrounded and verbally insulted by a group of riot police only because he shouted the HKPF service pledge at them. A PPRB officer told the reporters who were covering this case to leave, claiming that he (the protester) was “only a cockroach”⁴²⁴. On 4 October, when the HKSAR government introduced the Anti-mask Law, one HKPF officer was heard threatening to kill everyone who wore a mask when the law was in force⁴²⁵.

235. Because of the intense animosity between the public and the HKPF, and the inability of the HKPF to control its officers, unnecessary use of force against angry onlookers was common. HKPF officers often threw insults at not only the protesters but also residents and onlookers who expressed their disgust at the HKPF’s handling of the situation, especially the use of tear gas in densely populated residential estates. On 24 August, a Raptor officer was being criticized by angry residents; he retorted the crowd “how much tax do you pay?” and fired a tear gas round into the crowd (without protective gear) without warning⁴²⁶. Another HKPF officer shouted at a public housing estate that the residents there “have no status [in Hong Kong society because they live in subsidized housing]”⁴²⁷. Similar insults were also hurled in other less-wealthy districts⁴²⁸. On 7 October, a CIP pulled his revolver when losing an argument with a group of angry onlookers. As the crowd became even more agitated, he put it back⁴²⁹. This shows that even senior HKPF officers were unable to understand some basic principles of policing.

236. In many smaller clashes in the neighborhoods during which numerous onlookers were present and joined the protesters, HKPF officers often demanded onlookers and passerby to line up or kneel down to be searched, in order to intimidate the people⁴³⁰. Passerby and onlookers were randomly assaulted and intimidated by HKPF officers, or even being shot at with LL ammunitions⁴³¹. Even senior officers committed such actions, but only more discreetly⁴³². On one occasion a plainclothes officer called the onlookers to “go to the United States”⁴³³. In another, a riot police officer accused a bus driver whose bus was trapped in the traffic as a “fake driver” who “illegally” carrying protesters, without specifying which law⁴³⁴. An HKPF officer accused the passerby “received HKD \$7,000” to join the protest and proceeded to pepper spray them randomly⁴³⁵. Several private property security guards were arrested or threatened to be arrested because they tried to stop HKPF officers entering private properties without a warrant⁴³⁶. A McDonalds manager was arrested for not allowing HKPF officers to enter his restaurant; the customers inside were then searched and intimidated⁴³⁷. All these actions above, blindly defended by the PPRB, were common and, to a large extent, led to a complete collapse of the HKPF’s image.

237. The HKPF was particularly hostile to the students, possibly out of the conviction that the young and the students were the driving force behind the Protests. Arrested young people were intimidated, and social workers were forbidden to stay with them⁴³⁸. When HKPF officers failed to find a charge against the underaged suspects, they applied for Protection Order from the court in order to prevent them from going home⁴³⁹. On 6 August, Keith Fong, the chairman of the Student Union of the Hong Kong Baptist University, was arrested by a group of plainclothes detectives at Sham Shui Po. The detectives knocked Fong down and refused to reveal their identity until angry passerby and onlookers surrounded them after Fong yelled for assistance. The detectives claimed that Fong had weapons but could only found laser pens in his bag. Still, Fong was arrested, but agitated citizens and protesters surrounded the Sham Shui Po Police Station in the next two days⁴⁴⁰. Fong was released on 8 August with no charge against him.

238. In some cases, HKPF officers threatened the young people with long imprisonment. In one case, the HKPF officer who made such a threat was being praised by pro-government media in taking a “soft” approach, ignoring the fact that making threats and indirect insults are also potential breaches of LOLE and IHRL. The PPRB also shared this clip on the Facebook page of the HKPF⁴⁴¹. Thereafter, HKPF officers who manned the loudspeakers started to taunt or hurl insults at protesters or even onlookers and bystanders, or to release their own emotion, instead of issuing warnings and communicate⁴⁴². The PPRB defended these actions by suggesting that the officers were merely “communicating with the protesters in different ways”⁴⁴³.

239. From September, when the school resumed after the summer holiday, HKPF officers randomly searched uniformed students with no apparent reason on the streets and in MTR stations⁴⁴⁴. HKPF officers also beat uniformed students who attempted to engage in non-violent protest activities with batons outside their schools⁴⁴⁵. On 12 November, the HKSAR government refused to suspend the schools despite the traffic disruptions and the widespread use of tear gas by the HKPF in different parts of the city. However, when uniformed students (many who were not related to the protests whatsoever) attempted to go to school, they were subjected to humiliating search by masked and fully armed riot police officers in MTR stations or at the gate of their schools. HKPF officers, in questionable mental state, called these students “rubbish” and demanded them to “focus on their study” (*while they were trying to go to school*)⁴⁴⁶. When the HKSAR government resumed the schools in Hong Kong after a week of suspension, the same was repeated in many MTR stations. Vengeful riot police forced young people and uniformed students to line up in busy MTR station platforms and searched them in front of other commuters⁴⁴⁷. The HKPF’s encouragement for its supporters that they should report all the “violent plots” of the young people sometimes backfired; on 19 December, groups of riot police appeared during a sports day of a secondary school, when someone called the police that a number of young man appeared near a stadium⁴⁴⁸.

240. The HKPF’s animosity towards the students was clearly shown during the sieges of the universities. As early as in October, HKPF officers tried to enter the campus in full riot gear, apparently to “shock and awe” the university students, who were seen as core members of the “braves”. Students were arrested just because they expressed their distaste in front of their dormitory⁴⁴⁹. On 30 October, more than a hundred HKPF officers armed with shotguns and other firearms surrounded the campus of Hong Kong Design Institute, when the students demanded the management to explain what happened

during the last hours of one of its students whose naked body was found. HKPF officers were seen provoking the students⁴⁵⁰. Fully armed riot police often patrolled at the gates of the universities or even entered dormitory areas, provoking students and arresting them⁴⁵¹. Such animosity had a curious social and class dimension; when the HKPF was using a sound device to broadcast near university campuses, the protesters were sometimes described as “useless” young men⁴⁵².

241. The hatred of some of the HKPF officers towards the young people intensified after the failed sieges of the universities. On 21 December, half a dozen of HKPF officers, detained two very young girls who used a pencil to draw (easily removed) pictures in a community park at Yuen Long in an unnecessarily intimidating manner. The HKPF later suggested that the event was the result of a “misunderstanding” without offering any apologies and redress to the girls affected⁴⁵³.

242. The HKPF was also hostile to the physically disabled. Riot police were seen forcibly subduing an autistic man who had committed no violent acts⁴⁵⁴. A man who suffered from moderate mental retardation was arrested and beaten up during detention⁴⁵⁵. A blind female lawyer was accused for “seducing the public”⁴⁵⁶. She was pushed to the ground on 28 December, and HKPF officers said she was “barking”⁴⁵⁷. A disabled man was being shot at with laser beam, and insults shouted at him⁴⁵⁸. Patients who wore masks suffered from various verbal abuses⁴⁵⁹. A group of HKPF officers mocked a wheelchair reporter in the public⁴⁶⁰.

243. Possibly because of the PRC propaganda, unlike the public, HKPF officers were hostile to foreigners, although they usually refrain from physically assaulting them⁴⁶¹. One of the German students who was arrested on 14 November recalled that he and his companion were intimidated and no dialog was possible between them and the excited riot police⁴⁶². Another Japanese exchange student was arrested and beaten up by riot police. He remembered seeing “many young protesters whose faces were covered with blood; many were underaged”⁴⁶³.

ii. *Potential violations of LOLE and IHRL*

244. HKPF officers who allegedly adopted a discriminatory attitude, acted aggressively to non-violent protesters, onlookers, and passerby, and used unnecessary and excessive force against those who only challenged them verbally potentially violated various LOLE and IHRL, such as those related to the use of force (see “Use of Firearms” and “Use of Less Lethal Weapons” Sections).

245. HKPF officers who arbitrarily arrested and attacked peaceful protesters and passerby not only potentially violated the principles of necessity and proportionality as well as the clauses of LOLE and IHRL that are related to the use of force, but also Articles 12, 17, 19, 21, 25, and 26 of the ICCPR; Articles 1 and 2 of the *Code of Conduct*, “Non-Discrimination in Law Enforcement,” “Arrest,” and “Civil Disorder” of the IHRSLE; Paragraphs 2-3, 5, 9, 17 of the UNHRC Resolution 25/38; Paragraphs 1-2, 5 of the UNHRC Resolution 31/37; Paragraphs 7-8, 15-16, 41-45 (38 for officers displaying and pointing firearms and LL weapons to intimidate; 42 for officers escalating tension through intimidations and random insults; 44-45 for stop and search, arbitrary arrest, and detention), 68-71 (right of the onlookers), 76 (recording participants of peaceful assemblies) of the JRSR 2016; and Paragraphs 4-6, 8-10, 34, 36, 76, 85-86, 89-90, 93-99 of the (Draft) GC No. 37 of the ICCPR.

246. HKPF officers potentially violated Article 21 of the ICCPR when they targeted masked citizens (except perhaps during the period when the Anti-mask Law was in force), as such action was disproportionate and contravened Paragraph 70 of the (Draft) GC No. 37 of the ICCPR.

247. HKPF officers who adopted a discriminatory attitude towards protesters on different sides damaged the trust between protesters and the HKSAR government and violated Paragraphs 14-16, and 43 of the JRSR 2016 and Paragraphs 16, 27-31 of the (Draft) GC No. 37 of the ICCPR, thus potentially violating Article 21 of the ICCPR. The HKPF as an organization that allowed peaceful protesters to be attacked, whether intentional or not, contravened the principle of precaution and potentially violated Paragraph 3-4 of the UNHRC Resolution 25/38; Paragraphs 1-2 of the UNHRC Resolution 31/37; Paragraphs 8, 13, 14-16, 24-25, and 41 of the JRSR 2016, and Paragraphs 29-31 of the (Draft) GC No. 37 of the ICCPR and thus potentially violated Article 21 of the ICCPR.

248. HKPF officers whose discriminatory actions, indiscriminate use of force, or arbitrary actions that affected children and women contravened Paragraphs 6 and 7 of the UNHRC Resolution 25/38, Paragraph 16 of the JRSR 2016, Paragraph 23 of the GC No. 36 of the ICCPR, and Paragraph 5 of the (Draft) GC No. 37 of the ICCPR.

249. As an organization, the HKPF might be held responsible for not providing enough training for its officers and punish the offenders, thus violating the principle of precaution. Relevant LOLE and IHRL are as follows:

- **International Covenant on Civil and Political Rights 1976**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 17 (surveillance of those involved in assemblies)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (allowing attacks against peaceful protesters)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5, 6
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 1, 2, 4, 5, 6, 7, 8, 9, 10, 12-14, 18-20
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4, 5, 6
 - Arrest; Paragraphs 1, 2

- Detention; Paragraph 2
- The use of force; Paragraphs 1-11
- Permissible circumstances for the use of firearms
- Procedures for the use of firearms
- After the use of firearms; Paragraph 1-4
- Civil Disorder; Paragraphs 1-14, 16
- States of Emergency; Paragraphs 3-7
- Protection of Juveniles; Paragraphs 1-3, 10, 13
- The Human Rights of Women; Paragraphs 1-3
- Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- Community Policing; Paragraphs 1-11
- Police Violations of Human Rights; Paragraph 1
- **UNHRC Resolution 25/38 on 11 April 2014**
 - *Stressing* therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - And Paragraphs 2, 3, 5, 6, 7, 9, 17
 - On documenting violations of human rights and punishment of perpetrators: Paragraphs 18, 19
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1, 2, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 7-13, 14-16, 39, 41-46, 48, 50-59, 61-62, 68-71, 76
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14, 25 (on using random force against onlookers)
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 1-11, 12-16, 19-20, 24-31, 34, 36-37, 45-50, 53-56, 58, 60 (the blue ribbon's display of force against peaceful protesters), 68, 70 (use of masks and face covering), 73 (on impartiality of state security forces), 76, 85-87, 89-91, 93-94, 98

Categories of Police Brutality and Abuse of Power

M. Use of Undercover

M. Use of Undercover

i. Description

250. One of the tactics used by the HKPF that led to public outrage is the deployment of undercover officers during mass protests. On 11 August and 18 August, undercover officers (male and female) were dressed in black (the usual colour of the frontline protesters) and mixed with protesters⁴⁶⁴. The wisdom of deploying undercover officers in a politically driven street protest was questionable, as such action could only give bad press and stir up popular discontent, not to mention the danger faced by the officers involved.

251. These undercover officers tried to make arrests when opportunities arise, but none showed their identifications throughout the operations. On 11 August, two HKPF officers who dressed up as protesters were found taking selfies and claimed that they were to “beat up cockroaches (da-gaat-zaat)” on social media. Later, they were found among the undercover police who arrested protesters at Causeway Bay⁴⁶⁵. Several men and women who were dressed as protesters and first aiders entered the protest zone with a group of uniformed riot police officers⁴⁶⁶. When being approached by a TVB reporter, a person who was dressed as a protester refused to admit he was a member of the HKPF, but he entered a HKPF vehicle and left the scene⁴⁶⁷.

252. The use of such tactics was extremely dangerous for the protesters and the undercover officers, as the latter were often surrounded and had little recourse to extract themselves except using firearms. On 31 August, when several undercover officers were exposed, they drew their pistols (Glock) and fired at the protesters⁴⁶⁸. On the same evening, undercover officers who dressed as protesters also used pepperball guns to shoot at protesters and chased them with batons⁴⁶⁹. When reporters flocked to the scene, they were stopped by riot police officers, who refused to allow the reporters to question the undercovers⁴⁷⁰. From September, during mass rallies and assemblies, undercovers were often found.⁴⁷¹ On 29 September, the HKPF repeated the same tactics and again one undercover officer fired a pistol round; then, several masked men without police UI walked along the street with pistols, aiming at people⁴⁷². Younger looking undercover officers were also deployed to trick the protesters⁴⁷³.

253. The legality of the arrests made by these undercover officers was in question, as according to the PGO, a police officer must show his/her identifications when making arrests. Moreover, as these undercover officers were unidentified, it was difficult to follow up the allegations of them using excessive force in arrests. It was also alleged that some of these undercover officers themselves engaged in arson and

vandalism. On 31 August, a person dressed as a protester was seen carrying a Glock pistol while throwing a Molotov cocktail; later in the day, a person wearing similar attire was seen participated in the arrest of a protester⁴⁷⁴. The identity of this person was not found. On 29 September, a group of men dressed as protesters was found with HKPF personnel inside a public toilet⁴⁷⁵. On 8 October, a group of masked men was allegedly vandalizing the installations in the closed Sheung Shui MTR Station; when onlookers tried to film the process, one of the masked men pointed a can of pepper spray at them⁴⁷⁶.

254. The use of undercover continued despite widespread criticisms. In November, HKPF officers imposed as protesters made arrests in the neighborhood of Whampoa⁴⁷⁷. On 15 December, two detectives were found by reporters in a shopping mall, and they refused to disclose their identities when being questioned⁴⁷⁸. The use of undercover to patrol shopping malls led to potentially disastrous results. On 15 December, several men who were dressed as protesters armed with extendable batons tried to tackle several people in the Sha Tin New Town Plaza. They were surrounded by angry onlookers and were forced to give up their “operations” after a brawl⁴⁷⁹. A more serious incident took place on 21 December at Harbour City, Tsim Sha Tsui, when groups of obvious looking undercovers patrolled the busy shopping mall. During the high profile (but fruitless) patrol, one undercover detective argued with unarmed protesters and threatened to pull out his Glock 17⁴⁸⁰. At night, undercover detectives stopped and searched citizens randomly and tried to provoke those being searched⁴⁸¹. From 24 December to 31 December, undercover detectives were active in major shopping malls in an attempt to stop any protest-related activities (mostly peaceful activities such as singing songs).

255. At least one HKPF officer was found imposing as a security guard of a residential building monitoring the residents; when he was found, he was dismissed by the company that hired him. That consisted of a legal issue as this undercover worked in a private residential block without a warrant.⁴⁸² Another was found impersonating as an onlooker (*kaifong*) and praised the HKPF in front of the reporters; he ran away from the reporters when his identity was discovered⁴⁸³. One was seen trying to stop onlookers from taking pictures and videos when the HKPF officers used force to subdue a man who verbally criticized them in a busy street⁴⁸⁴. Vehicles with logos of other departments of the HKSAR government were being used to carry HKPF officers⁴⁸⁵.

256. The indiscriminate and excessive use of undercover without any clear goal led to a comical scene on 26 December, when riot police violently tackled and arrested two undercover HKPF officers who were dressed as protesters in front of numerous reporters in a shopping mall in Tai Po. The HKPF did not explain the rationale of the arrest or what the two undercover officers had done that warrant to be arrested on that occasion.⁴⁸⁶

ii. *Potential violations of LOLE and IHRL*

257. As they were not in HKPF uniform and had no UI (and often masked), many of these undercover detectives used excessive force during searches and when making arrests⁴⁸⁷. Their actions violated various LOLE and IHRL that were covered in previous sections. Moreover, Paragraph 77 of the JRSR 2016 and Paragraph 103 of the GC No. 37 of the ICCPR forbidden the use of undercover during peaceful assemblies. The definition of peaceful assembly should follow international standards (see Paragraph 19-21 of the GC No. 37 of the ICCPR).

258. Relevant LOLE and IHRL are as follows:

- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 3, 4, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials Principle 2, 3, 5 (undercover police using firearms amidst protesters)**
 - Principle 7 (undercover police tackling and using excessive force in arrest), 8
- **International Human Rights Standards for Law Enforcement**
 - Police Investigations; Paragraphs 2, 12, 13, 14
 - Arrest; Paragraphs 1, 2
 - Detention; Paragraph 2
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1
 - Civil Disorder; Paragraphs 1-14
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3, 4, 6, 7, 8, 13
 - Community Policing; Paragraph 1
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- **Joint Report of the Special Rapporteur 2016**
 - Particularly Paragraph 77: The use of undercover officers to collect intelligence relating to assemblies is problematic. It is highly intrusive and carries a high risk of rights violations and therefore should not be allowed unless reasonable grounds exist to suspect that a serious criminal act is likely to be committed. Authorities should consider whether the proposed undercover activity is the only way to secure the required information, and whether the value of the information justifies the intrusion. This should take into account the impact on the rights of all those affected, not only the targets.
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 34: (HKPF officers stopping journalists and the public from taking pictures of undercovers)
 - Paragraph 103: Any deployment of plainclothes officers in assemblies must be reasonably necessary in the circumstances and such officers (or other State agents) must never incite violence on the part of other participants, for example, by acting as agents provocateurs.

Categories of Police Brutality and Abuse of Power

N. Suspected Use of Titushky

N. Suspected Use of Titushky

259. A major reason for the unprecedentedly widespread anger at the HKPF and the popular urge for an independent investigation of the conduct of the HKPF during the Protests was the alleged collusion between the HKPF and the triads.

260. Throughout the colonial period, the HKPF had maintained some form of informal contact with the triads, which was a shrewd arrangement from the perspectives of public order and internal security. During the battle of Hong Kong in 1941, the Hong Kong Police contacted the pro-Chinese Nationalist triads and together they rounded up pro-Japanese or Wang Jingwei fifth-columnists. However, in the recent decades, especially after the formation of the ICAC, police collusion with the triads was a relatively rare occurrence at least on surface.

261. However, soon after the outbreak of the Protests, there were already appearances of groups of people who dressed in identical t-shirts during public events in support of the HKPF. As early as on 16 July, such a group dispersed a peaceful assembly at Yuen Long (a documentary showing session); PRC controlled media praised the action. Then, fake posters about Pan-Democratic activities to be held at Yuen Long appeared. In fact, a man who was later found participating in the attack at Yuen Long Station was interviewed by a major local news channel during a pro-HKPF rally; he claimed that there would be “a good show” on 21 July. During the same event, Arthur Shek Kang Chuen proposed that the people should use “bamboo sticks and waterpipes” to beat up the “unruly kids,” i.e. the young protesters⁴⁸⁸.

262. In the afternoon of the 21st, more than one hundred men and women, dressed in white T-shirts, gathered in central Yuen Long. Most of them carried a bamboo stick, with some carrying blunt weapons of a similar nature, such as waterpipes (following Shek’s advice?). On that day, a mass protest took place on Hong Kong Island, organized by the Civil Human Rights Front. From late afternoon, there were already group photos of people wearing white t-shirts brandishing bamboo sticks being circulated on social media. Local district councilors tried to contact the police liaison officers, who replied that the situation was being monitored. Footages revealed that groups of armed men were seen walking past police vehicles but were not challenged.

263. At around 2150, an afterwork cook who was not wearing black (the usual color of the protesters) was assaulted by a group of white t-shirt mob when he was leaving the station. He received serious flesh wounds over his body. As this group gathered and marched across the streets of Yuen Long, many called the 999 emergency line trying to report to the HKPF. The line was later jammed, possibly because too many calls were attempted. Some testified that even though their calls made through, they were merely told by the duty officer to “stay at home if you find it dangerous to go out”⁴⁸⁹. John Lee Ka Chiu, the Secretary of Security, claimed that the line was “maliciously” blocked by numerous calls in an attempt to prevent the HKPF from correctly assessing the situation. He did not explain why the HKPF failed to notice the large crowd despite the widespread discussion in all the social media⁴⁹⁰.

264. At 2240, a large group of white t-shirts thugs charged into Yuen Long MTR Station, where some protesters (peaceful and the more violent ones) returned from Hong Kong Island. Most of the passengers, however, were not protesters, including a pregnant woman. When the white t-shirt mob was charging into the station with weapons on hand, two uniformed HKPF officers were seen turning back and leaving the station⁴⁹¹. The two policemen wore a standard uniform and were expected to be equipped with standard-issue revolvers. At around this time, Junius Ho Kwan Yiu, the Legislative Councilor, was seen shaking hands with a group of people wearing white t-shirt and holding bamboo canes and praising them as “heroes”. One claimed that he was going to beat up the “cockroaches”⁴⁹². The white t-shirt mob stormed the station lobby, beating up passerby and journalists. One journalist (from *Stand News*) filmed the attacker’s face who attacked her with a bamboo stick. As of January, the man attacked her was not apprehended.

265. Several dozen men and women were wounded by the mob. Victims of this attack include Lam Cheuk Ting, a Pan-Democrat Legislative Councilor who attempted to go to Yuen Long after receiving calls about citizens being attacked there, a pregnant woman, and several reporters⁴⁹³. The mob then attempted to break into the train at the station, while the driver was unable to discern what was happening inside her train. At around 2310, the mob left the station and walked past a group of riot police that stood outside the station. It was 2320 when HKPF officers entered the station, some 39 minutes after the first attack. This group of officers was greeted by an angry crowd of victims, but they pointed pepper spray at the crowd and then left again at around 2344⁴⁹⁴. When being approached by reporters, CIP Lee Hon-man, the Div Commander (Pat Heung), curiously claimed that he would “not be scared” by the reporters without explaining his late arrival⁴⁹⁵.

266. At around 2350, the mob still surrounded the station and intermittent clashes broke out. At around 0030, another white t-shirt mob broke into the rolled gate of the station and launched another wave of attack against those in the lobby, wounding those who arrived at the scene after the first attack. Again, they left in front of a police vehicle⁴⁹⁶.

267. After the second wave of attack, more HKPF officers arrived at the station and the village of Nam Bin Wai, the alleged base of the mob. Later, HKPF officers in riot gear entered the village, but were seen fraternizing with the white t-shirt mob, including those who were still holding their bamboo canes and pointing them at reporters.⁴⁹⁷ SP Yau Nai Keung, Asst Dist Commander (Crime)(Yuen Long), was found discussing inside the ancestral hall of the village with a group of people wearing white t-shirts. Yau claimed in front of the reporters that his officers could not see anyone holding a weapon⁴⁹⁸. After the attack, there was one screenshot showing a CIP shoulder badge and the slogan “we did nothing wrong; support the white t-shirt sons and daughters of *zhonghua* (the Middle Kingdom)” being circulated on the internet, purportedly uploaded by an HKPF CIP who was trying to express his/her support of the Titushki⁴⁹⁹. CSP Tse Chun Chung of the PPRB claimed that “he could not entirely agree” when being asked if the HKPF had colluded with the white t-shirt mob⁵⁰⁰. On 30 December, SSP Kong Wing-cheung of the PPRB, when he failed to explain why the two officers left the scene during the first wave of attack, suggested that the incident was triggered by “someone brought some protesters to Yuen Long,” hinting the arrival of a Legislative Councilor triggered the whole incident⁵⁰¹. However, he failed to explain why the mob was allowed to exist in Yuen Long with weapons on hand for hours.

268. In October, three months after the Yuen Long attack, 34 who participated in the attack were arrested, with only six charged for rioting. The man who participated in the attack with a bamboo stick even accepted an interview and claimed that those who were injured during the attack “were only lightly wounded”⁵⁰².
269. Thereafter, there were smaller-scale attacks against the protesters, such as a firework attack against a group of protesters surrounding the Tin Shui Wai Police Station on 31 July⁵⁰³. Another major appearance of Titushki took place on 5 August at North Point, when the protesters organized a march in that area. Before the march, groups of people who wore identical blue t-shirts marched along the streets, a sight similar to what happened in Yuen Long. These Titushki claimed on social media that they were protecting North Point. Throughout the day, clashes between the Titushki and the protesters (some wearing black) occurred; the protesters, who are more numerous, became more violent in their responses compared to the situation on 21 July at Yuen Long. Several Titushki members were seriously wounded⁵⁰⁴. Again, HKPF officers only arrived after clashes broke out. A listed Chinese restaurant corporation was seen as a collaborator of the Titushki (by hosting them) and was boycotted by the protesters and their supporters⁵⁰⁵. Later at night, there were also clashes between protesters and Titushki at Tsuen Wan, with HKPF officers failing to show up yet again, even though the scene was very close to a police station⁵⁰⁶. On 10 August, a group of people who wore the same t-shirt as those who participated in the Tsuen Wan attack was found taking group photos with uniformed HKPF officers at the Shatin Police Station⁵⁰⁷. The clashes between the protesters and the Titushki in Tsuen Wan continued for weeks.⁵⁰⁸ On 25 August, a group of armed Titushki walked past a group of HKPF officers, but the group was not stopped.⁵⁰⁹
270. On 11 August, people who dressed in attire that resembled a police uniform without any insignia or identification appeared at North Point. They were not equipped with standard HKPF equipment⁵¹⁰. HKPF officers were found fraternizing with groups of people who dressed in identical t-shirts⁵¹¹. They attacked not only the protesters but also the reporters and passerby, but they were let go by the HKPF officers⁵¹². On 31 August, a similar group of people appeared at North Point and attacked the passerby when there was a large scale march/rally on Hong Kong Island⁵¹³. Smaller groups of Titushki also emerged at Tung Chung during a rally at the Hong Kong International Airport on 1 September⁵¹⁴.
271. On 1 September, Titushki appeared at the gate of the schools in Hong Kong, harassing the students and teachers and tried to prevent them from expressing their support for the Protests⁵¹⁵. Titushki remerged at North Point on 13-14 September, when there was another large scale rally on the Island. This time, some of them were found wearing the same clothes that was worn by the staff members of a restaurant who provided food and drink to HKPF officers in a police station⁵¹⁶.
272. Titushki appeared again on 14 September at Kowloon Bay, when a group of middle-aged men and women who wore light-blue t-shirts appeared at Amoy Plaza shopping mall, randomly beating up young people who were not even wearing black. Some members of the group were employees of a pro-HKPF restaurant mentioned above. The group waved the PRC flag and hurled profanities at young people and passerby⁵¹⁷. In the meantime, HKPF officers rushed into the shopping mall, arresting the young people; the youngest arrested was 12, who was arrested in front of his mother. Onlookers found a bag belonged to a woman who was among the Titushki; inside the bag, there were a number of insurance claimant forms and medical bills that had future dates written on, signed by a doctor of the University of Hong Kong - Shenzhen Hospital, who was immediately suspended by the hospital⁵¹⁸.

273. In September, Titushki appeared time and again in North Point, and the HKPF officers were found witnessing attacks on reporters but had not intervened⁵¹⁹. However, the Titushki met increasingly determined resistance from the protesters and many were seriously wounded. Thereafter, the number of Titushki declined, and only a few appeared at Mong Kok during the confrontation in November. They appeared with lethal weapons including an axe, but apparently only intended to intimidate⁵²⁰.

274. Several local businessmen were seen as sponsors of the Titushki in Hong Kong. Although all refused to admit such ties, the protesters attacked or threatened to attack their business. This led to the series of “renovation” attacks against the shops owned by these businessmen. The PRC state media condemned these actions, and branded them as random acts of looting or even terrorism. The damage ranged from superficial vandalism to arson. According to *Ming Pao*, over 880 places were being attacked (including MTR stations)⁵²¹.

275. The agencies that employed the suspected Titushki and the failure of the HKPF to stop their activities potentially breached the following LOLE and IHRL:

- **International Covenant on Civil and Political Rights 1976**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 7, 8
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 2, 3, 5
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 5-6
 - Police Investigations; Paragraphs 14
 - Civil Disorder; Paragraphs 1-2, 4, 6, 16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-4
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3-4
 - Community Policing; Paragraph 1
 - Police Command and Management; Paragraphs 1, 3-4
 - Community Policing; Paragraph 1

- **UNHRC Resolution 25/38 on 11 April 2014**
 - Paragraphs 2, 3, 4, 5, 6, 7, 8 (for the HKPF's failure to protect peaceful protesters, journalists, human rights watchers, and passerby from being attacked by suspected Titushki), 17, 18, 19 (on compensation for victims of suspected Titushki attacks)
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 2, 3, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 7, 8, 9, 13, 14, 15, 20, 24, 25, 38, 41, 42, 44, 68- 71, 83, 85
 - Paragraph 87 (on HKPF's failure to prevent suspected Titushki attacks)
 - Paragraphs 89, 90, 91 (on HKSAR Government's failure to investigate suspected Titushki attacks)
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraph 21 (on private armies and vigilante groups)
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 34 (on HKPF's failure to prevent suspected Titushki attacks against journalists and human rights watchers)
 - Paragraph 60 (on HKPF's failure to prevent counter protesters' incitement of violence; e.g. patrolling with weapons on the street to intimidate peaceful protesters and passerby).

Categories of Police Brutality and Abuse of Power

O. Excessive Use of Force in Arrest

O. Excessive Use of Force in Arrest

i. Description

276. Another common allegation against HKPF officers was the use of excessive force when making arrests or on people who were being subdued/arrested. All HKPF officers received hand-to-hand combat training and techniques to restrain violent assailants; those assigned to the PTU and the Raptor Unit would receive advanced training for more dangerous situations. However, throughout the Protests, such skills were used not only on violent protesters but practically anyone who stood in the way of the HKPF officers. HKPF officers were found beating, slapping, kicking, stepping hands and legs, pressing eyeballs, throwing and dragging the body, and twisting arms and legs of the arrested/subdued, no matter they were peaceful or more violent protesters or even others present at the conflict zone⁵²². One officer was even seen grabbing the genital of a male protester and causing him immense pain⁵²³. On 14 July, an officer had his finger bitten off when he deliberately pressed the eyeball of an arrested man at Sha Tin⁵²⁴. The HKPF then told the media that HKPF officers had their fingers chopped off by protesters with scissors; this was confirmed to be false⁵²⁵. During the same operation, an officer broke an arm of a protester by twisting it⁵²⁶. HKPF officers were also found stepping on the head of the arrested, sitting on protesters, bending protesters to cause pain, and using the knee to exert pressure on the joints or vulnerable positions of the arrested⁵²⁷. One arrested student's neck was put against the sharp edge of the railing⁵²⁸. At least one protester was forced to go naked in front of a jeering and flag-waving pro-HKPF crowd⁵²⁹. The use of excessive force in arrests reached the height during the sieges of the universities on 13-19 November; groups of riot police and Raptor officers were seen beating up subdued protesters without any restraint and control⁵³⁰.

277. In addition to using excessive force in/after arrests, the HKPF also used humiliating ways to treat the detained/arrested. From October, non-fading ink was used for protesters⁵³¹. On 2 November, the HKPF rounded up around 100 peaceful protesters near the Southorn Stadium. They were ordered to squat with their hands up for more than an hour, with their hands and arms marked by non-fading ink, before being sent away⁵³². On numerous occasions, the HKPF made citizens kneel down facing the wall even before they were arrested⁵³³. On 18 November, a group of around 50 medical volunteers was arrested near the PolyU; their hands were tied by plastic cable ties⁵³⁴. In December, an undercover officer sat on an arrested female student when the latter was found painting graffiti and trying to set up a roadblock near To Kwa Wan⁵³⁵.

ii. Potential violations of LOLE and IHRL

278. All these actions went contrary to the PPRB's claim that HKPF officers had been using minimal force in its operations, and that HKPF officers adopted a fair-handed attitude when making arrests. The amount of force used by HKPF officers in arresting protesters and their "sympathizers (practically anyone except the expressly pro-HKPF people)", even though they resisted arrest, was excessive and disproportionate. People also suffered from unnecessary humiliation and degrading treatment during and after the arrests, and the entailing mental violence should also be taken into consideration. Individual HKPF officers who used excessive force during arrests violated various clauses of LOLE and IHRL documents discussed above (see "Use of Firearms" and "Use of LL Weapons" Sections).

279. The HKPF that failed to prevent these incidents and punish the offenders violated the principle of precaution and thus potentially violated various international laws.

280. Relevant LOLE and IHRL are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5, 6 (on lack of medical treatment for those who suffer from excessive use of force during arrest)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 1, 3, 4, 5, 8, 12, 13, 15, 18-20
 - Principles 22-26 (for reviewing the use of force)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4-9, 11, 13
 - Arrest; Paragraphs 1-15
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1-4
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3, 10, 13
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
 - Community Policing; Paragraphs 1-11
 - Police Violations of Human Rights; Paragraph 1

- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Recalling also the importance of adequate training for officials exercising law enforcement duties assigned to deal with public protests, and of refraining, to the extent feasible, from assigning military personnel to perform such duties,
 - Also Paragraphs 9, 10
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 1, 2, 3, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 42, 44, 50-63
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 12-14, 25
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89-91, 93, 94, 99



Categories of Police Brutality and Abuse of Power

P. Allegations of Perverting the Course of Justice

P. Allegations of Perverting the Course of Justice

281. HKPF officers were found planting weapons or protective gears in the bags of subdued and arrested protesters, to increase the chance to press for a more serious charge and more severe punishment. SSP Lee Kwai Wa of the Criminal Investigation Department, when being questioned about one of such cases during a press conference, admitted the wrongdoing but dismissed it as an “imperfect” way of policing⁵³⁶. HKPF also exaggerated the lethality of the items they obtained from protesters or passerby, such as calling a 4-inch blunt table knife a “9-inch long knife (total length)” carried by a student reporter who claimed to possess the knife because he had participated in a birthday party⁵³⁷. After being questioned, the HKPF continued these kinds of practice; on 1 October, a riot police officer put a sharpened stick next to the student who was shot in the chest. Originally, he held a 1-inch plastic waterpipe⁵³⁸. On 1 November, a band was arrested for possible narcotics offenses when a member was found in possession of packets of Chinese medicine⁵³⁹.

282. Another common allegation of HKPF perverting the course of justice was accusing people of “assaulting police officers”. On 2 August, an HKPF officer accused a resident who tried to film a search conducted by several HKPF officers for assaulting a police officer, and chased him into a residential building. More witnesses stood forward and protested; the HKPF officers then left the scene without making arrests⁵⁴⁰. On 21 September, a cook chanted an anti-HKPF slogan and the HKPF officers arrested him, accusing him of assaulting police officers. He was found not guilty by the court as video footages show that he was innocent⁵⁴¹. Similar cases were by no means uncommon⁵⁴². HKPF also charged people for assaulting others and changed the charge when they could not find any evidence⁵⁴³.

283. The HKPF was also repeatedly accused of trying to frame the protesters by collecting “evidence” of violent protests. HKPF officers were seen collecting bricks and steel bars from the street and construction sites (not in the intention of preventing them from being used by the protesters as only a small number of these items were taken)⁵⁴⁴. The legality of HKPF officers taking these items from private construction sites was also in question. The HKPF also used a laser pen to try to burn a newspaper in front of a group of incredulous reporters, in order to show how “dangerous” it can be, ignoring all the existing international standards and even common sense⁵⁴⁵. On 29 November, after the siege of the PolyU, HKPF officers entered the campus and claimed that they had uncovered more than 3,000 firebombs; in the pictures the HKPF shown to the press, however, the “firebombs” were used plastic bottles. Such exaggeration of evidence was not uncommon in the HKPF’s press conference materials.

284. These alleged actions of interfering the course of justice, if proved to be true, violated not only local laws but also amounted to arbitrary arrest, and thus potentially violated the following LOLE and IHRL:

- **International Covenant on Civil and Political Rights 1976**
 - Article 9 (right to liberty and security of person)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Article 1 (Prevention of the Course of Justice is an illegal act in Hong Kong SAR)
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Police Investigations; Paragraphs 4-7, 10-14
 - Police Command and Management; Paragraph 1
 - Police Violations of Human Rights; Paragraph 1
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - And Paragraph 2
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraph 1



Categories of Police Brutality and Abuse of Power

Q. Rights of the Arrested and Legal Procedure

Q. Rights of the Arrested and Legal Procedure

285. From 12 June 2019 to early January 2020, the HKPF made around 7,000 protest-related arrests. In many instances, HKPF officers tried to cover the mouth of the arrested so that they could not tell the onlookers and other protesters their names⁵⁴⁶. This led to delays for the arrested to be contacted by their legal representatives, and allowed the police more time to interrogate them alone. Philip John Dykes, the Chairman of the Council of the Hong Kong Bar Association, wrote two letters to CP Stephen Lo Wai-chung, complaining about the HKPF's obstruction of the work of the legal representatives of the arrested⁵⁴⁷.

286. Apparently to deter a mass rally on 1 October, the HKPF used more severe charge against anyone who was rounded up in the conflict zone. On 29 September, more than a hundred were arrested, and 96 were charged for rioting, including two 14 years-old teenagers, one medical doctor, one nurse, and one social worker who served as a human rights watcher⁵⁴⁸.

287. Many of the arrested complained about the treatment they received during detention, such as deprivation of food and sleep, random beatings, torture, verbal insults, sexual harassment, and death threats⁵⁴⁹. Legal professionals complained that they were not allowed to meet their clients despite repeated requests, and some were unable to see their clients more than 24 hours after their arrest⁵⁵⁰. Some also complained that they suffered from torture until they revealed the password of their phones. In fact, on 23 and 24 September, the HKPF used a warrant for a single case as an excuse to hack into more than 50 mobile devices confiscated from the arrested protesters who involved in different cases⁵⁵¹.

288. HKPF officers also vaguely interpreted laws to arrest peaceful protesters in order to intimidate. For example, HKPF officers used the use of Article 17 of Cap. 228 “possession of... other instrument fit for unlawful purposes” to arrest peaceful protesters who posted protest-related posters (See Sample Case 11), as they interpreted the tools to put up posters as “instrument fit for unlawful purposes”⁵⁵².

289. On 10 September, the HKPF set up several “hotlines” for citizens to report “information that can help stopping violence and disorder”⁵⁵³. Not only because of the dubious legal grounds for the HKPF to introduce such a hotline, but many were also shocked by the blatant attempt of the HKPF to encourage secret informants, a thing that belonged to totalitarian regimes. The very vague definition used by the HKPF concerning information about the Protests was an invitation for people to send private messages and personal information to the HKPF. In the face of public outcry, the Line and WhatsApp accounts opened by the HKPF were suspended by the service providers, and the HKPF briefly suspended the service until November⁵⁵⁴. The hotline is now supposedly operational. This is potentially a violation of the principle of proportionality and necessity and contravened with the international standards concerning privacy, such as Paragraph 76 of the JRSR 2016 and Paragraph 71 of the (Draft) GC No. 37 of the ICCPR.

290. Relevant LOLE and IHRL are as follows:

- **International Covenant on Civil and Political Rights 1976**
 - Articles 6, 7 (using excessive force)
 - Article 9 (right to liberty and security of person)
 - Article 17 (right to privacy)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5, 6 (maltreatment of detained protesters, including the violent protesters, as well as onlookers and passerby)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principle 15
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2-9, 11-14
 - Arrest; Paragraphs 1-15
 - Detention; Paragraphs 1-15
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 4-6
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-4, 6-15
 - The Human Rights of Women; Paragraphs 1-13
 - Police Command and Management; Paragraphs 1-11
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance
 - And Paragraph 2

- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraph 1
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 44-46, 48, 49
 - Paragraphs 8, 73, 74, 76 (on collection of information through “hotlines”)
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraph 25
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 90, 93
 - Paragraphs 9, 11, 29, 71 (on collection of information through “hotlines”)



Categories of Police Brutality and Abuse of Power

R. Dehumanization of Citizens

R. Dehumanization of Citizens

291. Although Hong Kong was one of the most affluent and supposedly developed societies in Asia, some HKPF officers adopted a distinctly uncivilized attitude towards the protesters, their sympathizers, or even anyone who was not firmly on the HKPF's side. HKPF officers hurled all sorts of insults to practically anyone at the scene, calling protesters "cockroaches", reporters "black journalists," medical personnel "black medics," social workers "fake social workers," and angry onlookers (curiously) "fake residents". HKPF officers were also seen repeatedly challenging protesters (mostly peaceful ones) and onlookers for "duels"⁵⁵⁵. This suggests a lot about the mental state of the frontline HKPF officers.

292. In an open letter to the fellow HKPF junior officers and the general public in the name of the JPOA issued on 25 July, SSGT Lam Chi Wai, the chairman of the Association, used the term "cockroaches" to describe the protesters⁵⁵⁶. Thereafter, the term was widely used by HKPF officers, and they named everyone a cockroach as long as they think they were protesters or their sympathizers, including parents with their children⁵⁵⁷. Weibo accounts of self-proclaimed HKPF officers also openly called the protesters cockroaches⁵⁵⁸. An allegedly off-duty HKPF officer even scolded another off-duty firefighter in a civil service quarter for "choosing to be a cockroach rather than a human being" as he thought the latter was not supportive enough⁵⁵⁹.

293. The use of the term was also widespread in pro-PRC propaganda targeting certain age and cultural groups. One of the widely circulated pictures among the pro-government social media pages and groups is a photo-shopped image of a sculpture of a female protester; features of a cockroach were added on the image. Li Ka-shing, the international tycoon who urged the HKSAR government to be lenient on the young protesters, was depicted as "the cockroach king" in a pro-HKPF meme and was shared by Stanley Ng Chau-pei, the head of the pro-PRC Hong Kong Federation of Trade Unions⁵⁶⁰.

294. In December 2019, a senior HKPF officer openly defended the usage of "cockroaches" to describe the Protesters in an official capacity. During an interview with the RTHK, a Police Community Relations Officer (a CIP) demanded the public to understand the use of the term cockroach by HKPF officers "from another perspective" and suggested that the public should see the term as a compliment⁵⁶¹. Thereafter, HKPF officers continued to call everyone at the conflict zones cockroaches, including reporters⁵⁶².

295. Another strange accusation against the protesters that had strange nationalist and xenophobic flavor was that many were descendants of the Vietnam boat people who wanted to cause a riot in Hong Kong (for unknown reason). HKPF officers were seen accusing the arrested of being a “Vietnamese decedent” and that they would face heavier sentence because of that⁵⁶³.

296. The use of the term “cockroach” by HKPF officers was a dangerous path to follow. It also violated the dignity of all those concerned and constituted a potential contravention of the following international LOLE and IHRL standards and rules:

- **International Covenant on Civil and Political Rights 1976**
 - Article 10 (human dignity)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Civil Disorder; Paragraphs 1-6
 - States of Emergency; Paragraph 7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-2
 - Police Command and Management; Paragraphs 1, 3, 13
 - Community Policing; Paragraphs 1, 4
 - Police Violations of Human Rights; Paragraphs 1-2
- **UNHRC Resolution 25/38 on 11 April 2014**
 - And Paragraphs 4, 6, 7, 8, 10
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraph 5 (on providing training for law enforcement officials)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 8, 38, 39

297. On the other hand, the idea that it should be illegal to “insult HKPF officer” contradicts with the General Comment 37 on Article 21 of the ICCPR by the UN Human Rights Committee, Paragraph 55: “Restrictions on peaceful assemblies must thus not be used, explicitly or implicitly, to stifle expression of political opposition to a government, including calls for changes of government, the constitution, the political system, or political independence for part of the country. They should not be used to prohibit insults to the honor and dignity of officials or State organs or to pursue other objectives favored by the authorities. Restrictions must moreover not be discriminatory.”



Categories of Police Brutality and Abuse of Power

S. Miscellaneous

S. Miscellaneous

298. The author of this report found it difficult to explain these actions because of insufficient background information, but they allow us a glimpse of the mental state and training of some of the HKPF officers. This hints a potential violation of the principle of precaution by the HKPF as an organization, and its commanding officers should be held responsible for these conducts:

- Shouting to a crowd mourning the death of Chow Tsz Lok that he would drink champagne with his colleague [to celebrate Chow's death]⁵⁶⁴. Another officer repeated the same line a few days later after the HKPF had admitted the undesirability of such statement⁵⁶⁵.
- HKPF officers dancing or making confusing gestures in front of reporters and onlookers⁵⁶⁶
- Threatening to use a police dog to strike at peaceful protesters⁵⁶⁷
- Police dogs in tear gassed area without protective gear⁵⁶⁸
- Sending large groups of riot police to guard individual HKPF officers wedding banquet⁵⁶⁹
- Officers shaking at the frontline of conflict⁵⁷⁰
- Forcing the arrested to sing "Glory to Police," an adaptation of the widely popular song "Glory to Hong Kong" that was only known within the HKPF circle⁵⁷¹
- Traffic police officer driving in an irregular way while waving hands on a highway⁵⁷²
- Using a baton to beat a loudspeaker broadcasting anti-HKPF slogans⁵⁷³
- Ignoring orders from senior officers⁵⁷⁴
- Pepper spraying colleagues when trying to aim at an old woman⁵⁷⁵
- Telling reporters that he had no understanding of Police General Order; one claimed that he would nausea when hearing about the PGO⁵⁷⁶
- Self-injury⁵⁷⁷
- Exclaiming "no one can teach the police how to do their job" to peaceful protesters⁵⁷⁸



Allegations

A. Torture in Custody

299. While the report is unable to verify the accusations below, it should be pointed out that the existence of these allegations and the failure of the HKPF to respond to them meaningfully to an extent helped to flame the Protests, as statistics show (see “Police Brutality and Intensification of Protest” Section). The existence of these allegations should be handled by competent and impartial authorities in order to rebuild trust in Hong Kong.

A. Torture in Custody

300. Throughout the Protests, there were numerous unsubstantiated claims about HKPF officers torturing the arrested in police stations and remote detention centers. San Uk Ling, a detention centre that was located around 1.25 km from the Hong Kong-China border, became notorious because of the alleged torture and sexual assaults against the arrested protesters⁵⁷⁹. On 21 August, the HKPF finally admitted that 31 detainees were sent to hospitals after they were sent there, of which six were in serious condition⁵⁸⁰. HKPF officers were also accused of threatening to rape the arrested⁵⁸¹.

301. In June, a video surfaced on social media about two uniformed HKPF officers torturing a bedded man in a custodian ward at North District Hospital. The two officers were arrested and faced the charge of Assault Occasioning Actual Bodily Harm. While this case might not be related to the Protests, many saw it as an indication of the conduct of the HKPF officers in handling the arrested, especially when they were out of sight from reporters and legal representatives⁵⁸². More than one of the arrested who were detained in police stations also had similar complains⁵⁸³.

302. On 20 September, the Hong Kong branch of Amnesty International released a report detailing the alleged torture cases in police detention⁵⁸⁴.

303. There were also unconfirmed cases of inhumane treatment of the arrested. For example, in the early morning of 19 November, a group of suspected protesters was made lying on the floor, face down with hands tied, on the roof of a building at Tsim Sha Tsui. Their captors were unknown⁵⁸⁵.

Allegations

B. Bodies Found

B. Bodies Found

304. From July 2019, stories about unnatural deaths and suicides of protesters started to appear in social media.

305. On 13 November, John Lee Ka Chiu, the Secretary of Security, answered in the Legislative Council that during the period from June to the end of September 2,537 bodies were found, around 13% more than the average of the previous four years. In addition, there were 256 suicide cases, around 10% more than the previous years⁵⁸⁶.

306. While the PPRB tried to “dispel the myths” on social media and during press conferences, the public remained suspicious, especially as the HKPF and the PPRB had been seen as less than honest in dealing even with overwhelming evidence for other misconducts.

307. The issue of mysterious deaths also alarmed the British government, as Lord Ahmad of Wimbledon, the Minister of State for the Commonwealth, the United Nations and South Asia, reported to the House of Lords on 24 October that the Foreign Office had received at least one formal request from the family of one of the deceased⁵⁸⁷.

Allegations

C. The Chan Yin Lam Case

C. The Chan Yin Lam Case

308. Among the cases of bodies found, the case of Chan Yin Lam caused much public concern. On 22 September, the naked body of Chan was found floating near Yau Tong. On 21 September, a post about the death of a young girl appeared on an online forum but was seen as a ghost story. The case was known to the public on 11 October by the *Apple Daily* and led to public outcry. TVB, a pro-PRC TV channel, released a feature interview of Chan's mother on 17 October, who claimed that Chan suffered from a mental disorder and insisted that her daughter committed suicide. The face of her mother was blurred throughout the interview⁵⁸⁸. Given the widespread distrust of TVB, the interview only led to more speculations and public anger. As Chan was last seen at her school, Hong Kong Design Institute, her classmates demanded the management to release the CCTV footage concerning her last day. However, the school authority refused to release the footage immediately, and then only released part of the footage⁵⁸⁹. Later, more footage were released, but many questioned the authenticity of the footage as some believed that the young female appeared in the footage was not Chan but an actress⁵⁹⁰. While the case remained unsolved, the public became less willing to trust the HKPF and the pro-PRC media. On 12 November, the Hong Kong Public Opinion Research released a poll, showing 76.2% of the respondents believed that the HKSAR government should hold a cause of death hearing for Chan⁵⁹¹.

Allegations

D. The Chow Tsz Lok Case

D. The Chow Tsz Lok Case

309. Another death case that was seen by many as related to the Protests was the death of Chow Tsz Lok, a student of the University of Science and Technology. At 0105 4 November, Chow was found seriously wounded on the second floor of the carpark of Kwong Ming Court at Tseung Kwan O. Although volunteer first-aiders arrived almost immediately, they were forbidden to tend the wound by HKPF officers. At 0107, firefighters arrived, but the ambulance was being held up by traffic outside a nearby estate. Chow was sent to a hospital only 36 minutes after he was found. On 8 November, Chow died of his wounds at the head. Chow's case was widely discussed on social media as well as online forums and led to widespread anger against the HKPF⁵⁹².

310. Later, it was circulated in the media that Chow suffered a fractured hip as the result of the fall, but his limbs were not seriously injured. This suggested a possibility of Chow not jumping down himself. CCTV footage also found an unidentified man trying to climb over the low wall of the third floor of the carpark, where Chow allegedly fell⁵⁹³.

311. On 6, the HKPF claimed that no HKPF officers had entered the carpark before 0105, and there were only protesters inside when Chow fell. The HKPF then backtracked on the next day, when more footage surfaced showing HKPF officers entering the carpark before Chow fell⁵⁹⁴.

312. Additional information that surfaced after the event suggested that Chow was probably an onlooker rather than an active protester. However, as of January 2020, events inside the carpark when Chow fell remains unclear.

313. On the next day after Chow's death, a masked HKPF officer exclaimed in front of a group of people who mourned the death of Chow that he and his colleagues "drank champagne to celebrate [the death of Chow]"⁵⁹⁵. The HKPF expressed regret and reprimanded the officer⁵⁹⁶.



Discussions

A. Police Brutality and Intensification of Protest

A. Police Brutality and Intensification of Protest

314. As Martin Purbrick points out, to a large extent, the HKP (yet to be RHKP) was able to quell the 1967 riot because of popular support⁵⁹⁷. Strong public support allowed the HKP to adopt (even in the standard of the 1960s) crude measures in suppressing the riot without facing too much public scrutiny. The experience in 2003 shows that the HKPF can maintain a working (if not friendly) relationship with the public while the government was not popular. However, in 2019, the HKPF not only failed to enlist public support but the Force itself was seen as the major source of discontent.

315. Data analysis and rolling polls show a close correlation between police brutality and the intensification of the Protests. However, the refusal of the HKSAR government to offer any meaningful response to the situation probably shared the same blame. According to the “Anger Thermometer (憤怒溫度計)” of QSearch based on statistic found on major social media outlets, public anger on social media usually intensified when glaring acts of police brutality occurred. From Figure 1, the following events all led to a sharp surge in the “Anger Ratio” of the posts on social media. It is interesting to note that the lowest point of the Anger Ratio throughout the period was the day after the District Council election while the highest points were always after acts of alleged HKPF brutality was made known to the public:

- 12 June: suppression of protest near the Legislative Council and Citi Tower
- 1 July: Anniversary of HKSAR; HKPF officers threatened to use firearms in several districts
- 13 July: HKPF crack down on Sheung Shui protest
- 21-22 July: Yuen Long MTR Incident
- 11 August: First aider shot in the eye
- 1 September: HKPF stormed into MTR station and train on 31 August
- 22 September: Death of Chan Yim Lam released
- 1 October: Student shot in the chest by HKPF
- 3 November: Death of Chow Tsz Lok
- 11 November: Another student shot; siege of CUHK and PolyU
- 24 November: District Council Election
- 29 November: Peaceful protest of 28 November
- 1 December: Suppression of another large scale peaceful protest by the HKPF
- 25 December: Suppression of protests in shopping malls
- 19 January: Suppression of another peaceful assembly; numerous suppression of smaller scale peaceful protest related activities such as posting at Lennon Walls

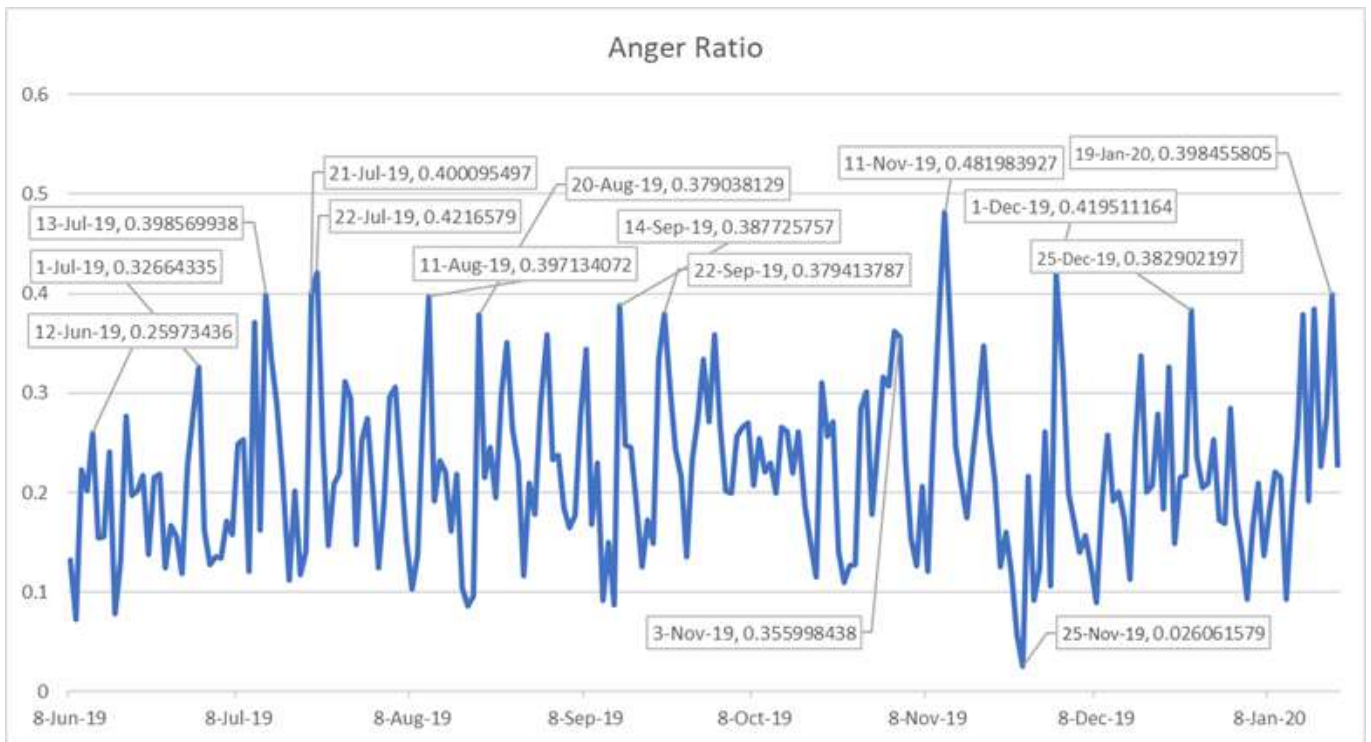


Figure 1: "Anger Ratio" in Hong Kong, 9/6/2019-19/1/2020


Source: https://datastudio.google.com/u/0/reporting/1ZGxDuxrj63pMktl28qfzYMt2H6XOYUIn/page/nPN0?fbclid=IwAR114VJHRQkugO8QyWBriN4s300OzrpYcmRQBrN_kn2CudGReIdjrJOuPCM

316. Rolling polls results corroborated the above data and showed that the actions of the HKPF often led to widespread anger. According to a rolling poll commissioned by *Ming Pao* and conducted by the Centre for Communication and Public Opinion Survey of the Chinese University of Hong Kong, the public confidence towards the HKPF witnessed a sharp decline during the Protests. From the first round (23 May to 5 June) of rolling poll to fifth round (8 to 14 October) of the rolling poll, the percentage of respondents who choose “zero” when being asked to rate the HKPF rose from 6.5% to 51.5%⁵⁹⁸.

317. By mid-October, 68.8% of respondents of the rolling poll agreed that a “thorough reorganization” of the HKPF was necessary. By the fifth round of the rolling poll (8 to 14 October), 87.6% of respondents agreed that an independent commission of inquiry was necessary⁵⁹⁹.

318. While the majority of respondents believed that the protests should be conducted in a non-violent manner, over 58% of respondents agreed that if the government ignored the large-scale peaceful demonstrations, more radical means could be accepted⁶⁰⁰.

319. More important, a poll conducted by the Hong Kong Public Opinion Research Institute shows that 73% of respondents believed that the HKPF shared a major responsibility for the escalation of violence during the Protest, while 41% of the respondents believed that it was the protesters⁶⁰¹. This shows that at least a substantial portion of the popular believed that the handling of the Protests by the HKPF led to an escalation of the situation.



Discussions

B. Causes behind Police Brutality

B. Causes behind Police Brutality

i. Political Context

320. While this report focuses on the conduct of the Hong Kong Police Force from June 2019, its author feels compelled to address the elephant in the room, namely the political deadlock created by the PRC and HKSAR governments that on one hand fueled the conflict and on the other facilitated the HKPF to escape from responsibility. Up till December 2019, the top priority of the PRC and Hong Kong governments had been the so-called “stopping violence and disorder (*zi-bo zai-lyun*),” and both refused to concede to the Five Demands except for withdrawing the extradition bill. Beijing also, at least in its pronouncements and through the state media, framed the Protests as a “Color Revolution” and denounced the Five Demands as unrealistic, excessive, or even cessationist. The PRC state media, possibly with the goal of preventing the Chinese public from understanding the Protests, launched a sustained propaganda campaign to portray the protesters as terrorists and the HKPF the “protectors of Hong Kong”. This stance further reduced the room of the HKSAR government to de-escalate through compromising on the most immediate of the protesters’ demands, namely the formation of the independent commission of inquiry on police misconducts. On the other hand, however, possibly with the Tiananmen Massacre in mind, Beijing had yet to deploy the PLA garrison in Hong Kong, a move that would probably end Hong Kong’s special economic status (a US-led arrangement) and would lead to disastrous consequences for the PRC. In the meantime, US President Donald Trump repeatedly urged the PRC government to solve the Hong Kong problem in a “humane” way⁶⁰².

321. Meanwhile, the HKSAR government has done little to defuse the situation, and even stopped to pretend it has any vestige of autonomy. Carrie Lam offered no meaningful responses to the demands of the protesters and the public, and only tried very hard to shift all the blame on to the protesters, issuing numerous identical statements requesting the public to “distance” themselves from the violent protesters and to stop condoning their actions. In a sense, this reflects the government’s understanding that the actions of the more violent protesters had at least the acquiescence, if not active support, of the public. In the meantime, Carrie Lam staunchly opposed the plea of numerous political and business leaders across the political spectrum to set up an independent commission of inquiry to probe the allegations of police brutality. After the crushing defeat of the pro-PRC camp at the District Council election, however, she suddenly announced that she was forming a “review committee” to study the Protests⁶⁰³. The announcement, however, received little positive feedback at home and abroad as she also denied the existence of any cases of police brutality.

322. At least on the surface, the HKSAR government continuously praised the HKPF and its work, despite all the polls showed a widespread discontent towards the HKPF. This apparently emboldened some of the HKPF officers, who became increasingly critical of the government and demanded more institutional and material resources to crush the Protests and for their own benefits. Actions tantamount to police insubordination of civil authorities became more frequent. As early as on 27 July, SSGT Lam Chi Wai, the chairman of the JPOA, issued a “most severe censure” on Cheung Kin Chung, the Chief Secretary, for apologizing for the HKPF’s mishandling of the 21 July mob attack at Yuen Long MTR Station⁶⁰⁴. Screenshots of covered police individual identification cards with headgears showing seniority are put alongside the slogan “Cheung Kin Chung cannot represent the HKPF” circulated on the internet⁶⁰⁵. Cheung backtracked and defended the HKPF for its abuses; it was considered as a HKPF victory over the civilian government⁶⁰⁶.

323. Throughout the Protests, the four associations became more vocal than ever, and at one point issued a joint-statement criticizing Rocky Tuan, the Vice-Chancellor of the Chinese University of Hong Kong, for his statement that “any proven case of improper use of force or violation of human rights by certain police officers must be condemned”⁶⁰⁷. Later, SSGT Lau Chak Kei, who was made a “national hero” by the PRC state media, started to criticize the HKSAR government for being too weak on the protesters. He even went so far as to ask the PRC government to “punish” Hong Kong as a whole because he found it “difficult to perform his duty”⁶⁰⁸. In fact, even the HKPF became politically more vocal, as on 3 August it voiced its opposition to the protesters’ plan to launch a strike⁶⁰⁹. The JPOA even interfered with the District Council election by requesting to issue a ban on requests to disclose voters info; this has been a tool for the media to find out potential frauds in voter registration⁶¹⁰. During the District Council election, riot police in full gear carrying firearms appeared in voting stations; human rights watchers suggested that such display of force did nothing but to cause concern among the voters. It was also found that HKPF officers tried to record the voting rate for unknown reasons⁶¹¹.

324. The political context (mainly Beijing’s refusal to concede to the protesters’ demand or to send in the PLA to crush the Protests) left the HKPF to face a political situation that was too delicate and difficult for it to handle. On the one hand, Beijing did not allow the HKPF to resort to wholesale violence; on the other, as PRC and the HKSAR governments had to rely on the HKPF to quell the unrests in Hong Kong, they were unwilling to do anything that would estrange the HKPF. The HKPF was thus left to enjoy complete immunity for almost every abuses and misconducts short of openly killing a large number of protesters.

325. For some of the HKPF officers who felt they were trying to do their utmost to preserve public order, many subscribed to the (not entirely untrue) view that they were the “last line of defence for Hong Kong,” suggested by CP Stephen Lo Wai-chung when he left office on 18 November⁶¹². This suggests that some HKPF officers, especially the more senior and better educated ones, might see themselves the only alternative to a PLA crackdown and complete meltdown of Hong Kong (and with it the way of life they know of); such understanding certainly embolden the officers to take drastic actions (thus more willing to break the rules) and less willing to punish subordinates for fearing to lose the control of their men. This problem was exacerbated by the fact that many inspectorial grade officers had to rely on experienced sergeants to exert effective control over the junior police officers.

ii. Over-Protection

326. Another possible factor for the widespread police brutality was the fact that HKPF personnel enjoyed the degree of protection that made them practically immune from any consequences no matter how they behaved. As mentioned, IPCC was largely a toothless organization, and some of the members of the steering committee of IPCC were known for their stern support for the government and the HKPF. One IPCC member even claimed that HKPF officers dealing with “emergency situations” should be allowed to hide their identity because they faced the threat of doxing⁶¹³. At least one complainant received a letter from the Complaints and Internal Investigations Branch of the HKPF that since his/her complaint was not accepted by CAPO and IPCC (based partly on the court’s ruling that the accusation was false), the HKPF could charge him/her for false report⁶¹⁴.

327. On 10 November, the independent expert panel (chaired by Denis O’Connor, the former chief inspector of constabulary for England and Wales) invited by IPCC to review the performance of the HKPF during the Protests issued a statement suggesting that the “structural limitations in the scope and powers of IPCC inhibiting its ability to establish a coherent and representative body of evidence”. The panel, therefore, questioned whether “a light touch, oversight body like IPCC can make sufficient progress to produce any decisive contribution to an account of developments that might enable necessary policy changes in policing practice”. The panel also suggested to enhance the power of IPCC so that it could “assemble a coherent account of the facts from the police and other bodies; to access important documents and validate accounts supplied by police and others in a timely fashion, and to significantly improve its capability to identify and secure evidence from key witnesses from outside policing”⁶¹⁵. This clearly shows that IPCC in its current state could not conduct meaningful investigations. On 11 December, members of the panel announced that they would quit as the panel members “ultimately concluded that a crucial shortfall was evident in the powers, capacity and independent investigative capability of IPCC”⁶¹⁶.

328. At the frontline, only a small proportion of the HKPF personnel showed their identifications. When Secretary for Security John Lee Ka Chiu was asked why there were no identification numbers on the uniforms of the Raptor officers, he answered that the uniform of the Raptor Unit reserved no space for any form of individual identifications. Since then, many HKPF officers on duty did not display their individual identifications, and as many of them were already masked, it was impossible to identify perpetrators of abuses and misconducts. Although PGO stated that HKPF personnel on duty had to display their individual identifications, none of the HKPF personnel was known for being punished for this so far.

329. Many of the frontline officers were also lavishly equipped with body armor, making them more willing to take risk in melee. Until November, although the PRC state media and the “blue ribbons” tended to portray the protesters as terrorists, none carried firearms (except for one alleged plot), and most of them had little more than safety helmets and umbrellas, with some throwing bricks and Molotov cocktail. It was until during the sieges of universities that a larger number of Molotov cocktails were used. In response, the HKPF deployed military grade weapons such as assault rifles, submachine guns, and sniper rifles. The militarization of the HKPF also possibly affected the mentality of some of its officers (See the next section).

330. Even in the courtroom, HKPF officers enjoyed special protection as their names were hidden in records⁶¹⁷. This arrangement further encouraged abuses of power. At least one HKPF officer openly taunted angry onlookers that the public had no way to punish HKPF officers who committed crimes as they could not be traced⁶¹⁸.

iii. Other Factors

331. The first and possibly one of the most significant causes for the abysmal failure of the HKPF during the Protests was the HKPF’s decision to define the politically and ideologically driven protesters as “criminals” and to treat them as such. In 2005, before the Sixth Ministerial Conference of the World Trade Organization in 2005, CP Lee Ming-kwai told his officers the following: “[you] have all received a variety of training in new tactics, which have modernized our Force response to violent protestors. It will certainly be a challenging few days but I have every confidence in you. It is important for commanders at all levels to maintain a disciplined and professional response to prevent what is preventable, manage what is manageable and engage what is not acceptable. All officers need to prevent and disrupt actions by would-be violent protestors and respond within the law and the Use of Force Continuum.” Most important, he also told the officers that “not all protestors are violent, and not all are criminals”⁶¹⁹. What went wrong between 2005 and 2019?

332. The tendency to view politically-inspired protesters as dangerous criminals or even terrorists had its roots in 2014, during which the HKPF was repeatedly being accused of using excessive force against the protesters. In an unusually frank interview done during the Occupy Movement, ACP David Jordan, the Commandant of PTU, complained against the HKPF being unjustly treated by the media. He said: “all it takes is one image of a baton, maybe used to take down an umbrella that has been poked at an officer's face. How that is spun will dictate whether it's seen as heavy-handedness or an appropriate level of force.” He claimed that “having been there, I would say it’s nearly all been an appropriate level of force” and that “we’ve used force but it has always been a reactive, defensive mechanism to enable us to resume some form of order and stability.” He also hinted that it was the protesters that provoked the police at the front: “protesters overtly arriving in huge face masks, hard hats and goggles. That’s intrinsically not peaceful”⁶²⁰. As ACP David Jordan was the Commandant of PTU, one would be surprised if his understanding of the civil-police relations was not representative of the HKPF. The degree of victimization and lack of self-reflection among HKPF officers sometimes reached a curious level: during the rally of HKPF officers held in February 2017, one officer suggested that they were “purged like the Jews” when they faced angry citizens. The PPRB merely responded that the officer

could not represent the HKPF. Chan Yam Kwong, at that time the chairman of the JPOA, even demanded the public (and the Consulate General of Israel in Hong Kong & Macau) to “respect the way of that officer to express his view”⁶²¹. The sentiment of victimization only intensified during the Protests; DCP Lau Yip Shing suggested in 2019 that the HKPF was “framed” and it was “[facing] the *biggest conspiracy and lie in the world*”⁶²².

333. It is possible that the HKPF fell victim to its own propaganda. Fed by the PRC state media and the pro-HKPF propaganda while being widely criticized by the public, some HKPF officers sought refuge in their victimized yet self-righteous image as members of a professional force facing a group of unreasonable and malicious criminals. Indeed, the best way of escaping the responsibility of using excessive force is to portray the opponent as existential threats. In a rare display of frankness, SP Vasco Williams, SP (OPS, NTN Regional HQ), who was famous for calling a man who was being kicked by HKPF officers “a yellow object,” revealed his understanding of the Protests, which possibly was representative of at least some HKPF officers. He wrote on LinkedIn:⁶²³

“[The] five demands are nonsense. Criminals involved in rioting, assaults, arson, criminal damage, criminal intimidation etc not to be prosecuted, those rioting not to be labeled rioters. An independent commission for enquiry – whose to preside, no one appointed by the government would be acceptable by this mob unless siding with their cause. All these unachievable demands that only go against the rule of law. Yet in each riot, burning of the national flag, cries for an independent Hong Kong. And you are suggesting these aren’t just tactics for their ultimate aim which is unachievable and nonsensical? It’s an independence movement, plain and simple!”

334. Thus, the HKPF has been resisting the formation of an independent commission of inquiry as early as in July, when the HKPF officer associations sent a joint letter to the HKSAR government opposing the idea⁶²⁴. This action was no less than an HKPF coup; however, none of the chairmen of these associations were punished, and the HKSAR government has apparently accepted their demand. The reluctance of the HKPF officers to face criticism reached a comical level when three PCs blocked the gate of the CAPO office of the Police Headquarters and told Legislative Councilor Tam Man Ho that it was not the entrance of the CAPO office. They were found lying when a CAPO officer invited Tam in.⁶²⁵

335. It was in this context that the gap between the public and the HKPF widened. In his 2014 interview, David Jordan also pointed out that many HKPF officers became socially isolated because of the perceived high-handedness of the HKPF in dealing with the Occupy Movement. This social and cultural divide between the HKPF and the public was hardly mended by 2019, and the events since June quickly widened the divide. The alienation between the HKPF and the general public was shown by the increase of the use of mainland Chinese social media (*weibo*) by HKPF officers. Some of them became famous internet figures in mainland China, at the expense of becoming the laughing stock by many in Hong Kong. An episode during the siege of the PolyU encapsulated this cultural divide: when broadcasting to the besieged protesters in the campus of the PolyU, one HKPF officer ridiculed the protesters who could “only eat white bread (of a particular local brand) for dinner, while they could enjoy hotpot of [a Chinese brand], which was detested by many who saw it as a form of cultural invasion.”⁶²⁶ People responded to the tasteless joke by uploading pictures of eating white bread with caviar and cognac, in order to mock at the relatively modest salary of the HKPF officers.

336. Thus, one could find it easier to understand the public anger towards the HKPF and the popularity of the anti-HKPF slogans that stressed on the fact that the HKPF was paid by the taxpayers and some of the HKPF officers came from the less educated segment of the society (the so-called “Yi-jin boys” *ngai-zun zai*)⁶²⁷. Many HKPF officers were apparently offended by these slogans, and this only furthered their victimization and self-pity. In an interview with the PRC state media, one wounded HKPF officer suggested that HKPF officers were “discriminated against” by the “educated people”. He then proceeded to question the credibility of an independent commission of inquiry, echoing SP Vasco Williams⁶²⁸. This shows that victimization, sometimes fanned by the PRC state media, played a significant role for the HKPF (from senior to junior officers) in the face of outside scrutiny and criticism. On the other hand, HKPF officers were found openly claiming that they were going to “kill” protesters, but they were never punished⁶²⁹. The similar language sneaked into even official social media accounts of the HKPF; on 6 Dec, when trying to defend the female HKPF officer who sat on a teenage student, the Facebook account of the Junior Police Call under PPRB described young protesters as “yellow zombies (*wong-si*)”⁶³⁰. On 1 August, a CIP flipped both of his middle fingers at a group of peaceful protesters and called them “cockroaches” who asked him the reason for arresting peaceful protesters who were assaulted by a “blue ribbon”⁶³¹. Another officer was found calling protesters terrorists and said that the onlookers should be killed by “flying bricks” (referring to the man who was killed by a flying brick on 13 November) with their homes “burned to the ground by the rioters” (referring to arson by protesters)⁶³². All these show the effectiveness of the PRC propaganda in forming the HKPF officers’ understanding of the Protests.

337. As the HKPF leadership clung on to this narrative of unapologetic self-pity and victimization and did nothing to bridge the divide between the HKPF and the public, it was no surprise that the public relations branch of the HKPF adopted a most antagonistic and counter-productive attitude in facing the media, which was seen as the cause of the collapse of the HKPF’s image. The HKPF refused to admit almost any wrongdoing throughout the Protests, even in the face of overwhelming evidence. The PPRB became increasingly aggressive in responding to the media. In many occasions, HKPF spokesperson asked the public to “be considerate” to their “stressed colleagues”⁶³³. A clinical psychologist of the Psychological Services Group of the HKPF told IPCC that many of the HKPF officers who seek help “had no idea why they were hated” and she blamed the media for the negative portrayal of the HKPF⁶³⁴. If her statement is true, then the HKPF should congratulate itself on being able to block its personnel from outside influence other than its propaganda. CSP Kwok Ka-chuen, the head of the PPRB who succeeded CSP Tse Chun-chung, insisted in December that the main cause of the hostility towards the HKPF was “systematic smear”⁶³⁵. At one point, CP Chris Tang Ping Keung strangely pleaded the public to “bring back their conscience” and support the HKPF⁶³⁶. These curious pronouncements led to more criticism and ridicule from the public.

338. The divide between the HKPF and the public was exacerbated by the militarization of the HKPF, at least in the mentality of some of its members. Partly affected by the global militarization of police forces from the 2000s⁶³⁷, the HKPF was increasingly militarized in its outlook, especially around the time of the Occupy Movement⁶³⁸. The Raptor Unit, formed before the Occupy Movement and participated in the removal of barricades, had a distinctively military outlook. Between 2014 and 2019,

when the HKPF was trying to restore its name, it also chose to highlight its “military-style” training in its publicity⁶³⁹. HKPF personnel with military grade weapons sometimes featured prominently in recruitment posters⁶⁴⁰. The HKPF justified the militarization by citing the threat of terrorism, and have conducted numerous large scale counter terrorism exercises that is often mocked at by the public because of the improbability of the kind of attacks being simulated. In the meantime, the HKPF stepped up its tactical training by providing “Immediate Tactical Intervention” courses to various units⁶⁴¹. During the Protests, HKPF personnel appeared with military grade weapons, and sometimes their actions (shooting at heads and from above) and decision making (encirclements) also reflected a drift (perhaps unwittingly) towards militarization. The latest move towards militarization of the HKPF came from the change of the slogan of the HKPF after CP Chris Tang Ping Keung assumed office; the original slogan “Serving with Pride and Care” was replaced with “Serving Hong Kong with Honour, Duty and Loyalty,” which closely resembled the short form of the motto of the West Point Academy. Commentator Tim Hamlett best summarizes the sentiment of the public, or at least the around 70% of those who wanted the HKPF to be reformed:

“people calling for the abolition or reform of the police force do not want a society with no police. They want a force dedicated to law as well as order, to service as well as force. There are police forces in the world which can keep an acceptable measure of control over street turbulence without resort to constantly rising levels of violence and the deployment of increasingly intimidating weapons. Why can’t we have one?”⁶⁴²

A rudimentary search for the words “community (社區)” and “counter-terrorism (反恐)” in the *Offbeat* magazine (the official magazine of the HKPF) give an interesting result: while there were 11,200 results for “community”, there were 27,000 for “counter-terrorism”, while there were zero actual cases of terrorist attacks from 1997 to 2019⁶⁴³. In short, the popularity of slogans such as “disbanding HKPF” was more about ending the militaristic, machismo, unapologetic, and self-pity culture of the HKPF rather than actually abolishing police as an institution altogether.

339. The PRC factor was, of course, also relevant here. From 2014, exchanges between the HKPF and the PRC institutions became increasingly frequent. Senior HKPF officers received advanced training not only in Royal College of Defence Studies or Harvard Kennedy School but also China Executive Leadership Academy in Pudong, Shanghai. CP Tang Ping Keung himself received training at Chinese Academy of Governance, the People’s Public Security University of China, and China Executive Leadership Academy⁶⁴⁴. In 2004, HKPF sent officers to Xinjiang to teach local law enforcement agencies about counter-terrorism⁶⁴⁵. In October 2018, however, a delegation of officials, including HKPF senior officers, was sent to Xinjiang to learn about the experience of “counter-terrorism” from the local law enforcement. John Lee Ka-chiu, the Secretary of Security, claimed that Hong Kong had “a lot to learn” from the Xinjiang experience⁶⁴⁶. This comment reads more chillingly in January 2020 than when it was being said. Increased ties with the PRC also made the HKPF less responsive to the changes in the international norms and standards of policing as well as the relevant human rights laws, which witnessed many changes since Hong Kong introduced the human rights laws in the 1990s.

340. As the HKPF was a paramilitary force of modest size (in terms of an armed force), it was easy to suffer from “groupthink”, especially as the civilian government and the public could exercise little oversight.

As the HKPF had, to a certain extent, alienated from the public, its tendency to hire like-minded people intensified. Another potential deep-rooted problem of police culture in Hong Kong was the preference of the HKPF to hire descendants of HKPF officers. For a large armed force such as the US military, recruitment of people from “military families” might not cause an overt problem as their numbers could be easily diluted by recruits of different backgrounds. However, the HKPF had only around 30,000 members as of 2019. Preferred recruitment of the offsprings of HKPF officers could only reinforce the problem of group-think, especially as offsprings of senior HKPF officers might enjoy accelerated advancement. Instead of trying to recouple the HKPF with the society, it was reported that CP Chris Tang Ping-keung promised his subordinates that in the future, the HKPF would make a preference for the offsprings of HKPF officers in its recruitment drives⁶⁴⁷. A large number of HKPF officers were already living in designated quarters, separated from the society, not to say some of the HKPF officers might move to live in the “Greater Bay Area” as they believed that they are more welcomed there. If the social isolation of HKPF was allowed to continue, Hong Kong, as an international financial hub, would continue to suffer from the existence of a semi-armed and partially trained security force that lacked accountability and separated from the society in terms of social background and cultural outlook. Such a move, if realized, also contravenes Paragraph 39 of the JRSR of 2016 which reads “the demographic makeup of law enforcement agencies should be representative of the whole community”⁶⁴⁸.

341. The deterioration of civil-police relations during the movement was not helped by many of the measures adopted by the HKPF leadership, which seemingly prioritized the feeling of the HKPF officers before anything else. In particular, the collapse of community policing led to a rapid deterioration of the relations between the public and the HKPF. During the Protests, groups of HKPF officers operated in and near residential estates in full anti-riot gear, facing angry residents who had not participated in the protests. HKPF officers often lost emotional control and randomly provoked or even fired LL ammunitions and tear gas rounds in residential areas, causing much disturbance and achieving nothing⁶⁴⁹. This possibly explained why districts that had suffered from this kind of harassment usually voted for Pan-Democrat candidates during the District Council election.

342. On 2 December, it was reported that CP Tang Ping-keung promised his subordinates that the HKPF would conduct “high profile” patrols in public areas, including residential estates, instead of sending officers to conduct the usual beat patrol⁶⁵⁰. The result was much larger groups of police in their riot gear “patrolling” the densely populated residential areas. As these HKPF officers were not walking in formations and were lax in uniform discipline, the result was a poor display of groups of ill-disciplined and agitated HKPF officers walking in front of the public that resembled an occupying force than a group of civil servants. In this process, community policing became the first casualty, and such display of force would invariably fail to deter protesters (who could easily gather after the HKPF officers were gone) or restore the people’s confidence towards the HKPF, except perhaps for the most staunch supporters of the HKPF as well as the HKPF personnel and their families.

343. Widespread animosity between the HKPF and the public also led to clashes between citizens and off-duty HKPF officers⁶⁵¹, as well as organized attempts to ambush off-duty HKPF officers⁶⁵². This shows that Hong Kong is reaching a point of no return that the more determined protesters may resort to lethal force.



The Way Forward: The Need for International Law Remedies

344. On 24 December 2019, the *Washington Post* released an in-depth study of 65 cases of alleged excessive uses of force by the HKPF. The international experts “thought that Hong Kong police went against their rules in about 70 percent of the incidents reviewed”. Only around 8 percent of the cases the level of force used could be justified⁶⁵³. The international expert added that the contents of they reviewed “do not always illustrate the full picture of events around a specific incident,” a defense used repeatedly by the PPRB and even officials of the HKSAR government. Still, the *Washington Post*’s report not only shows that many of the allegations of HKPF brutality could be substantiated, but also the urgent need to investigate the large number of other allegations, including and especially the more serious incidents such as the attack on Yuen Long Station on 21 July, the action at Prince Edward MTR Station on 31 August, the shooting incidents, and the alleged sexual assaults and tortures.

345. So far, at least from the evidence publicly available, the HKPF potentially contravened the following LOLE, IHRL, and various international standards and rules:

- The Universal Declaration of Human Rights (UDHR), 1948
- International Covenant on Civil and Political Rights, 1976
- Code of Conduct for Law Enforcement Officials, 1979
- Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990
- International Human Rights Standards for Law Enforcement, 1997
- Resolution adopted by the Human Rights Council on 11 April 2014 - The promotion and protection of human rights in the context of peaceful protests, A/HRC/RES/25/38
- Resolution adopted by the Human Rights Council on 24 March 2016 - The promotion and protection of human rights in the context of peaceful protests, A/HRC/RES/31/37
- Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies, 2016
- General Comment No. 36 on Article 6 of the International Covenant on Civil and Political Rights, on the Right to Life, UN Human Rights Committee CCPR/C/GC/36, 2018
- General Comment No. 37 on Article 21 (Right of Peaceful Assembly) of the International Covenant on Civil and Political Rights, UN Human Rights Committee, 2019
- United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, 2019

346. Throughout the Protests, the HKPF has been aggressive in disrupting peaceful assemblies and any form of peaceful protests. HKPF officers used various tactics to intimidate non-violent protesters, from hurling insults to arbitrary detention and arrest. These actions were based on a liberal interpretation of local legislations that contradicted with internationally recognized human rights standards as well as the Basic Law. HKPF officers often used unnecessary, excessive, and disproportionate force to disperse peaceful assemblies only because of isolated cases of violence. Undercover officers armed with lethal weapons were sent into the crowd, causing life-threatening situations to everyone present. There were also allegations that these undercover officers worked as agent provocateurs. Firearms and LL weapons (including tear gas) were used in ways that violated international standards as well as local guidelines and laws. The potential lethality of all kinds of LL weapons was ignored, even by the very senior commanders. When making arrests and detentions, excessive and disproportionate force as well as humiliating methods were often used. There were allegations of large-scale abuse of the human rights of the arrested when they were detained, and the HKPF was found interfering with the legal process.

347. Individual HKPF officers of all ranks displayed poor judgment and self-control when facing not only protesters (peaceful and violent) but also bystanders, passerby, journalists, medical and rescue personnel (volunteer and official), and human rights watchers. Everyone at the conflict zone was subjected to arbitrary force by HKPF officers, who were often seen disobeying the orders and instructions of their superior officers. Media workers, medical personnel, human rights watchers, and passerby were subjected to random and arbitrary physical and mental violence, detention, and arrest. HKPF officers were seen targeting the young and those who carried items that could be viewed as symbols of protests, including daily items such as surgical masks. Random insults were hurled at everyone at the scene, including occasionally HKPF supporters, on the pretext that people should not appear at the conflict zone (even inadvertently) at all. There were at least fifty allegations of sex-related crimes committed by HKPF officers and their supporters, and women at the conflict zone were subjected to all forms of insults from HKPF officers. Children were also affected by the random, arbitrary, and often indiscriminate use of force by HKPF officers in crowded areas where the only perpetrators of violence were the officers. HKPF officers also showed little respect and sensitivity to religion and culture.

348. Towards the end of the year, the HKPF has become increasingly systematic and aggressive in the suppression of all kinds of protest-related activities and their officers were emboldened to adopt the intimidation tactics when dealing with anyone. As of January 2020, the HKPF still employed a kind of “shock and awe” attitude that showed a possible intent to intimidate and silence the people in Hong Kong in a massive scale. In a sense, the HKPF treated the protesters (both violent and peaceful) as criminals or even enemies in an armed conflict between states rather than legitimate members of the society. How far did this attitude reach within the HKPF and the HKSAR government one wonders, but Carrie Lam once suggested that the protesters had “no stake” in the society and that she “refused” to believe that police brutality existed. Such attitude and the tactics employed by the HKPF were disproportionate and excessive, and very likely violated international human rights laws. It has been suggested by some that the HKPF has been engaging in “state terrorism” or “police terrorism”. This report, however, chooses *not* to adopt the nomenclatures, as they are not legal concepts in international law, and there are already LOLE and IHRL frameworks as well as sanction regimes in some countries that deal with and systematic violation of human rights by the State and its agents.

349. This report agrees with the international specialist advisors of IPCC that existing local mechanism was not qualified to handle the complaints against the HKPF during the Protests. Moreover, some of the committee members revealed their ignorance in international rules and standards of policing and human rights. Most important, the scale and intensity of the abuses committed by the HKPF have been unprecedented in developed societies, making an international investigation imperative, even if its goal is to reaffirm and update the existing LOLE and IHRL. No one would expect a police force with more than 170 years of history and with state-of-the-art equipment would adopt a 1960s mentality in handling a political protest of massive scale in a highly developed society. And no one would expect, after years of demilitarization and community policing, the HKPF would adopt an attitude that was little different from an occupying army, sending footmen armed with AR-15 to stand alongside primary school kids and their terrorized parents, just because someone might try to disrupt the running of the MTR. The scale and extent of the violence and potential violations of human rights standards should not be measured merely by official fatalities alone. The long term physical, social, and psychological impact of these abuses was immense and affected not only the victims but also those who inflicted them, as well as the entire population that had witnessed them in one way or another. The lives of around 7,000 arrested for various reasons during the protest were forever changed. Some might not even live to see the endgame.

350. So far, the HKSAR government and the PRC government that behind it consistently showed an unwillingness to investigate the excesses and misconducts of HKPF officers or the problems of the HKPF as an organization. Both were openly supporting the HKPF despite international condemnation. The people in Hong Kong have largely lost faith in the HKSAR government and the existing mechanisms in handling the situation, let alone redressing the gross violation of internationally recognized human rights by the HKPF. Thus, based on the principle of Responsibility to Protect (R2P) endorsed by all states during the UN World Summit 2005, this report maintains that there is an urgent need for international law checks/remedies, and competent international bodies should handle the violations of internationally recognized human rights by the HKPF:

- The United Nations
 - The Security Council can establish a commission of inquiry to investigate the gross violations of human rights by the HKPF, following the precedents such as Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999 and International Commission of Inquiry for Darfur in 2004-2007⁶⁵⁴.
 - The United Nations Human Rights Council can set up a commission of inquiry, following the precedent of the UNHRC Resolution 42/25 that decided to establish a mission to Venezuela “to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and other cruel, inhumane or degrading treatment since 2014 with a view to ensuring full accountability for perpetrators and justice for victims”⁶⁵⁵. Concerned state parties can also approach the UN to lodge a complaint against the violation of internationally recognized human rights by the HKSAR government and the HKPF, as empowered by Article 41 of the ICCPR.
 - The UN can also follow the precedents of International Criminal Tribunal for the Former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR), by setting up an international criminal tribunal to investigate the violations of human rights by the HKPF.
 - The office of the United Nations High Commissioner for Human Rights (OHCHR) can also initiate an investigation, following the precedent of the report by the Office of the UN High

Commissioner for Human Rights on Venezuela published in July 2019. It could also set up a Human Rights Institution (NHRI) in Hong Kong to continuously protect, monitor, and promote human rights in Hong Kong in a sustainable way.

- The International Criminal Court
 - The case could possibly be brought to the ICC because according to Article 7 (1) (k) of the Elements of Crimes of the ICC, the ICC could also handle “crime against humanity of other inhumane acts”. It is suitable for the Office of the Prosecutor (OTP) of the ICC to initiate an investigation because the HKSAR government was unwilling to launch any independent investigations on the HKPF. Moreover, Hong Kong is the first developed society to experience a large scale and systematic violation of human rights by its law enforcement, making Hong Kong potentially a special case in terms of the gravity of the human rights violations.
- The International Community
 - Nations can establish sanction regimes similar to the Hong Kong Human Rights and Democracy Act and the Magnitsky Act of the United States, not only for the sake of standing up for common values such as respect of human rights and democracy, but also to prevent key figures of the HKPF who were complicit in violations of human rights and other possible criminal acts to settle in developed countries and cause unexpected consequences. The failed bid of ex-CP Andy Tsang Wai-hung to be the director of the United Nations Office on Drugs and Crime is a case in point.
 - The HM government of the United Kingdom should use the International Criminal Court Act 2001 (c.17) to initiate an investigation on the HKPF officers who were British nationals. According to Article 51 of the Act, “a United Kingdom national, a United Kingdom resident or a person subject to UK service jurisdiction” who committed “a crime against humanity” could be prosecuted by this law. The British members of the HKPF who should be held responsible for violations of human rights should be investigated by the relevant British authorities. If necessary, the British should also ask Hong Kong to extradite the suspects.
 - Nations should immediately stop selling law enforcement equipment, firearms, vehicles, LL ammunitions, and spare parts to the HKPF and the HKSAR government. Nations should also consider forbidding the export of hi-tech items that could be used by the HKPF in surveillance or intelligence gathering activities that violated internationally recognized human rights.
 - The international community should also be aware of the possibility of banning the entry of individual HKPF officers who had perpetrated and defended physical and mental violence against the people in Hong Kong, as their presence might cause not only embarrassment but also actual criminal act as their mental state is sometimes questionable.

351. It is important to note that the HKPF as an organization, the key commanders of the HKPF, and individual HKPF officers who committed various abuses should be held responsible. The key leaders of the HKPF should be investigated by competent local and international bodies for their decisions. If applicable, they should also be subjected to various international sanctions such as the Hong Kong Human Rights and Democracy and Magnitsky Act. As for individuals who committed specific violations of LOLE and IHRL, their cases could also be investigated by an independent international commission or even by the ICC, if the HKSAR government continued to be unwilling or unable to investigate. If possible, they should also be tried by Hong Kong courts for breaching local laws.

352. The HKPF should not hide behind the self-image of professionalism or subscribe to the PRC brand of nationalism and the empty rhetoric of anti-terrorism that reinforced bigotry and a bunker mentality; its performance in the past seven months revealed that it is a well-equipped but poorly trained and handled force that caused widespread suffering and long-lasting hatred that would not dissipate unless justice is done. While disbanding the HKPF is not a realistic option, it is imperative for the society to regain control of the Force by establishing effective oversight and by forcing it to reform so that it could operate effectively in the latest international LOLE and IHRL framework. Political, social, and cultural causes should also be found as to why, being one of the more respected branches of the government, it quickly alienated itself from the society and had to rely on the support of a section of the society in the past decade. The society should also decide, or at least debate, the existence of the para-military structure of the HKPF that breed a toxic militaristic and machismo culture, such as the obsession with military-type training and firearms and the counter-terrorism rhetoric. The existence of formations that resembled a military unit such as the Raptor Unit and the PTU should be debated. Officers who indulged in a militant and hostile attitude towards the public should be removed from service. The HKPF officer associations that became politically active should be scrutinized and redirected to their original role. Its leaders, especially those who committed IHRL-related offenses, should be removed and be held responsible for the widespread violation of human rights. The HKPF records should be properly archived and be open to the public in a reasonably timely and transparent manner.

353. The HKSAR government that utterly failed to improve and update the human rights standards in Hong Kong should share the major blame. The HKSAR government only paid lip service to the human rights ideals but condoned the HKPF. It failed to adopt the new norms and standards by changing local legislature (such as revamping or abolishing Cap. 241 and Cap. 245) and order the HKPF to update its code of conduct, training, and procedure to meet the new standards. It also failed to educate the public about the rights that they enjoy.

354. International human rights standards and the rule of law have to be upheld and respected, if the HKSAR government and Beijing wanted to restore peace and maintain Hong Kong's status as one of the international financial centers. This can only be done through a thorough international investigation of the HKPF's misconduct during the Protests and a substantial reform of the HKPF so that its outlook, culture, structure, training, regulations, and equipment are in line with the latest LOLE and IHRL. Local legislation that encouraged HKPF officers to abuse their powers such as the Emergency Regulations Ordinance, Summary Offences Ordinance, and the Public Order Ordinance have to be revamped or abolished. The international bodies should monitor the HKSAR government and the HKPF to follow the internationally recognized human rights standards. The people of Hong Kong should be equipped with relevant knowledge of international human rights standards and empowered politically to ensure they have a say in the process so that actual changes can be made. It is in this context that popular elections for both the Legislative Council and the Chief Executive are imperative.



Appendix I: Sample Cases

355. This section contains discussions on the representative cases that allow us to have a better understanding of how to follow up the cases of HKPF misconducts in the LOLE and IHRL frameworks. Thus, the research of these cases is not exhaustive, and some of the cases are by no means “serious” in the sense of damage caused (physical and mental). However, they can be used as case studies for follow up actions in local and international settings.

Case 1: Firing tear gas into a peaceful assembly

356. On 12 June, when HKPF officers were trying to disperse the protesters near the Legislative Council complex, they also dispersed a peaceful assembly near Citic Tower. Tear gas canisters were shot into the middle of the crowd, and the protesters were not given enough time and space to disperse.⁶⁵⁶ At that time, this crowd was attending a peaceful sit-in without engaging in violent action, and many of the participants were not equipped with any protective gear. The HKPF’s decision to disperse the sit-in near the Citic Tower was a disproportionate and unnecessary use of force as the crowd was not engaging in any violent action, even though a number of individuals might be holding items that could be viewed as weapons. Even if it was deemed necessary to disperse, adequate warning and enough time should be given to the crowd to disperse. A clear route to leave the scene should also be given. The medical post there should also be given adequate time to relocate. The HKPF should maintain effective communication with the protesters. During the dispersal, excessive and disproportionate use of force was used, especially baton, tear gas, and LL ammunitions. The forceful dispersal not only potentially violated international law and standards but also led to a political disaster that had international ramifications.

357. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)

- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5, 6
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 1, 3, 4, 5, 8, 9, 10, 12, 13, 14
 - Responsibility of the HKPF; Principles 18-20
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 7
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recognizing also that any such restrictions [on peaceful assembly] must be based in law, in accordance with States' obligations under applicable international human rights instruments and subject to a competent, independent, impartial and prompt administrative or judicial review,
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - And Paragraphs 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 17

- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1, 2, 3, 4, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 7, 8, 9, 13, 14-16, 31-33, 37-42, 50-54, 57-63, 65, 68-71
 - In particular Paragraphs 9, 50-54, 57-62, 65
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 1, 18, 23, 26- 29, 34, 85-91, 95-99

Case 2: Plainclothes/Undercover HKPF officer sitting on arrested teenage female student

358. On 4 December, a group of teenage protesters (aged 14-15) launched a flash protest near Ma Tau Wai Road at To Kwa Wan at around 0715. They wrote protest slogans on the pavement and, according to the HKPF, tried to set up a roadblock. A number of plainclothes HKPF officers in black bloc arrested one of the student protesters. As men and women in black armed with extendable baton tried to grab several teenagers on the street, a man tried to help a teenage girl who was being assaulted (arrested) in the chaos. He was arrested and later accused of assaulting a police officer. An officer then sat on the arrested female student for an unspecified duration. The picture of a student being sat on by an HKPF officer led to public outrage⁶⁵⁷. According to local news, the three student protesters had not posed any physical threat to the general public and the HKPF officers. The plainclothes officers did not issue warning to the student protesters and arrested them like ordinary criminals. Although it was possible that the female student was trying to escape, and there was an attempt to prevent the HKPF from arresting her, the HKPF officer used excessive and disproportionate force by sitting on her. It was also humiliating and could cause long term psychological harm to the teenage student, who was protected by international law that are related to children's rights. The action possibly contravened a number of LOLE and IHRL, as well as international law protecting children from bodily and psychological harm. Moreover, the HKPF that allowed the officer to sit on her also potentially violated LOLE and IHRL, as it failed to train its officers to handle this kind of situation and inform them of the latest human rights standards.

359. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
- **The United Nations Convention on the Rights of the Child**
 - Articles 12, 13, 14, 15, 16, 19, 27, 37, 40

- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 8, 13
 - Responsibility of the HKPF; Principles 18-20
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4
 - Arrest; Paragraphs 1-4
 - After the use of firearms; Paragraph 1-4
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3, 10, 13
 - The Human Rights of Women; Paragraphs 1-8
 - Police Command and Management; Paragraphs 1, 7-8, 10, 13
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,

- Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- And Paragraphs 2, 3, 4, 6, 7, 9, 10
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1, 2
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 8, 9, 10, 11, 13, 14, 15, 18, 20, 21, 23, 25, 32, 33, 41-45, 46, 48, 50-52, 57-59, 65, 68-71.
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 1, 5-9, 11, 16-19, 49, 50, 55-56, 81, 89-91, 99, 103

Case 3: HKPF senior officer threatened long jail to non-violent protesters

360. In the evening of 15 August, during a non-violent public assembly near the Ma On Shan Police Station, one HKPF CIP, later identified by pro-PRC media as a member of the Police Negotiation Cadre (according to media report), used a loud-speaker to threaten non-violent protesters in a soft voice with long jail terms for participating in the protest, with other HKPF officers pointing individual protesters with laser lights. The protesters also pointed laser beams at the police station and the CIP when he talked.

361. According to the video clip uploaded by the HKPF, the CIP singled out individual protesters (he did not specify the reason) and suggested that by staying outside the police station, the protesters would face “25-years of jail” and they should “think of their parents”. The legal rationale behind directing that “warning (threat)” to that individual who had not engaged in violent acts was not explained by that CIP (What had he done to warrant 25 years of jail? Was he trying to perpetrate actions that would inflict serious harm against people and property?)⁶⁵⁸.

362. At that time, the crowd gathered near the gate of the police station had not obtained the NNO. They shouted profanities against the police, but were not engaging in violent act, or were blocking the traffic of the nearby roads.

363. The legal basis of “25 years of jail” was apparently Cap. 245, which the HKPF used repeatedly against all forms of protests. However, threatening 25 years of jail for protesters not engaging in any violent actions was excessive and arbitrary and contravened IHRL and standards. The intent of the CIP to intimidate non-violent protesters through threat was also unlawful.

364. Curiously, the action was seen by the HKPF as an example of good practice in policing. The CIP who did that was hailed as a hero (perhaps in contrast to other HKPF officers who resorted to excessive force?) by the PPRB (which uploaded the video on the Facebook of the HKPF) who exercised “restraint” and “a human touch,” and even titled the threat as “a passionate conversation amidst laser beams”. Pro-PRC media also praised the CIP, who also thanked his colleagues who “provided him with wisdom,” hinting that the threat might not be an impromptu one but a collective product of his team.

365. Although the CIP in question was probably unaware of the potential breaches of LOLE and IHRL, he should also be responsible for his actions because IHRL was customary international law and is expected to be followed by the states, let alone the fact that PRC was a signatory of the ICCPR and that the Bill of Rights of HKSAR was based on ICCPR. The tone the CIP used to deliver his threat, which the HKPF praised, is irrelevant here; a death threat made in a soft voice is a death threat. The HKPF that had not equipped the CIP with the relevant LOLE and IHRL knowledge and praised him for making such a threat also potentially violated the principle of precaution.

366. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 5
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 7-8, 10, 13
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,

- Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
- Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
- Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
- Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- And Paragraphs 2, 3, 4, 5, 10,
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1, 2, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 13, 14, 15, 18, 19, 21, 23, 27, 29, 30, 32-33, 38-39, 41-42, 48
 - Particularly Paragraphs 27, 30, 38, 48, 76
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 4-9, 23, 36, 45-50, 53, 55, 70, 72, 76, 79, 81, 85-86, 90

Case 4: Raptor Unit firing LL weapon and charging down escalator⁶⁵⁹

367. On 11 August, large scale protests broke out in Kowloon and on Hong Kong Island. Protesters then tried to set up roadblocks in different parts of the city, including the roads near Tai Koo MTR Station. At around 2245, a number of uniformed riot police and Raptor officers suddenly rushed towards the C Exit of Tai Koo MTR Station that consisted of a pair of escalators (both stopped). A crowd of around 50 non-violent protesters was seen moving down the escalators into the station when the HKPF officers rushed in, apparently without warning and time for the crowd to disperse (which was dispersing anyway). One Raptor officer pulled the backpack of a protester who was trying to leave and posed no threat to him, then stepped back for one meter and fired pepper balls at him and those around. A group of four HKPF officers used batons to beat a subdued protester who had no helmet. Another riot police officer was seen repeatedly used his baton to beat the hand of a subdued protester against the railing of the escalator, with other riot police officers beating him/her with batons.⁶⁶⁰ The riot police attempted to charge down the left escalator and almost led to a stampede, only to be stopped by a male protester who did not let go. He was beaten with batons and then arrested. At least one unarmed protester (who had lost his helmet) was kicked/thrown down the escalator by riot police⁶⁶¹. Throughout the action, the HKPF officers made no attempts to identify the person who engaged in violent activities (so as to warrant his/her arrest)⁶⁶². It should be noted that none of the HKPF officers were seen with clear markings on them to be identified individually.

368. As seen from existing visual evidence, the protesters were not perpetrating violent acts when they were caught up in the escalator. Some of these protesters participated in the setting up of roadblocks, but that did not justify the level of force used by the HKPF. When the HKPF officers approached the crowd, almost all of the latter turned back and tried to go down, and none were seen using life-threatening weapons to resist the assault of the HKPF personnel, including those who were to be arrested. One man was seen trying to block the way of the HKPF officers' advance along the escalator and prevent a stampede by holding the railing with both hands; thus, he too was not actively resisting the assault.

369. The shocking video shows just how HKPF officers used indiscriminate, excessive, and disproportionate force to deal with the protesters. First, while some of the protesters might have participated in setting up the roadblocks, such action did not warrant dispersal by the level of force used. Before launching the assault, the HKPF officers had not identified themselves, issued warning, or communicated with the protesters. Even if a warning was issued, not enough time was given to the protesters who were dispersing from the escalator. When the HKPF officers charged in, excessive force was used, such as hitting the head with batons and firing pepperballs at point-blank range. Those who were subdued were still being beaten by batons. The wounded had not received immediate medical assistance but were sent to police vehicles.

370. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 3, 4, 5, 8, 9, 10, 12, 13, 14, 15
 - Responsibility of the HKPF: Paragraphs 18-20
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13

- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recognizing also that any such restrictions [on peaceful assembly] must be based in law, in accordance with States' obligations under applicable international human rights instruments and subject to a competent, independent, impartial and prompt administrative or judicial review,
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - And Paragraphs 2, 3, 4, 5, 6, 7, 9, 10, 11
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1- 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 13, 14, 18-20, 50-55, 57-63, 65
- **General Comment 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 1, 11, 49-50, 85-87, 89-91, 93, 97-100

Case 5: Riot police beat up unarmed and unmasked onlooker/protester who criticized the HKPF

371. At 2300 on 2 September, a man criticized a group of HKPF officers across the road at the crossroad of Prince Edward Road and Boundary Road. He exclaimed, “Sir, I think you dropped something; your conscience!”. He was chased down by several HKPF officers who used batons to hit his head and kicked him multiple times. Because of the attack, his head was seen bleeding⁶⁶³.

372. He was then detained by another group of HKPF officers, who claimed that the man could launch a formal complaint to CAPO. He was asked to “calm down (could be a subtle threat against anyone under police detention as HKPF officers could then charge them for assaulting a police officer)” and was also threatened to be charged for “unlawful assembly” even though he was alone. He was still arrested and brought into a police van. Throughout this incident, the HKPF had not provided any medical assistance to the man.

373. When being asked by reporters about the incident, the HKPF officer who made the arrest accused the reporter of “speaking profanities against him (not an offense in Hong Kong and under international law)” and refused to communicate.

374. Whether the man was a protester or an angry onlooker was not clear. Superficial evidence suggests that he wasn’t; he was wearing a white T-shirt, and he had no protective gear and tools with him (usual equipment for more violent protesters) when he was detained and arrested. What is clear was that the man posed no physical threat to the HKPF officers and did not appear to be violent.

375. At that time, the HKPF had not declared the area a riot zone so there were still some passerby and onlookers around. The HKPF was trying to disperse protesters who were setting up roadblocks, but they were not in the immediate area where the incident took place. Even so, if the HKPF had declared the area as a riot zone (which it did not), the declaration did not deprive the people in the zone from enjoying basic human rights, including those who participate in violent action, let alone the man who was attacked in this case. This made the use of force by the HKPF personnel involved in this case excessive, disproportionate, arbitrary, and thus unlawful.

376. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 3, 4, 5, 7, 8, 12, 13, 15
 - Responsibility of the HKPF; Paragraphs 18-20

- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraph 7
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 5-12
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - And Paragraphs 5, 9, 10
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 1-5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 14, 18, 20, 29, 31-33, 38, 45-46, 50-51, 57-59, 65
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 10, 15, 55, 76, 86, 89-91, 99

Case 6: Riot police detain a couple who posed no threat while leaving a wailing child alone

377. On the evening of 7 October, when a group of riot police was dispersing an assembly at Tseung Kwan O, several riot police officers surrounded a couple for an unspecified reason, leaving a wailing child standing alone. The scene was captured by the pro-PRC TVB and was later removed⁶⁶⁴. Such action was excessive, unnecessary, and disproportionate, and might have caused long term psychological harm on the child, who was protected by international law concerning children's rights.

378. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Article 12 (restriction in movement)
 - Article 19 (restriction of the freedom of expression)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)

- **The United Nations Convention on the Rights of the Child**
 - Articles 12, 13, 14, 15, 16, 19, 27, 37, 40
- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principle 13
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1, 3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4-6
 - Arrest; Paragraphs 1-3
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3, 13
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3, 13
 - Community Policing; Paragraph 1
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Paragraphs 6, 7, 17
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraph 2
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 16, 41, 50
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 5, 9

Case 7: HKPF officer pepper spraying reporters

379. During the confused confrontation on 12 June, one HKPF officer was found pepper spraying a group of reporters from a hidden position above them without warning. At that time, a group of protesters was throwing debris and bricks towards a group of HKPF officers with riot gear such as helmets and shields, which was apparently trying to disperse the crowd but was outnumbered. One HKPF officer dressed in white shirt (SSGT or above rank) rushed forward for some ten meters from his group and pepper sprayed a group of standing men below him. The group of people down there consisted of reporters and protesters holding umbrellas.

380. From the photo that captured the moment, he was aiming at the reporters who had clear identifications such as white helmets with the word “Press” written on. None of the reporters being pepper sprayed were facing at the direction of the HKPF officer who pepper sprayed them. They were holding cameras pointing to another direction, where the protesters stood⁶⁶⁵.

381. This curious action was captured by the video camera from another position and the whole action of the HKPF officer was being recorded⁶⁶⁶. Such use of force was likely be considered as arbitrary, excessive, and disproportionate.

382. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 8, 12, 13
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - The use of force; Paragraphs 1-11
 - Civil Disorder; Paragraphs 1-14
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
 - Community Policing; Paragraph 1

- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 2, 3, 9, 10, 12, 13, 15 (for using LL weapons against journalists)
 - In particular Paragraphs 8, 18
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 3, 5 (for using LL weapons against journalists)
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 9, 50-59, (for using LL weapons against journalists)
 - Paragraphs 68-72
- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**
 - Paragraphs 23, 50-51, 55, 57-59, 61-63
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 34, 85, 86, 89-91, 97, 99

Case 8: HKPF traffic police took hostage of unarmed protesters and then fired three shots at unarmed protesters⁶⁶⁷

383. On 11 November, a single HKPF traffic police officer approached a group of around ten protesters who were trying to set up a road block outside the Sai Wan Ho market, where many passerby and onlookers were present.

384. The traffic police officers (an SSGT), apparently highly excited, suddenly pulled his revolver and rushed into the crowd, grabbing the collar of one protester. He pulled the protester, apparently a teenager, towards the muzzle of his revolver, and then pointed the revolver to the rest of the group, using the protester as his shield.

385. He then found himself surrounded by several unarmed protesters. One protester approached him with both hands opened (in a gesture showing he was not armed), but the SSGT fired a live round into the upper torso of the protester in less than one meter without warning, still holding the first in a “hostage” pose. After firing the first round, he let go of the first protester, who escaped, and fired two rounds at another protester who was hit in the leg. After shooting, he knelt on the body of the wounded protester without any attempt to provide/find medical assistance and did not notify the incident to the incoming police officer, who dragged the wounded protester on the ground. The first protester lost a kidney and received a severe wound in the liver, but he recovered in two weeks. The use of force in this case was excessive, unnecessary, and disproportional. The HKPF commanders who failed to equip, train, and educate the officer violated the principle of precaution and should also be held responsible.

386. The PPRB found it so difficult to explain this case that its officers claimed that the wounded protester was trying to grab the gun from the officer. However, the wounded protester was only charged for unlawful assembly.⁶⁶⁸ The shooting, however, received praise from at least some of the HKPF officers. SSGT Lau Chak Kei, the one who pointed a shotgun at the public in July, said that the shooting was “of the international standard [of policing]”. An HKPF officer shouted to the public that “three rounds were not enough”. Another exclaimed “thanks for coming out to be shot by us.”⁶⁶⁹

387. The shooting was apparently unnecessary, excessive, and disproportionate. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
- **Code of Conduct for Law Enforcement Officials**
 - Articles 1, 2, 3, 5
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principles 4, 5, 8, 12-14
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - The use of force; Paragraphs 1-11
 - Permissible circumstances for the use of firearms
 - Procedures for the use of firearms
 - After the use of firearms; Paragraph 1-4
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Police Command and Management; Paragraphs 1, 3-4, 6-11, 13
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - And Paragraphs 10, 17
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Paragraphs 2, 3
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 59, 60, 91
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 89, 91, 96, 98

Case 9: Mass arrest of volunteer doctors and first aid⁶⁷⁰

388. During the siege of the PolyU, the HKPF announced that the protest at the PolyU would be declared a riot, and they would enter the campus by force. The HKPF also announced that a route would be open for non-protesters to leave. Some volunteer medical personnel left the campus through that route, but around 50 of them were arrested when they were trying to leave through that route after the first had left.

389. According to photographic evidence, “at least 16 individuals sitting on the ground with their hands bound behind their backs with zip-cords: they are wearing high-visibility vests with descriptions of Doctor, Nurse, and EMT (emergency medical technician). These people were all arrested for taking part in a riot,” as Darren Mann, one of the volunteer doctors, described the event in the *Lancet*⁶⁷¹.

390. The HKPF suggested that as there were “rioters” who imposed as doctors and first aiders, it was necessary to arrest everyone “to confirm their identity”⁶⁷². However, as Darren Mann suggested, it was unlikely as “doctors were in possession of their Medical Council of Hong Kong registration details and identity cards”⁶⁷³.

391. When the medical volunteers were left/arrested, there were hundreds (estimated by Darren Mann as 500) of protesters and injured inside the besieged campus, many of them were reluctant to seek help, fearing immediate arrest for rioting. Dr. Mann then contacted Red Cross and Médecins Sans Frontières (MSF), and the former “had decided that the situation amounted to a humanitarian crisis and self-initiated an intervention”. Later, the HKPF claimed that it invited the Red Cross personnel to the scene; Dr. Mann suggested that it was untrue⁶⁷⁴.

392. The arrest of medical personnel was arbitrary and disproportionate, and the act of leaving the wounded inside the campus untreated also violated various rules. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Articles 6, 7 (using excessive force)
 - Article 12 (restriction in movement)
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Article 6
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
 - Principle 5, particularly 5(c)

- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4
 - Arrest; Paragraphs 1-2
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3, 7-8, 13
 - Community Policing; Paragraph 1
- **Resolution 25/38 adopted by the Human Rights Council on 11 April 2014**
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
 - Also Paragraphs 2, 3, 4, 9, 10, 17
- **Resolution 31/37 adopted by the Human Rights Council on 24 March 2016**
 - Paragraphs 3, 5
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 43- 45
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraph 34

Case 10: Searched uniformed students in MTR stations in an insulting manner⁶⁷⁵

393. During the rush hour in the morning of 13 November, uniformed students were seen being gathered and then ordered to lined up along the walls of the platforms of two MTR stations (Yau Tong and North Point). Along with the students were several young-looking men and women, who were not wearing protective gear or dressed in black.

394. At that time, the Education Bureau was facing much pressure to suspend the schools because of the escalated confrontation between the protesters and the HKPF in many districts. As Chief Executive Carrie Lam refused to suspend the schools as it would “play into the hands of the rioters,” students were trying to go to school despite the disruptions in traffic.

395. HKPF officers were seen carrying LL firearms (a Remington shotgun) and other LL weapons, such as pepper spray and baton. They searched the bags of the detainees and videoed their faces. It was reported that the HKPF officers shouted at the detainees.

396. At Yau Tong Station, a cordon line was set up, apparently to prevent the passenger on the other side to see what was happening. On the other hand, there was no such a line on one side (the side where the footage was taken), so passengers on that side might be able to see what was happening. Thus, the students and the young people were being searched in front of other passengers during the rush hour on some of the busiest platforms of the MTR, as both Yau Tong and North Point were transfer points between Hong Kong Island and Kowloon.

397. From the footage, none of the uniformed students had any protest gear such as helmet or gas masks. It is possible that the HKPF was trying to prevent protesters (who could deliberately not dress like a protester) from disrupting the running of the trains.

398. However, this was not a justifiable reason for the HKPF to subject these students and young people to a humiliating search, let alone the display of force and the use of threatening attitude, as some (or many, or most, or all) of these people could be innocent citizens who were trying to go to school or work (who might even support the HKPF and/or the HKSAR government). The treatment of those who were under 18 was also problematic, even if they were protesters. In all, the actions were arbitrary, excessive, and disproportional, and potentially violated international law and standards.

399. Relevant LOLE and IHRL in this case are as follows:

- **International Covenant on Civil and Political Rights**
 - Article 21 (restrictions on peaceful assemblies)
 - Article 25 (restriction of the right of political participation)
 - Article 26 (discrimination in policing)
- **Code of Conduct for Law Enforcement Officials**
 - Article 2
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4
 - Arrest; Paragraph 2
 - Civil Disorder; Paragraphs 1-14, 16
 - States of Emergency; Paragraphs 3-7
 - Protection of Juveniles; Paragraphs 1-3
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3, 7-8, 13

- **UNHRC Resolution 25/38 on 11 April 2014**

- Recognizing that, pursuant to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, the rights to freedom of peaceful assembly, of expression and of association are human rights guaranteed to all, while their exercise may be subject to certain restrictions, in accordance with States' obligations under applicable international human rights instruments,
- Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
- Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
- Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
- Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
- Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
- And Paragraph 17

- **Joint Report of the Special Rapporteur 2016**

- Paragraphs 8, 43, 50, 73, 76

- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**

- Paragraphs 9, 29, 70-72, 93-94, 105

Case 11: Using Cap. 228 to Arrest Street-art Posters

400. In the early morning of 20 December, a group of HKPF officers arrested four people for sticking Post-its on a wall at Yau Ma Tei; the HKPF claimed that the four were suspected of breaching Article 17 of Cap. 228 "possession of... other instrument fit for unlawful purposes".

401. It was reported that when the group of four was posting Post-it to create protest-related wall art, a citizen called the HKPF, which send a group of police to search for the group. They were eventually found and arrested. The HKPF claimed that they found clinical masks, spray paint, and Post-its.

402. Given the fact that the HKPF often let go of people who held weapons in front of them, the arrest could easily be interpreted as a move to silence and intimidate even the most peaceful of the protesters. Such action not only gave bad press and led to escalation but also potentially breached the following LOLE and IHRL:

- **International Covenant on Civil and Political Rights**
 - Article 12 (restriction in movement)
 - Article 26 (discrimination in policing)
- **The United Nations Convention on the Rights of the Child**
 - Articles 12, 13, 14, 15, 16, 19, 27, 37, 40
- **Code of Conduct for Law Enforcement Officials**
 - Articles 2, 3, 5
- **International Human Rights Standards for Law Enforcement**
 - General Principles; Paragraphs 1-3
 - Ethical and Legal Conduct; Paragraphs 1-3, 5, 7
 - Policing in Democracies; Paragraphs 1-2, 6-8
 - Non-Discrimination in Law Enforcement; Paragraphs 1-6
 - Police Investigations; Paragraphs 2, 4
 - Arrest; Paragraphs 1-2
 - States of Emergency; Paragraphs 3-7
 - The Human Rights of Women; Paragraphs 1-3
 - Police Command and Management; Paragraphs 1, 3, 7-8, 13
 - Community Policing; Paragraph 1
- **UNHRC Resolution 25/38 on 11 April 2014**
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,

- Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
- Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
- And Paragraphs 2, 3, 4, 5, 10
- **Joint Report of the Special Rapporteur 2016**
 - Paragraphs 7, 11, 14, 18-19, 29-34, 45, 48
 - Particularly Paragraphs 7, 11, 45
- **General Comment No. 37 on Article 21 of the ICCPR by Human Rights Committee**
 - Paragraphs 9, 36, 55, 68, 90

Appendix II: Key Statistics⁶⁷⁶

From 9 June to 15 January 2019, the HKPF:

made 7,019 Protest-related arrests;

fired 16 live rounds;

more than 10,008 rubber bullets;

more than 15,969 tear gas canisters;

more than 1,999 bean bag rounds;

more than 1,852 sponge rounds;

more than 2,600 were wounded, of which 520 were HKPF members;

1,092 were charged by the Hong Kong Government for various Protest-related activities, 547 for rioting;

More than 1,300 cases received by IPCC;

0 HKPF officers were charged by for misconduct



Appendix III: Hong Kong Police Force Equipment, 2019

Name	Type	Manufacturer	Specifications
Smith and Wesson .38	Revolver	Smith and Wesson	Caliber: 9mm Effective Range: 40m Muzzle velocity: ~300m/s Chamber: 6 rounds Cartridge: Smith and Wesson .38 Special Jacketed Hollow Point
Glock 17	Semi-automatic pistol	Glock	Caliber: 9mm Effective Range: 50m Muzzle velocity: 370m/s Magazine: 17 rounds Cartridge: 9x19mm Parabellum
Sig Sauers P250c	Semi-automatic pistol	SIG Sauer	Caliber: 9mm Effective Range: ~50m Magazine: 17 rounds Cartridge: 9x19mm Parabellum
12-gauge Remington M870	Pump Action Shotgun	Remington	Caliber: 12 gauge Cartridge: 12-gauge shotgun shells
SIG MPX	Machine-pistol/ submachine gun	SIG Sauer	Caliber: 5.56 Effective Range: ~50-75m Magazine: 10-30 rounds Cartridge: 5.56x45mm NATO
Heckler & Koch MP5	Machine-pistol/ submachine gun	Heckler & Koch	Caliber: 9mm Effective Range: 200m Magazine: 15-30 rounds Cartridge: 9x19mm Parabellum
SIG516	Semi-automatic rifle	SIG Sauer	Caliber: 5.56 Effective Range: ~500m Magazine: 10-30 rounds Cartridge: 5.56x45mm NATO
AR-15	Semi-automatic rifle	ArmaLite	Caliber: 5.56 Effective Range: ~500m Magazine: 10-30 rounds Cartridge: 5.56x45mm NATO
Heckler & Koch G36	Assault rifle	Heckler & Koch	Caliber: 5.56 Effective Range: ~500m Magazine: 30 rounds Cartridge: 5.56x45mm NATO
Colt M16A1/A2	Assault rifle	Colt	Caliber: 5.56 Effective Range: ~550m Magazine: 20-30 rounds Cartridge: 5.56x45mm NATO
Accuracy Internationalization AX 338	Bolt-action sniper rifle	Accuracy International	Caliber: 7.62 Effective Range: ~800m Magazine: 10 rounds Cartridge: 7.62x51mm NATO

Source: FactWire:

<https://www.facebook.com/factwire/photos/pcb.1296364337237284/1296363483904036/?type=3&theater>

Less-lethal Ammunitions

Name	Type	Manufacturer	Specifications
MP-40-R3	Rubber bullet	Nonlethal Technologies	Diameter: 40mm Effective Range: ~45m Projectiles: Hard Rubber Batons Projectile Quantity: 3 Projectile Weight: 29g (each)
ALS1202 Rubber Fin Rocket	Rubber bullet	AmTec Less Lethal Systems	Diameter: 12-gauge Effective Range: ~40m Projectiles: Rubber Bullet Projectile Quantity: 1 Projectile Weight: 9g (each)
CTS 12ga Model 2581 Super-Sock	Bean-bag round	Combined Tactical Systems	Diameter: 12-gauge Effective Range: ~20m Projectiles: Bean-bag round Projectile Quantity: 1 Projectile Weight: 40g
ALS4006D REACT Round	Sponge grenade	AmTec Less Lethal Systems	Diameter: 40mm Effective Range: ~37m Projectiles: Sponge grenade Projectile Quantity: 1 Projectile Weight: 30g
CTS 40mm	Indoor Barricade Penetrators	Combined Tactical Systems	Diameter: 40mm Effective Range: ~45m Can hold CN, CS, and OC
VXR LIVE-X	Pepper pellet	Pepperball	Caliber: 0.68 x .72 Weight: 3.4g Payload: 2.5g Velocity: 280-425 fps Kinetic: 12-28 j Direct impact: 150 ft Formula: 2.5% PAVA Powder
LIVE-X	Pepper pellet	Pepperball	Caliber: 0.68 x .72 Weight: 3g Payload: 2.5g Velocity: 280-350 fps Kinetic: 12-15 j Direct impact: 60 ft Formula: 5% pava powder

Less-lethal Ammunitions Launchers

Name	Type	Manufacturer	Specifications
Full Tactical Carbine (FTC)	Pepper ball gun	Tipperman/ Pepperball	Caliber: .68 Action: Semi-automatic Power: 3000 PSI HPA
Variable Kinetic System (VKS)	Pepper ball gun	Pepperball	Caliber: .68 Action: Semi-automatic Power: undisclosed
12-gauge Remington 870	Pump Action Shotgun	Remington	Caliber: 12-gauge Action: Pump action
Federal L-5 Gas Riot Gun	Single-barrel 37mm Launcher	Federal	Caliber: 37mm
ARWEN 37	Multi (5)-barrel 37mm Launcher	Royal Small Arms Factory (Police Ordnance Company Inc. from 2001; producer of those in HK unknown)	Caliber: 37mm
AM640-Non-Lethal Launcher	Single-barrel 40mm Launcher	Condor	Caliber: 40mm
CQB South ALS Tactical Launcher	Single-barrel 40mm Launcher	CQB	Caliber: 40mm
Penn Arms launcher	Single-barrel 40mm Launcher	Penn Arms – Combined Tactical Systems	Caliber: 40mm

Other Less-lethal weapons

Name	Type	Manufacturer	Specifications
Riot Truncheon	Baton	Various	Wooden or plastic truncheon
18-inch PPCT Phoenix Extendable Baton	Baton	PPC.T. Management Systems (now KNRControl)	18-inch steel extendable baton
21 - i n c h A S P Extendable Baton	Baton	Armament Systems and Procedures, Inc.	21-inch steel extendable baton
Sabre Red Pepper Spray Mk 3 & Mk 9	Pepper spray	Sabre	Content: Oleoresin Capsicum (OC) Range: ~5.5m (Mk 3); ~9 (Mk 9)
RMG Curd'S Police RSG 400	Pepper spray	IDC System AG	Content: Oleoresin Capsicum (OC) Range: not disclosed
Water Jet Pack	Water pepper spray	Unknown	Content: Water-OC compound Range: unknown Used by Raptor Unit
Acebeam W30	Laser Device	Acebeam	Brightness: 500 Lumens. Throw: 2408m (7,900ft)
MK13	Sound & Flash grenade	American Rheinmetall Munition	Net explosive weight: approx. 3.5g Grenade weight: approx. 355g Fuze delay time: approx. 1.5sec Sound intensity (@ 2m/6ft.): approx. 170dB/0.92psi Flash intensity (candela): approx. 3 million
Long Range Acoustic Device	Sound cannon	Genasys	No specifications released
Water Cannon	Water cannon truck	Daimler-Benz (carriage) Water cannon reportedly made in France	No specifications released

Tear Gas

Name	Type	Manufacturer	Specifications
N225 Rubber Bursting CS Grenade ⁶⁷⁷	Bursting CS Grenade	Chemring Group	Overall Weight: ~550g Chemical Weight: ~470g Maximum Range: ~25-30m Radius: ~15m Canisters: 23
MP-6M5-CS ⁶⁷⁸	Multi-Smoke Projectile	NonLethal Technologies	Overall Weight: 225g Net Irritant Agent: 26g Maximum Range: ~80m Canisters: 5
Skat Shell 37 mm CS Round	Multi-Smoke Projectile	Defense Technology	Net Irritant Agent: 40.5g (6.5g OC, 34g CS) Maximum Range: ~90m Canisters: 5
Jing An KF-302-20	Bursting CS Grenade	Unknown	No specifications released Canisters: 20
NF01 38mm CS Smoke Projectile	Multi-Smoke Projectile	Norinco	No specifications released Canisters: 3



Appendix IV: Sections of LOLE and IHRL Documents Relevant to the 2019-2020 Protests

- **UNHRC Resolution 25/38 adopted on 11 April 2014**
 - Recognizing also that any such restrictions [on peaceful assembly] must be based in law, in accordance with States' obligations under applicable international human rights instruments and subject to a competent, independent, impartial and prompt administrative or judicial review,
 - Recalling that States have the primary responsibility for the promotion and protection of human rights and fundamental freedoms, including in the context of peaceful protests, and to ensure that national legislation, policies and practices, as the national framework for the exercise of the rights to freedom of peaceful assembly, of expression and of association, are in compliance with international human rights law,
 - Acknowledging that peaceful protests can occur in all societies, including protests that are spontaneous, simultaneous, unauthorized or restricted,
 - Acknowledging also that participation in peaceful protests can be an important form of exercising the rights to freedom of peaceful assembly, of expression, of association and of participation in the conduct of public affairs,
 - Stressing therefore that everyone must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisals or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,
 - Expressing its concern about the number of attacks targeting human rights defenders and journalists in the context of peaceful protests,
 - Expressing its concern also at the criminalization, in all parts of the world, of individuals and groups for having organized or taken part in peaceful protests,
 - Recalling that isolated acts of violence committed by others in the course of a protest do not deprive peaceful individuals of their rights to freedom of peaceful assembly, of expression and of association,
 - Stressing the need to ensure full accountability for human rights violations or abuses in the context of peaceful protests,
 - Recalling the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,

- Recalls that States have the responsibility, including in the context of peaceful protests, to promote and protect human rights and to prevent human rights violations, including extrajudicial, summary or arbitrary executions, arbitrary arrest and detention, enforced disappearances and torture and other cruel, inhuman or degrading treatment or punishment, and calls upon States to avoid the abuse of criminal and civil proceedings or threats of such acts at all times;
- Calls upon States to promote a safe and enabling environment for individuals and groups to exercise their rights to freedom of peaceful assembly, of expression and of association, including by ensuring that their domestic legislation and procedures relating to the rights to freedom of peaceful assembly, of expression and of association are in conformity with their international human rights obligations and commitments, clearly and explicitly establish a presumption in favor of the exercise of these rights, and that they are effectively implemented;
- Urges States to facilitate peaceful protests by providing protestors with access to public space and protecting them, without discrimination, where necessary, against any form of threat and harassment, and underlines the role of local authorities in this regard;
- Urges States to pay particular attention to the safety and protection of women and women human rights defenders from acts of intimidation and harassment, as well as gender-based violence, including sexual assault, in the context of peaceful protests;
- Reaffirms that States must take all appropriate measures for the safety and protection of children, including while they exercise their rights to freedom of peaceful assembly, expression and association, including in the context of peaceful protests;
- Calls upon all States to pay particular attention to the safety of journalists and media workers covering peaceful protests, taking into account their specific role, exposure and vulnerability;
- Urges all States to avoid using force during peaceful protests and to ensure that, where force is absolutely necessary, no one is subject to excessive or indiscriminate use of force;
- Calls upon States, as a matter of priority, to ensure that their domestic legislation and procedures are consistent with their international obligations and commitments in relation to the use of force in the context of law enforcement and are effectively implemented by officials exercising law enforcement duties, in particular applicable principles of law enforcement, such as the principles of necessity and proportionality, bearing in mind that lethal force may only be used as a last resort to protect against an imminent threat to life and that it may not be used merely to disperse a gathering;
- Calls upon States to investigate any death or significant injury committed during protests, including those resulting from the discharge of firearms or the use of nonlethal weapons by officials exercising law enforcement duties;
- Encourages States to make protective equipment and non-lethal weapons available to their officials exercising law enforcement duties, while pursuing international efforts to regulate and establish protocols for the training and use of non-lethal weapons;

- Also calls upon States to ensure adequate training of officials exercising law enforcement duties and, where applicable, to promote adequate training for private personnel acting on behalf of a State, including in international human rights law and, where appropriate, international humanitarian law;
 - Underlines the importance of thorough, independent and scientific testing of non-lethal weapons prior to deployment to establish their lethality and the extent of likely injury, and of monitoring appropriate training and use of such weapons;
 - Underlines the necessity to address the management of assemblies, including peaceful protests, so as to contribute to their peaceful conduct, and to prevent loss of life of and injuries to protesters, bystanders, those monitoring such protests and officials exercising law enforcement duties, as well as any human rights violation or abuse;
 - Recognizes the importance of documenting human rights violations and abuses committed in the context of peaceful protests, and the role that can be played by national human rights institutions, civil society, including non-governmental organizations, journalists and other media workers, Internet users and human rights defenders, in this regard;
 - Urges States to ensure accountability for human rights violations and abuses through judicial or other national mechanisms, based on law in conformity with their international human rights obligations and commitments, and to provide victims with access to a remedy and redress, including in the context of peaceful protests;
- **UNHRC Resolution 31/37 on 24 March 2016**
 - Underlines the necessity to address the management of assemblies, including peaceful protests, so as to contribute to their peaceful conduct, and to prevent loss of life of and injuries to protesters, bystanders, those monitoring such protests and officials exercising law enforcement duties, as well as any human rights violation or abuse, to ensure accountability for such violations and abuses and to provide victims with access to a remedy and redress;
 - Reaffirms that all States must ensure that their domestic legislation and procedures relating to the rights to freedom of peaceful assembly, of expression and of association and to the use of force in the context of law enforcement are in conformity with their international obligations and commitments and effectively implemented, and must provide proper training for officials exercising law enforcement duties, including in the use of protective equipment and of less-lethal weapons;

- **Joint Report of the Special Rapporteur 2016**

- The Proper management of assemblies

- * 9. Even if participants in an assembly are not peaceful and as a result forfeit their right to peaceful assembly, they retain all the other rights, subject to the normal limitations. No assembly should thus be considered unprotected.

- * 10. An “assembly”, generally understood, is an intentional and temporary gathering in a private or public space for a specific purpose, and can take the form of demonstrations, meetings, strikes, processions, rallies or sit-ins with the purpose of voicing grievances and aspirations or facilitating celebrations (see A/HRC/20/27, para. 24). Even sporting events, music concerts and other such gatherings can potentially be included. While an assembly is defined as a temporary gathering, this may include long-term demonstrations, including extended sit-ins and “occupy”-style manifestations. Although an assembly has generally been understood as a physical gathering of people, it has been recognized that human rights protections, including for freedom of assembly, may apply to analogous interactions taking place online.

- States shall respect and ensure all rights of persons participating in assemblies

- * 14. International law requires that States respect and ensure the rights of all individuals. The obligation to respect rights means that States must refrain from restricting the exercise of the rights where it is not expressly allowed under international law. The obligation to ensure is a positive duty that requires States both to fulfil and to protect rights. The protection of rights requires that positive measures be taken to prevent actions by non-State actors that could interfere with their exercise. The fulfilment of rights requires States to create, facilitate or provide the necessary conditions for the enjoyment of rights.

- * 15. States must respect and ensure rights without discrimination on the basis of any prohibited ground, including race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. Freedom to organize and participate in public assemblies must be guaranteed to individuals, groups, unregistered associations, legal entities and corporate bodies.

- Every person has the inalienable right to take part in peaceful assemblies

- * 18. Because international law recognizes an inalienable right to take part in peaceful assemblies, it follows that there is a presumption in favor of holding peaceful assemblies. Assemblies should be presumed lawful, subject to the permissible limitations set out in article 21 of the International Covenant on Civil and Political Rights. The protection of the right to freedom of peaceful assembly extends only to those assemblies that are peaceful. In determining whether an assembly is protected under this right, the peacefulness of an assembly should be presumed, and a broad interpretation of the term “peaceful” should be afforded. Regard must be given to the manner in which the assembly is held and to the intentions of the participants.

- * 19. The right to freedom of peaceful assembly includes the right to plan, organize, promote and advertise an assembly in any lawful manner. Any restrictions on such activities should be considered as a prior restriction on the exercise of the right. Restrictions on freedom of association and of expression may also effectively serve as a restriction on freedom of peaceful assembly.
- * 20. The right to freedom of peaceful assembly is held by each individual participating in an assembly. Acts of sporadic violence or offences by some should not be attributed to others whose intentions and behavior remain peaceful in nature.
- * 21. Freedom of peaceful assembly is a right and not a privilege and as such its exercise should not be subject to prior authorization by the authorities. State authorities may put in place a system of prior notification, where the objective is to allow State authorities an opportunity to facilitate the exercise of the right, to take measures to protect public safety and/or public order and to protect the rights and freedoms of others. Any notification procedure should not function as a de facto request for authorization or as a basis for content-based regulation. Notification should not be expected for assemblies that do not require prior preparation by State authorities, such as those where only a small number of participants is expected, or where the impact on the public is expected to be minimal.
- * 22. Any notification procedure(s) should not be overly bureaucratic, and should be subject to a proportionality assessment. The notice period should not be unreasonably long, but must allow sufficient time for relevant authorities to prepare appropriately for the assembly. The notification procedure should be free of charge (see A/HRC/23/39, para. 57) and widely accessible.
- * 23. Failure to notify authorities of an assembly does not render an assembly unlawful, and consequently should not be used as a basis for dispersing the assembly. Where there has been a failure to properly notify, organizers, community or political leaders should not be subject to criminal or administrative sanctions resulting in fines or imprisonment (see A/HRC/20/27, para. 29). This applies equally in the case of spontaneous assemblies, where prior notice is otherwise impracticable or where no identifiable organizer exists. Spontaneous assemblies should be exempt from notification requirements, and law enforcement authorities should, as far as possible, protect and facilitate spontaneous assemblies as they would any other assembly.
- * 24. The State's obligation to facilitate and protect assemblies includes simultaneous assemblies and counter-protests, in which one or more assemblies aim to express discontent with the message of other assemblies. Assemblies, including spontaneous assemblies and counter-protests, should, as far as possible, be facilitated to take place within sight and sound of their target.

- * 25. The State's obligation to facilitate extends to taking measures to protect those exercising their rights from violence or interference. The mere existence of a risk, however, is insufficient for prohibiting an assembly. Where the risk of violent clashes between participants within or between assemblies exists, the least restrictive measures must be taken to ensure the safety and security of participants and others.
- * 26. While organizers should make reasonable efforts to comply with the law and to encourage peaceful conduct of an assembly, organizers should not be held responsible for the unlawful behavior of others. To do so would violate the principle of individual liability, weaken trust and cooperation between assembly organizers, participants and the authorities, and discourage potential assembly organizers from exercising their rights.
- * 27. No person should be held criminally, civilly or administratively liable for the mere act of organizing or participating in a peaceful protest.
- * 28. Practical recommendations: (a) States must ensure that any system of prior notification gives effect to the presumption in favor of assemblies, places narrow limits on the discretion of authorities to restrict assemblies, and incorporates a proportionality assessment; (b) States should not require organizers to obtain prior authorization to hold an assembly, in law or practice. Where a notification system is in place, it must facilitate peaceful assembly, and must not operate as a de facto requirement for prior authorization;
- Any restrictions imposed on peaceful assemblies shall comply with international human rights standards
 - * 31. When a State invokes national security and protection of public order to restrict an assembly, it must prove the precise nature of the threat and the specific risks posed. It is not sufficient for the State to refer generally to the security situation. National, political or government interest is not synonymous with national security or public order.
 - * 32. Assemblies are an equally legitimate use of public space as commercial activity or the movement of vehicles and pedestrian traffic. Any use of public space requires some measure of coordination to protect different interests, but there are many legitimate ways in which individuals may use public spaces. A certain level of disruption to ordinary life caused by assemblies, including disruption of traffic, annoyance and even harm to commercial activities, must be tolerated if the right is not to be deprived of substance.
 - * 33. Participants in assemblies are free to choose and express the content of their message. Restrictions on the content of assemblies may be imposed only in conformity with the legitimate limitations on rights outlined above, for example, where the message advocates national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. Where a content-based restriction is justified, authorities should take the least intrusive and restrictive measures to address the issue.

- * 39. Effective communication depends on a relationship of trust. Law enforcement agencies should continually work on strategies to build trust with the communities they serve. The demographic makeup of law enforcement agencies should be representative of the whole community. There should be a free flow of information before and throughout assemblies, and all relevant parties should be informed of any changes in context and circumstance.
- * 40. The State's obligation to facilitate includes the responsibility to provide basic services, including traffic management, medical assistance and clean-up services. Organizers should not be held responsible for the provision of such services, nor should they be required to contribute to the cost of their provision.
- * 41. A primary function of law enforcement, in addition to the obligation to facilitate, is protecting the safety and rights of those who participate in assemblies, as well as monitors and bystanders.
- * 42. Law enforcement officials must be adequately trained in facilitating assemblies. This training should include proper knowledge of the legal framework governing assemblies, techniques of crowd facilitation and management, human rights in the context of assemblies and the important role assemblies play in a democratic order. Training must include soft skills such as effective communication, negotiation and mediation allowing law enforcement officials to avoid escalation of violence and minimize conflict.
- * 43. Use of the tactic of stop-and-search by law enforcement against individuals organizing or participating in an assembly may affect the rights to liberty and bodily security, as well as privacy. Stop-and-search must not be arbitrary and must not violate the principle of non-discrimination. It must be authorized by law, necessary and proportionate. The mere fact that an individual is participating in a peaceful assembly does not constitute reasonable grounds for conducting a search.
- * 44. The authority to arrest can play an important protective function in assemblies, by allowing law enforcement to remove from an assembly individuals who are acting violently. The term "arrest" refers to any deprivation of liberty, and is not limited to formal arrest under domestic law. It is critical that arrest powers are exercised consistently with international human rights standards, including those relating to the rights to privacy, liberty, and due-process rights.
- * 45. No one may be subject to arbitrary arrest or detention. In the context of assemblies this has particular import for the criminalization of assemblies and dissent. Arrest of protestors to prevent or punish the exercise of their right to freedom of peaceful assembly, for example on charges that are spurious, unreasonable or lack proportionality, may violate these protections. Similarly, intrusive pre-emptive measures should not be used unless a clear and present danger of imminent violence actually exists. "Mass arrest" of assembly participants often amounts to indiscriminate and arbitrary arrests.

- * 46. Where an arrest takes place detention conditions must meet minimum standards. This applies to any location or situation in which an individual has been deprived of his or her liberty, including jails, holding cells, public spaces and vehicles used to transfer detainees, and any other location in which detainees are held. Detainees must be treated in a humane manner and with respect for their dignity, and shall not be subjected to torture or cruel, inhuman or degrading treatment or punishment.
- * 47. The imposition of administrative detention is especially troubling. The Human Rights Committee has emphasized that such detention, not in contemplation of prosecution on a criminal charge, presents severe risks of arbitrary deprivation of liberty.
- * 48. The issue of proportionality is particularly relevant to administrative sanctions imposed in the context of assemblies. Any penalty must not be excessive — for example, a disproportionately large fine. Such penalties raise due-process concerns, and may have a chilling effect more broadly on the exercise of the right to freedom of peaceful assembly.
- Force shall not be used unless it is strictly unavoidable, and if applied it must be done in accordance with international human rights law
 - * 50. States and their law enforcement agencies and officials are obligated under international law to respect and protect, without discrimination, the rights of all those who participate in assemblies, as well as monitors and bystanders. The normative framework governing the use of force includes the principles of legality, precaution, necessity, proportionality and accountability.
 - * 51. The principle of legality requires that States develop a domestic legal framework for the use of force, especially potentially lethal force, that complies with international standards (see A/HRC/26/36, para. 56). The normative framework should specifically restrict the use of weapons and tactics during assemblies, including protests, and include a formal approval and deployment process for weaponry and equipment.
 - * 52. The principle of precaution requires that all feasible steps be taken in planning, preparing, and conducting an operation related to an assembly to avoid the use of force or, where force is unavoidable, to minimize its harmful consequences. Even if the use of force in a particular situation complies with the requirements of necessity and proportionality, but the need to use force could reasonably have been prevented from arising in the first place, a State may be held accountable for a failure to take due precautionary measures. Training should include techniques of crowd facilitation and management consonant with the legal framework governing assemblies. States must ensure that their law enforcement officials are periodically trained in and tested on the lawful use of force, and on the use of the weapons with which they are equipped.

- * 53. On the basis of a risk assessment, equipment for law enforcement officials deployed during assemblies should include both appropriate personal protective equipment and appropriate less-lethal weapons. Weapons and tactics should allow for a graduated response and de-escalation of tensions. Accordingly, the provision of a firearm to law enforcement officials with no less-lethal alternative other than a baton is unacceptable.
- * 55. States are required to procure less lethal weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury. Less-lethal weapons must be subject to independent scientific testing and approval, and used responsibly by well-trained law enforcement officials, as such weapons may have lethal or injurious effects if not used correctly or in compliance with international law and human rights standards. States should work to establish and implement international protocols for the training on and use of less-lethal weapons.
- * 57. The use of force by law enforcement officials should be exceptional, and assemblies should ordinarily be managed with no resort to force. Any use of force must comply with the principles of necessity and proportionality. The necessity requirement restricts the kind and degree of force used to the minimum necessary in the circumstances (the least harmful means available), which is a factual cause and effect assessment. Any force used should be targeted at individuals using violence or to avert an imminent threat.
- * 58. The proportionality requirement sets a ceiling on the use of force based on the threat posed by the person targeted. This is a value judgement that balances harm and benefit, demanding that the harm that might result from the use of force is proportionate and justifiable in relation to the expected benefit.
- * 59. The principles of necessity and proportionality apply to the use of all force, including potentially lethal force. Specific rules apply to the use of firearms for law enforcement, also during assemblies. Firearms may be used only against an imminent threat either to protect life or to prevent life-threatening injuries (making the use of force proportionate). In addition, there must be no other feasible option, such as capture or the use of non-lethal force to address the threat to life (making the force necessary).
- * 60. Firearms should never be used simply to disperse an assembly; indiscriminate firing into a crowd is always unlawful (see A/HRC/26/36, para. 75). Intentional lethal use of force is only lawful where it is strictly unavoidable to protect another life from an imminent threat; this is sometimes referred to as the protect life principle (*ibid.*, para. 70).
- * 61. Dispersing an assembly carries the risk of violating the rights to freedom of expression and to peaceful assembly as well as the right to bodily integrity. Dispersing an assembly also risks escalating tensions between participants and law enforcement. For these reasons, it must be resorted to only when strictly unavoidable. For example, dispersal may be considered where violence is serious and widespread and represents an imminent threat to bodily safety or property, and where law enforcement officials have taken all reasonable measures to facilitate the assembly and protect participants from harm. Before countenancing dispersal, law enforcement agencies should seek to identify and isolate any violent individuals separately from the main assembly and differentiate between violent individuals in an assembly and others. This may allow the assembly to continue.

- * 62. International law allows for dispersal of a peaceful assembly only in rare cases. For example, a peaceful assembly that incites discrimination, hostility or violence, in contravention of article 20 of the International Covenant on Civil and Political Rights, may warrant dispersal if less intrusive and discriminatory means of managing the situation have failed. Similarly, while mere inconvenience to others, or temporary disruption of vehicular or pedestrian traffic, are to be tolerated, where an assembly prevents access to essential services, such as blocking the emergency entrance to a hospital, or where interference with traffic or the economy is serious and sustained, for example, where a major highway is blocked for days, dispersal may be justified. Failure to notify authorities of an assembly is not a basis for dispersal.
- * 63. Only governmental authorities or high-ranking officers with sufficient and accurate information of the situation unfolding on the ground should have the authority to order dispersal. If dispersal is deemed necessary, the assembly and participants should be clearly and audibly informed, and should also be given reasonable time to disperse voluntarily. Only if participants then fail to disperse may law enforcement officials intervene further.
- * 64. As part of their responsibility to ensure accountability, States must establish effective reporting and review procedures to address any incident in relation to an assembly during which a potentially unlawful use of force occurs.
- * 65. A clear and transparent command structure must be established to minimize the risk of violence or the use of force, and to ensure responsibility for unlawful acts or omissions by officers. Proper record keeping of decisions made by command officers at all levels is also required. Law enforcement officials must be clearly and individually identifiable, for example by displaying a nameplate or number. In addition, there should be a clear system of record keeping or register of the equipment provided to individual officers in an operation, including vehicles, firearms and ammunition.
- Every person shall enjoy the right to observe, monitor and record assemblies
 - * 68. All persons enjoy the right to observe, and by extension monitor, assemblies. This right is derived from the right to seek and receive information, which is protected under article 19 (2) of the International Covenant on Civil and Political Rights. The concept of monitoring encapsulates not only the act of observing an assembly, but also the active collection, verification and immediate use of information to address human rights problems.
 - * 69. A monitor is generally defined as any non-participant third-party individual or group whose primary aim is to observe and record the actions and activities taking place at public assemblies. National human rights institutions, ombudsmen, intergovernmental entities and civil society organizations all commonly act as monitors. Journalists, including citizen journalists, play an important role.

- * 70. States have an obligation to protect the rights of assembly monitors. This includes respecting and facilitating the right to observe and monitor all aspects of an assembly, subject to the narrow permissible restrictions outlined in article 19 (3) of the International Covenant on Civil and Political Rights. Monitors retain all other human rights. The State should fully investigate any human rights violation or abuse against monitors, and should pursue prosecution and provide adequate remedy. The protections afforded to monitors apply irrespective of whether an assembly is peaceful.
- * 71. Everyone — whether a participant, monitor or observer — shall enjoy the right to record an assembly, which includes the right to record the law enforcement operation. This also includes the right to record an interaction in which he or she is being recorded by a State agent — sometimes referred to as the right to “record back”. The State should protect this right. Confiscation, seizure and/or destruction of notes and visual or audio recording equipment without due process should be prohibited and punished.

- The collection of personal information in relation to an assembly must not interfere impermissibly with privacy or other rights
 - * 73. The collection of accurate information by law enforcement may be useful to the proper management of assemblies, enabling law enforcement to discharge their responsibilities to prepare for and facilitate peaceful assemblies. The collection and processing of personal information, such as through recording devices, closed-circuit television and undercover policing, must comply with protections against arbitrary or unlawful interference with privacy.
 - * 76. While there may be legitimate law enforcement and accountability reasons to record an assembly, the act of recording participants may have a chilling effect on the exercise of rights, including freedom of assembly, association and expression. Recording peaceful assembly participants in a context and manner that intimidates or harasses is an impermissible interference to these rights.
 - * 77. The use of undercover officers to collect intelligence relating to assemblies is problematic. It is highly intrusive and carries a high risk of rights violations and therefore should not be allowed unless reasonable grounds exist to suspect that a serious criminal act is likely to be committed. Authorities should consider whether the proposed undercover activity is the only way to secure the required information, and whether the value of the information justifies the intrusion. This should take into account the impact on the rights of all those affected, not only the targets.
- Every person has the right to access information related to assemblies
 - * 79. The ability to access information is essential to enabling individuals to exercise their rights in the context of assemblies and to ensuring accountability. Information includes records held by a public body at any level or by private bodies performing public functions.
 - * 80. The public should have easy, prompt, effective and practical access to such information, through proactive disclosure and the enactment of legislation to facilitate public access to information. Legislation facilitating such access should be based on the principle of maximum disclosure, establishing a presumption that information is accessible, subject only to a narrow system of exceptions.
- The State and its organs shall be held accountable for their actions in relation to assemblies
 - * 89. The State bears an obligation to provide to those whose rights have been violated in the context of an assembly an adequate, effective and prompt remedy determined by competent authority having the power to enforce remedies. The right to remedy includes the right to equal and effective access to justice; adequate, effective and prompt reparation for harm suffered; and access to relevant information concerning violations and reparation mechanisms.

- * 90. States must investigate any allegations of violations in the context of assemblies promptly and effectively through bodies that are independent and impartial. In addition, the procedural component of the right to life requires States to investigate any alleged unlawful or arbitrary killing. The failure of a State to properly investigate suspected unlawful or arbitrary killing is a violation of the right to life itself (A/70/304). Likewise, lack of accountability for violations of the rights to bodily integrity may itself constitute a violation of those rights. Effective investigation includes the following factors: an official investigation initiated by the State; independence from those implicated; capability of determining whether the act was justified in the circumstances; a level of promptness and reasonable expedition; and a level of public scrutiny
- * 91. Where appropriate, criminal and/or civil sanctions must be applied. Liability should extend to officers with command control where they have failed to exercise effective command and control. Where superior officers knew, or should have known, that law enforcement officials under their command resorted to the unlawful use of force or firearms, and they did not take all measures in their power to prevent, suppress or report such use, they should also be held responsible.
- * 94. In addition to guaranteeing accountability through judicial processes, States should implement additional levels of non-judicial oversight, including an effective internal investigations process and an independent oversight body. These systems should operate in addition to, and not as an alternative to, criminal, public and private legal remedies for police misconduct. The role of a dedicated civilian oversight body may be complemented by the work of the national human rights institution or ombudsman.
- * 95. In relation to remedy, the State shall provide reparation to victims for acts or omissions which can be attributed to the State and constitute gross violations of international human rights law or serious violations of international humanitarian law. Reparation should be proportional to the gravity of the violation and the harm suffered, and should include elements of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, as well as access to relevant information concerning violations and reparation mechanisms.

- **General Comment No. 36 on Article 6 of the ICCPR by Human Rights Committee**

- 12. Deprivation of life is, as a rule, arbitrary if it is inconsistent with international law or domestic law. A deprivation of life may, nevertheless, be authorized by domestic law and still be arbitrary. The notion of “arbitrariness” is not to be fully equated with “against the law”, but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability, and due process of law as well as elements of reasonableness, necessity, and proportionality. In order not to be qualified as arbitrary under article 6, the application of potentially lethal force by a private person acting in self-defense, or by another person coming to his or her defence, must be strictly necessary in view of the threat posed by the attacker; it must represent a method of last resort after other alternatives have been exhausted or deemed inadequate; the amount of force applied cannot exceed the amount strictly needed for

responding to the threat; the force applied must be carefully directed only against the attacker; and the threat responded to must involve imminent death or serious injury. The use of potentially lethal force for law enforcement purposes is an extreme measure, which should be resorted to only when strictly necessary in order to protect life or prevent serious injury from an imminent threat. It cannot be used, for example, in order to prevent the escape from custody of a suspected criminal or a convict who does not pose a serious and imminent threat to the lives or bodily integrity of others. The intentional taking of life by any means is permissible only if it is strictly necessary in order to protect life from an imminent threat.

- 13. States parties are expected to take all necessary measures intended to prevent arbitrary deprivations of life by their law enforcement officials, including soldiers charged with law enforcement missions. These measures include appropriate legislation controlling the use of lethal force by law enforcement officials, procedures designed to ensure that law enforcement actions are adequately planned in a manner consistent with the need to minimize the risk they pose to human life, mandatory reporting, review, and investigation of lethal incidents and other life-threatening incidents, and the supplying of forces responsible for crowd control with effective "less-lethal" means and adequate protective equipment in order to obviate their need to resort to lethal force. In particular, all operations of law enforcement officials should comply with relevant international standards, including the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169)(1979) and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), and law enforcement officials should undergo appropriate training designed to inculcate these standards so as to ensure, in all circumstances, the fullest respect for the right to life.
- 14. While preferable to more lethal weapons, States parties should ensure that "less lethal" weapons are subject to strict independent testing and evaluate and monitor the impact on the right to life of weapons such as electro-muscular disruption devices (Tasers), rubber or foam bullets, and other attenuating energy projectiles, which are designed for use or are actually used by law enforcement officials, including soldiers charged with law enforcement missions. The use of such weapons must be restricted to law enforcement officials who have undergone appropriate training, and must be strictly regulated in accordance with applicable international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Furthermore, such "less-lethal" weapons can only be employed, subject to strict requirements of necessity and proportionality, in situations in which other less harmful measures have proven to be, or clearly are ineffective to address the threat. States parties should not resort to "less-lethal" weapons in situations of crowd control which can be addressed through less harmful means, especially situations involving the exercise of the right to peaceful assembly.

- **General Comment No. 37 on Article 21 of the ICCPR**

6. Duties and powers of law enforcement agencies

- 85. The fundamental duty of any law enforcement agency involved in policing a peaceful assembly is to respect and ensure the exercise of the fundamental rights of the participants, while also taking reasonable measures to protect other members of the public, including journalists, monitors and observers, as well as public and private property, from harm.
- 86. Law enforcement agencies should as far as possible work towards establishing channels for communication and dialogue between the various parties involved in assemblies, before and during the assembly, aimed at ensuring predictability, de-escalating tensions and resolving disputes. While engaging in such contact is generally good practice, participants and organizers cannot be required to do so.
- 87. Where the presence of law enforcement officials is required, the policing of an assembly should be planned and conducted with the intention of enabling the assembly to take place as planned, and with a view to minimizing the potential for injury to any person and damage to property. A plan should be elaborated for the policing of each assembly for which the authorities have received notification in advance, or are otherwise informed about, and through which public order may be affected. The plan should detail the instruction, equipping and deployment of all relevant officials and units.
- 88. More generic contingency plans and training protocols should also be elaborated by relevant law enforcement agencies, in particular for the policing of assemblies for which the authorities are not notified in advance and which may affect public order. These include spontaneous assemblies and counter-assemblies. Clear command structures must exist to underpin accountability, as well as protocols for recording and documenting events, ensuring the identification of officers and reporting of any use of force.
- 89. Law enforcement officials, in carrying out their duties, are obliged, as far as possible, to apply non-violent means before resorting, when absolutely necessary, to the use of force. In any event, all use of force must comply with the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination applicable to articles 6 and 7 of the Covenant, and those using force must be accountable for each use of force.
- 90. Where it is lawful and required to arrest certain participants or to disperse an assembly, such actions must comply with international law and have a basis in the domestic law provisions on the permissible use of force. Domestic legal regimes on the use of force by law enforcement officials must be brought in line with the requirements posed by international law, where that is not already the case. Domestic law must not grant officials largely unrestricted powers, for example to use “force” or “all necessary force” to disperse assemblies, or to “shoot for the legs”. In particular, domestic law must not allow use of force against participants in an assembly on a wanton, excessive or a discriminatory basis.

- 91. Only the minimum force necessary may be used where this is required for a legitimate law enforcement purpose. Once the need for any use of force has passed, such as when a violent individual is safely apprehended during an assembly, no further resort to force is permissible. Law enforcement officials may not use greater force than is reasonably necessary under the circumstances for the dispersal of an assembly, prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders.
- 92. Wherever possible, only law enforcement officials who have been trained in the policing of assemblies should be deployed for that purpose. As a general rule, the military should not be used to police assemblies. The law enforcement officials responsible for policing assemblies should be suitably equipped, including where needed with appropriate less-lethal weapons and adequate personal protective equipment. States parties should ensure that all weapons, including less-lethal weapons, are subject to strict independent testing and should evaluate and monitor their impact on the rights to life and bodily integrity and the mental well-being of those affected.
- 93. Preventive detention of targeted individuals, in order to keep them from participating in assemblies, may constitute arbitrary deprivation of liberty, which is incompatible with the right of peaceful assembly. It may be done only in exceptional cases and where the authorities have actual knowledge of the intent of the individuals involved to engage in or incite acts of violence during a particular assembly, and where other measures to prevent violence from occurring will clearly be inadequate. Practices of indiscriminate mass arrest prior to, during or following an assembly, are arbitrary.
- 94. Powers of “stop and search” or “stop and frisk”, applied to those who participate in assemblies, or are about to do so, must be exercised based on evidence of a threat posed. Otherwise, they constitute an unwarranted interference with the right to privacy. They may not be used in a discriminatory manner. The mere fact that an individual is connected to a peaceful assembly does not constitute reasonable grounds for stopping and searching them.
- 95. Containment, sometimes referred to as “kettling”, where law enforcement officials encircle and close in a section of the demonstrators, may be used only where it is necessary and proportionate to do so, in order to prevent violence during an assembly. A legitimate aim is to facilitate the right of non-violent participants to continue to exercise their right of peaceful assembly. Necessary and targeted law enforcement measures taken against specific individuals are often preferable to containment. Particular care must be taken to contain, as far as possible, only people who could be linked directly to violence and to limit the duration of the containment to the minimum necessary. Where the tactic of containment is used indiscriminately or punitively, it violates the right of peaceful assembly, and may also violate other rights such as freedom from arbitrary detention and freedom of movement.
- 96. Only in exceptional cases may an assembly be dispersed. This may be the case if the assembly as such is no longer peaceful, or if there is clear evidence of an imminent threat of serious violence, but in all cases the rules on the use of force must be strictly followed. An assembly that remains peaceful but which nevertheless causes a high level of disruption, such as the extended blocking of traffic, may be dispersed, as a rule, only if the disruption is “serious and sustained”.

- 97. Where a decision is lawfully taken to disperse an assembly, force should be avoided. Where that is not possible in the circumstances, only the minimum force necessary should be used. As far as possible, any force used should be directed against a specific individual or group of participants in an assembly. Area weapons such as chemical irritants dispersed at a distance (tear gas) and water cannon tend to have indiscriminate effects. When such weapons are used, all reasonable efforts should be undertaken to limit risks such as causing harm to bystanders or causing a stampede. Tear gas should not be used in confined spaces.
- 98. Firearms are not an appropriate tool for the policing of assemblies. Firearms must never be used simply to disperse an assembly. In order to comply with international law, any use of firearms by law enforcement officials must be limited to targeted individuals in circumstances in which it is strictly necessary to confront an imminent threat of death or serious injury or, in truly exceptional circumstances, a grave and proximate threat to life. Given the threat such weapons pose to life, this minimum threshold should also be applied to the firing of rubber-coated or plastic bullets. It is never acceptable to fire indiscriminately into a crowd. Where law enforcement officials are prepared for the use of force, or violence is considered likely, the authorities must also ensure adequate medical facilities.
- 99. The use of unnecessary or disproportionate force may breach articles 7 and 9 of the Covenant and, where death results, may violate article 6. In an extreme case, widespread or systematic use of lethal force against participants in peaceful assemblies may constitute a crime against humanity.
- 100. The State is responsible under international law for the actions and omissions of its law enforcement agencies and should promote a culture of accountability for law enforcement officials during assemblies. To enhance effective accountability, uniformed law enforcement officers should always display a form of identification during assemblies.
- 101. There is a duty to investigate effectively, impartially and in a timely manner any allegation of unlawful use of force by law enforcement officials during or in connection with assemblies. Both intentional and negligent action or inaction can amount to a violation of human rights. Law enforcement agencies and individual officials must be held accountable for their actions and omissions under domestic and, where relevant, international law and effective remedies must be provided to victims.
- 102. All use of force by law enforcement officials should be recorded and reflected in a transparent report. Where injury occurs, the report should contain sufficient information to establish whether the use of force was necessary and proportionate, and set out the details of the incident, including: the surrounding circumstances; the decision-making processes; measures taken to avoid the use of force and to de-escalate the situation; the type and manner of force employed, including specific weaponry; the reasons for the use of force; its effectiveness; and the consequences.

- 103. Any deployment of plainclothes officers in assemblies must be reasonably necessary in the circumstances and such officers (or other State agents) must never incite violence on the part of other participants, for example, by acting as agents provocateurs.
- 104. Where private security service providers are used by the authorities for law enforcement tasks during an assembly, the State remains responsible for their actions. This is in addition to the accountability of the private security service providers under domestic and, as and where relevant, international law. States are obligated to regulate and control the actions of private security companies employed during assemblies in conformity with international law standards. In any event, the nature and consequences of acts by private security service providers in law enforcement should be clarified by the authorities in national legislation and their use of force strictly regulated.
- 105. The use of recording devices by law enforcement officials during assemblies, including through body-worn cameras, may play an important role in securing accountability. However, the authorities should have clear and publicly available guidelines to ensure that their use is consistent with international standards on privacy and does not have a chilling effect on participation in assemblies.

Appendix V: Related International LOLE and IHRL Documents

The Universal Declaration of Human Rights (UDHR), 1948

<https://www.un.org/en/universal-declaration-human-rights/>

International Covenant on Civil and Political Rights, 1976

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Code of Conduct for Law Enforcement Officials, 1976

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/LawEnforcementOfficials.aspx>

Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990

<https://www.ohchr.org/en/professionalinterest/pages/useofforceandfirearms.aspx>

International Human Rights Standards for Law Enforcement: A Pocket Book on Human Rights for the Police, 1997

<https://www.un.org/ruleoflaw/blog/document/international-human-rights-standards-for-law-enforcement-a-pocket-book-on-human-rights-for-the-police/>

UNHRC 12/16 of 2 October 2009 Resolution on Freedom of opinion and expression

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F12%2F16

UNHRC 15/21 of 30 September 2010 Resolution on the rights to freedom of peaceful assembly and of association

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F15%2F21

UNHRC 16/4 of 24 March 2011 Resolution on Freedom of opinion and expression: mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F16%2F4

General Comment No. 34 on Article 19 of the ICCPR

<https://bangkok.ohchr.org/programme/documents/general-comment-34.aspx>

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https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F19%2F35

UNHRC 21/12 of 27 September 2012 Resolution on Safety of journalists

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F21%2F12

UNHRC 22/6 of 21 March 2013 Resolution on Protecting human rights defenders

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F22%2F6

UNHRC 22/10 of 21 March 2013 Resolution on the promotion and protection of human rights in the context of peaceful protests

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F22%2F10

UNHRC 24/8 of 26 September 2013 Resolution on Equal political participation

<https://digitallibrary.un.org/record/762437>

UNHRC 24/21 of 27 September 2013 Resolution on Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment

https://ap.ohchr.org/documents/dpage_e.aspx?si=A%2FHRC%2FRES%2F24%2F21

Resolution adopted by the Human Rights Council on 11 April 2014 - The promotion and protection of human rights in the context of peaceful protests, A/HRC/RES/25/38

<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/RES/25/38&Lang=E>

Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (Protection of the right to life during law enforcement - the need for domestic law reform; Remotely piloted aircraft or armed drones and emerging autonomous weapons systems), 2014, A/HRC/26/36

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<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/RES/31/37&Lang=E>

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United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement (2019)

https://www.ohchr.org/Documents/HRBodies/CCPR/LLW_Guidance.pdf



Appendix VI: Related Local Laws

Basic Law of the Hong Kong Special Administrative Region

<https://www.basiclaw.gov.hk/en/basiclawtext/index.html>

Cap. 212 Offences against the Person Ordinance

<https://www.elegislation.gov.hk/hk/cap212>

Cap. 221 Criminal Procedure Ordinance

<https://www.elegislation.gov.hk/hk/cap221>

Cap. 228 Summary Offences Ordinance

<https://www.elegislation.gov.hk/hk/cap228>

Cap. 232 Police Force Ordinance

<https://www.elegislation.gov.hk/hk/cap232>

Cap. 241 Emergency Regulations Ordinance

<https://www.elegislation.gov.hk/hk/cap241>

Cap. 245 Public Order Ordinance

<https://www.elegislation.gov.hk/hk/cap245>

Cap. 383 Hong Kong Bill of Rights Ordinance

<https://www.elegislation.gov.hk/hk/cap383>

Cap. 604 Independent Police Complaints Council Ordinance

<https://www.elegislation.gov.hk/hk/cap604>

Appendix VII: Selected Literature

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Appendix VIII: Glossary

ACP	Assistant Commissioner
CBRN	Chemical, biological, radiological and nuclear
CP	Commissioner
CSP	Chief Superintendent
CID	Criminal Investigation Department
CIP	Chief Inspector
DCP	Deputy Commissioner
EU	Emergency Unit
HKPF	Hong Kong Police Force
HKI	Hong Kong Island Region
ICCPR	International Covenant on Civil and Political Rights
IP	Inspector
IPCC	Independent Police Complaints Council
KE	Kowloon East
KW	Kowloon West
NTN	New Territories North Region
NTS	New Territories South Region
RC	Regional Commander
RCCC	Regional Command and Control Centre
PC	Constable
PPRB	Police Public Relations Branch
PTU	Police Tactical Unit
SACP	Senior Assistant Commissioner
Sgt	Sergeant
SIP	Senior Inspector
SP	Superintendent
SSgt	Station Sergeant
SSP	Senior Superintendent
UNHRC	United Nations Human Rights Council

Epilogue



From retrospect, the course of the 2019-2020 Protests would have been different had the HKPF officers lived up to the image their propaganda colleagues created;

The leadership of the HKPF could have acted with a clear purpose instead of hiding behind self-pity that no one takes seriously;

From 2014, it could have been a period of rapprochement between the HKPF and the public rather than one about the police trying to defend its “dignity”;

The HKPF leadership could have used the past five years to update the Force in the understanding of latest development in international human rights and policing standards instead of imagining themselves as generals of a military force preparing to fight terrorism;

On 12 June 2019, it could have been a dispersal operation rather than a Cannae-style encirclement;

During the large-scale peaceful protests, it could have been gradual operations with minimum force used instead of tear gas and rubber bullets being fired into the unarmed crowd and mindless rushes by riot police;

The officers who drew and fired their revolvers at point blank range could have stayed from a distance and issued warnings instead of rushing in the middle of a crowd to play superhero;

The two officers who turned back at Yuen Long Station on 21 July could have exercised their power that their colleagues often abused;

The commander who ordered his subordinates to shoot at the head of the protesters at the CityU could have used common sense and could have followed the international standards;

The commanders could have exercised better control at the front to prevent disorderly rushes and senseless beatings of the arrested instead of surrendering to their subordinates who went amok;

The police associations could have stayed politically neutral instead of subscribing to a narrative that only fanned the fire;

The drivers of police vehicles could have exercised self-control and stop imagining they were fighting a war, instead of creating lasting scenes that no one in Hong Kong could ever forget;

The psychological support branch of the HKPF could have identify the real problems in culture of the HKPF and look at the cases of the abuses instead of pretending not to understand why the HKPF has become the single most hated organization in Hong Kong;

The PPRB could have admitted the mistakes committed by individual officers instead of childishly demanding the public to be grateful;

The officers who let go the pro-government Titushki and violent supporters could have acted fairly instead of using those people to channel their own anger;

The officers who mishandled their weapons could have simply followed their basic training instead of causing so many unnecessary injuries that could only taint the name of the HKPF forever;

The HKPF could have avoided stirring up public disgust and anger by not deploying undercover detectives in the middle of the protesters;

The HKPF could also helped maintain the rule of law by following legal procedures rather than help destroying it by gross violations such as planting weapons in the bags of the protesters;

The expatriate officers could have acted impartially instead of using the rhetoric of being the “last line of defence” as a defence for their own incompetence and negligence;

The frontline officers could have tried to understand the anger of the onlookers instead of provoking them and then accused them for being a threat;

The officers could have supported the work of the journalists, medics, and rescue personnel so that the HKPF would not be forever associated with breaches of international human rights standards;

As for the officers who pointed their weapons at unarmed citizens with a smile, stepping on arrested, and sitting on young students, however, little could be said about them; it was because of these people that international justice exists.

Notes

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- ¹² http://www.xinhuanet.com/2019-11/12/c_1125223895.htm
- ¹³ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, p. 5.
- ¹⁴ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, pp. 5-6.
- ¹⁵ Principle 1, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- ¹⁶ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, p. 7.
- ¹⁷ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, p. 8.
- ¹⁸ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, p. 9
- ¹⁹ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, A/HRC/26/36, Paragraph 75.
- ²⁰ Use of Force in Law Enforcement and the Right to Life: The Role of the Human Rights Council, p. 9
- ²¹ International Human Rights Standards for Law Enforcement: A Pocket Book on Human Rights for the Police (1997).
- ²² International Human Rights Standards for Law Enforcement (1997).
- ²³ The PRC voted against both resolutions, but they were carried by a simple majority.
- ²⁴ Paragraph 97 of UNHRC General Comment No. 37 on ICCPR Article 21.
- ²⁵ Lam Tze-Yan, “Exercise of force during duty causing injuries. Is there lawful trespass of the person?,” http://www.onc.hk/en_US/exercise-of-force-during-duty-causing-injuries-is-there-lawful-trespass-of-the-person-pdf-only/?utm_source=rss&utm_medium=rss&utm_campaign=exercise-of-force-during-duty-causing-injuries-is-there-lawful-trespass-of-the-person-pdf-only
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- ²⁷ Lam Tze-Yan, “Exercise of force during duty causing injuries. Is there lawful trespass of the person?,” http://www.onc.hk/en_US/exercise-of-force-during-duty-causing-injuries-is-there-lawful-trespass-of-the-person-pdf-only/?utm_source=rss&utm_medium=rss&utm_campaign=exercise-of-force-during-duty-causing-injuries-is-there-lawful-trespass-of-the-person-pdf-only
- ²⁸ <https://www.police.gov.hk/offbeat/1150/chi/index.html>
- ²⁹ <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/RES/25/38&Lang=E>
- ³⁰ <https://www.washingtonpost.com/graphics/2019/world/hong-kong-protests-excessive-force/>
- ³¹ CAP 245 Public Order Ordinance, Section 13 Regulation of public processions: <https://www.hklii.org/eng/hk/legis/ord/245/s13.html>
- ³² Public Order (Amendment) Ordinance 1995: <https://www.legco.gov.hk/yr00-01/english/panels/se/papers/ls21e.pdf>
- ³³ CAP 383 Hong Kong Bill of Rights, Section 8 Hong Kong Bill of Rights: <https://www.hklii.hk/eng/hk/legis/ord/383/s8.html>
- ³⁴ Public Order (Amendment) Ordinance 1995: <https://www.legco.gov.hk/yr00-01/english/panels/se/papers/ls21e.pdf>
- ³⁵ https://www.basiclaw.gov.hk/pda/en/basiclawtext/chapter_3.html

³⁶HKDM #10575 (https://tl.hkrev.info/police-timeline/?_sort_by=date_asc); another example would be #10578 (<https://bit.ly/2RbHS86>)

³⁷HKDM #11200 (multiple links: <https://bit.ly/2RC179X>)

³⁸HKDM #11958 (<https://tl.hkrev.info/portfolio/三名便服少女有戴口罩單行街無理被捕-總督察叫記者/>)

³⁹ <https://bit.ly/36fyO6D>

⁴⁰HKDM #2944 (<https://bit.ly/36cFjXU>); <https://nyti.ms/2NN5oWV>

⁴¹ <https://bit.ly/36eBktV>

⁴² <https://bit.ly/2NLD07s>

⁴³HKDM #5412 (<https://tl.hkrev.info/portfolio/剝奪市民集會結社自由/>)

⁴⁴HKDM #5424; #5403

⁴⁵HKDM #5464 (<https://www.facebook.com/hkpfviolence/videos/668239483645841/?v=668239483645841>); #5466 (<https://www.facebook.com/watch/?v=521483518420977>); <https://www.thestandnews.com/politics/傘運五周年-示威者佔夏慤道爆衝突-警清場後於多區巴士大搜捕/>); #8777 (<https://www.facebook.com/standnewshk/posts/2486173191468286>)

⁴⁶HKDM #6334 (<https://www2.hkej.com/instantnews/current/article/2229747/市民遊行抵荃灣公園後離開>; <https://news.rthk.hk/rthk/ch/component/k2/1476680-20190825.htm>; <https://hk.news.appledaily.com/local/daily/article/20190825/20755600>)

⁴⁷HKDM #12478 (<https://tl.hkrev.info/portfolio/遊行未開始-全港大搜查公路巴士/>)

⁴⁸HKDM #3545 (https://www.youtube.com/watch?v=IGtgar_VdWA; <https://news.mingpao.com/pns/要聞/article/20190806/s00001/1565030063437/>); #7681 (<https://news.now.com/home/local/player?newsId=363550>; <https://tl.hkrev.info/portfolio/屯門遊行開始一個鐘即舉藍旗/>)

⁴⁹HKDM #13325 (<https://bit.ly/3axWvKw>); #18361 (<https://bit.ly/30Mqvhp>)

⁵⁰ <https://www.hongkongfp.com/2019/07/04/writing-wall-understanding-messages-left-protesters-storming-hong-kong-legislature/>

⁵¹HKDM #4472 (<https://hk.news.appledaily.com/breaking/realtime/article/20190905/60011266>)

⁵²HKDM #4780 (<https://www.facebook.com/cuspcusp/videos/vb.503084439752305/506059989967044/>)

⁵³ <https://www2.hkej.com/instantnews/current/article/2285471/尖沙咀集會+警施放多輪催淚彈驅散民眾>

⁵⁴HKDM #15467 (<https://tl.hkrev.info/portfolio/濫權暴力驅散選舉聚會-無理要求兩分鐘疏散-暴力制/>)

⁵⁵HKDM #15397 (<https://tl.hkrev.info/portfolio/侮辱式被捕人士兩小時-在身體劃上記號-非禮女被捕/>)

⁵⁶HKDM #15462 (<https://tl.hkrev.info/portfolio/強迫不反集會解散-威脅武力驅散/>)

⁵⁷ <https://hk.news.appledaily.com/breaking/realtime/article/20191103/60225515>

⁵⁸ <https://hk.sports.appledaily.com/breaking/20191130/WICV7DMU4XDVK2CNYGO5WVTFHA/>

⁵⁹ <https://news.rthk.hk/rthk/en/component/k2/1494738-20191127.htm?fbclid=IwAR3aZIMITmEe687wGdgrMI1KQFGrxYSjoik5l-x-t-oOUFxtmpHp8ScOuk>

⁶⁰HKDM #24261 (<https://tl.hkrev.info/portfolio/警以暴製亂-向和平遊行人士施放催淚彈/>)

⁶¹ <https://news.rthk.hk/rthk/ch/component/k2/1495429-20191201.htm>

⁶² <https://news.rthk.hk/rthk/ch/component/k2/1495610-20191202.htm>

⁶³HKDM #25852 (<https://tl.hkrev.info/portfolio/警惡意堵塞過海交通-遊行前封西隧5行車線/>)

⁶⁴HKDM #25880 (<https://tl.hkrev.info/portfolio/民陣遊行警槍棍指嚇婆婆/>); #25899 (<https://bit.ly/2sGpCdA>); <https://hk.sports.appledaily.com/local/20191208/K2U6FWECLASSUH6X2JCKO36VC4/>

⁶⁵HKDM #25900 (<https://tl.hkrev.info/portfolio/失控防暴警大遊行多處挑釁記者/>); #25909 (<https://tl.hkrev.info/portfolio/警爆粗嘲人權觀察員「返美國」-手機拍攝並挑釁市/>)

⁶⁶HKDM #26215 (<https://tl.hkrev.info/portfolio/軍火案被捕抗爭者遭警私刑毆打迫供/>)

⁶⁷HKDM #26214 (<https://tl.hkrev.info/portfolio/胡椒球彈槍「行刑式」近距離掃射-旺角清場多人受/>)

⁶⁸ https://hk.on.cc/hk/bkn/cnt/news/20191220/bkn-20191220035116164-1220_00822_001.html?fbclid=IwAR3i_KJomKUcVaj29nhl09qV9CYE3sNGeuTA4TuofH7G0Gajsl-xdkfCLfo

⁶⁹HKDM #27912 (<https://tl.hkrev.info/portfolio/截查悼念周梓樂市民-騷擾祭祀活動/>)

⁷⁰HKDM #29890 (<https://tl.hkrev.info/portfolio/行人在行人路上叫口號-警指非法集結全被捕/>)

⁷²HKDM #31161 (<https://tl.hkrev.info/portfolio/警察公共關係科-轉載假文官恐嚇遊行主辦人不回應/>)

⁷³ <https://hk.news.appledaily.com/local/20200102/QVX5EYM2A7YDWMXQA2IO7IULJA/>; <http://bit.ly/3ayPZ6k>

⁷⁴A typical case: HKDM #4446 (<https://www.facebook.com/258006134228270/posts/3122653971096791?sfns=mo>)

⁷⁵HKDM #4760 (<https://www.youtube.com/watch?v=Y4R5YD7qxqY&feature=youtu.be>)

- ⁷⁶HKDM #3056 (<https://www.youtube.com/watch?v=a7dXh8sH6cA>; <https://youtu.be/sQk9mLw07WM>; <https://topick.hket.com/article/2375052/> 【包圍立法會】警方疑在金鐘港鐵站口放煙霧彈%E3%80%80市民%EF%BC%9A警方已不是正常人)
- ⁷⁷HKDM #4421 (<https://www.youtube.com/watch?v=UT5gpKc-KXU>; <https://www.youtube.com/watch?v=kkh2zMGjNr0>; <https://www.facebook.com/watch/?v=706829243073157>)
- ⁷⁸ <https://www.hkcnnews.com/article/22191/沙田衝突-新城市廣場-警察-22203/>
- ⁷⁹HKDM #4392 (<https://www.youtube.com/watch?v=FGcTEd8Wh4c>)
- ⁸⁰HKDM #4410 (<https://www.youtube.com/watch?v=EtUp7liXc-s>; <https://www.facebook.com/watch/?v=2255606601203891>; <https://www.facebook.com/RTHKVNEWS/posts/2728280057280033>)
- ⁸¹HKDM #18008 (<https://tl.hkrev.info/portfolio/警棍追打商場扶手電梯上市民險釀人踩人-情緒失控/>)
- ⁸²HKDM #4779 (<https://lihkg.com/thread/1505583/>; <https://tl.hkrev.info/portfolio/防暴警衝入商場扮捉人-走既時候笑住走-玩忽職守/>)
- ⁸³HKDM #5375 (<https://www.facebook.com/LostDutch/videos/1232159630319881/>)
- ⁸⁴HKDM #3717 (https://www.youtube.com/watch?v=p7_P41aviCc); #4445 (<https://www.facebook.com/standnewshk/photos/a.720050934747196/2416419985110274/?type=3&permPage=1>; <https://www.facebook.com/daisychuchu/videos/10157525603576948/>; <https://www.facebook.com/dadazim/videos/2456267521271614/>; <https://www.facebook.com/AndrewWanbulletin/videos/335019740546444>; <https://www.facebook.com/128807942654/posts/10157126426342655?sfns=mo>; <https://www.facebook.com/1432983410299343/posts/2371556533108688?sfns=mo>; <https://www.facebook.com/watch/?v=501084517103547>; <https://www.facebook.com/urrecord/posts/1353810041447916>; <https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10158012378307448>; <https://www.facebook.com/rthk31thisweek/videos/609364662925852/>); Realtime full length footage from multiple sources <https://www.youtube.com/watch?v=ten567KT16o>
- ⁸⁵HKDM #4823 (<https://news.rthk.hk/rthk/ch/component/k2/1478223-20190901.htm>; <https://www.facebook.com/standnewshk/photos/a.720050934747196/2421254137960192/?type=3&theater>; <https://www.facebook.com/watch/?v=613188142421811>)
- ⁸⁶HKDM #4928 (<https://www.facebook.com/watch/?v=494971074670481>; <https://www.facebook.com/lawlaydream/photos/a.625475004302516/1180464008803610/?type=3&permPage=1>; <https://www.facebook.com/hahahahamarco/posts/10162361892195230>)
- ⁸⁷HKDM #4829 (<https://www.facebook.com/icablenews/videos/vb.186040714921338/627367391125316/?type=2&theater>)
- ⁸⁸HKDM #7677 (<https://lihkg.com/thread/1594097>; <https://news.mingpao.com/ins/港聞/article/20190925/s00001/1569409113155/>)
- ⁸⁹ <https://news.rthk.hk/rthk/ch/component/k2/1479209-20190906.htm?spTabChangeable=0>
- ⁹⁰ <https://bit.ly/2RGONFk>; <https://bit.ly/2ReTffv>
- ⁹¹ <https://www.thenewslens.com/article/126859>
- ⁹²HKDM #21847 (<https://tl.hkrev.info/portfolio/佐敦狂放催淚彈引致人踩人/>); HKDM #25169 (multiple links: <https://tl.hkrev.info/portfolio/消防紀錄揭11-18人疊人66傷-警拖逾2小時才分流-逾半先送/>); #21864 (multiple links: <https://tl.hkrev.info/portfolio/開槍發射震撼彈-速龍小巴衝向人群致人踩人-警阻救/>); <https://www.hk01.com/01偵查/403296/11-18-油麻地人疊人-cctv曝光證警驅急救員-人堆後射胡椒劑>
- ⁹³HKDM #29440 (<https://tl.hkrev.info/portfolio/過百名便衣警於多個商場內集結挑釁市民-警棍瘋狂/>); #30752 (<https://tl.hkrev.info/portfolio/便衣警無故發難-亂棍打路過市民/>); #30733 (<https://tl.hkrev.info/portfolio/胡椒罐非法扑頭-警棍狂毆關節-兜頭噴椒-虐打被捕/>)
- ⁹⁴HKDM #29486 (<https://tl.hkrev.info/portfolio/防暴警商場內舉長槍指向市民/>); #29602 (<https://tl.hkrev.info/portfolio/大批防暴警持步槍強闖沙田希爾頓中心-保安阻止不/>)
- ⁹⁵HKDM #29488 (<https://tl.hkrev.info/portfolio/元朗yoho追捕青年致墜樓/>)
- ⁹⁶HKDM #3608 (<https://theinitium.com/article/20190824-whatsnew-hk-824-protest/>; <https://www.thestandnews.com/politics/黃大仙-中空彈-以-全軍軍化警察-避開戰爭罪行的荒謬/>; <https://lihkg.com/thread/1502125/page/1>)
- ⁹⁷HKDM #3121 (<https://www.thestandnews.com/politics/逾千人葵涌警署聲援被捕者-警一度驅趕-長槍瞄準市民/>; <https://www.hk01.com/突發/358221/728集會-多人包圍葵涌警署聲援被捕人士-警擊發彈槍指向人群>)
- ⁹⁸HKDM #3510 (<https://www.facebook.com/watch/?v=513448716072445>; <https://www.youtube.com/watch?v=f8GgupjMYJ8>)
- ⁹⁹HKDM #4483
- ¹⁰⁰HKDM #9962 (<https://www.hk01.com/社會新聞/381542/逃犯條例-警修訂武力指引-警棍由-中級武器-改屬低殺傷力>; <https://news.mingpao.com/pns/要聞/article/20191003/s00001/1570043057204/警棍橡膠彈水炮車同列低殺傷力-武力指引今年修訂-「致命攻擊」定義改/>; <https://www.thestandnews.com/politics/學術及國際標準-非實彈及催淚裝置屬中級武器-警察通例-非法例屬內部守則埋下-警警相衝-禍種/>)
- ¹⁰¹ <https://www.thestandnews.com/politics/黑色十一-盧偉聰-四個地點開六槍-拘捕至少180-人-涉暴動等罪/>
- ¹⁰²HKDM #9433 (<https://tl.hkrev.info/portfolio/防暴警鬧市開兩真槍/>; <https://www.facebook.com/watch/?v=401437670566285>)

103HKDM #9434 (multiple links: <https://tl.hkrev.info/portfolio/警員鬧市拔出手槍指向人群/>)

104HKDM #9435 (multiple links: <https://tl.hkrev.info/portfolio/防暴警近距離開真槍實彈謀殺抗爭者/>)

105HKDM #9483 (<https://www.facebook.com/watch/?v=273243563559179>; multiple links: <https://tl.hkrev.info/portfolio/防暴警開真槍-實彈平射槍殺抗爭者/>)

106HKDM #9926 (multiple links: <https://tl.hkrev.info/portfolio/休班警衝路障-鬧市持真槍威嚇/>)

107HKDM #18332 (multiple links: <https://tl.hkrev.info/portfolio/交通警右生命威脅開三發真槍-中槍學生昏迷仍遭警/>); #19230 (<https://tl.hkrev.info/portfolio/示威者被槍傷-警稱移動傷者警員不知其受傷/>)

108HKDM #18343 (<https://www.thestandnews.com/politics/同胞興奮-交通警實彈射倒少年-黃光頭警長-這才是國際標準-黃大仙警-開三槍少得滯/>; <https://www.facebook.com/hkcnews/videos/2789200604445508/>; <https://www.facebook.com/studioincendo/videos/2266577476966466/>; <https://www.facebook.com/watch/?v=429273844450984>)

109HKDM #8782 (<https://tl.hkrev.info/portfolio/防暴警橋上狙擊抗爭者-玩忽職守視開槍為玩樂遊戲/>)

110HKDM #3630 (https://www.youtube.com/watch?v=fa_wgTXI5dA; <https://www.facebook.com/watch/?v=365435474388231>; <https://www.hkcnews.com/article/23102/825荖灣衝突-警察開槍-向天開槍-23104/向天開槍>; <https://www.facebook.com/socrec/videos/657655694735292/>; <https://www.facebook.com/watch/?v=711627399308942>)

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112HKDM #12958 (<https://tl.hkrev.info/portfolio/全身裝備警再三於鬧市舉真槍/>); #18342 ([https://tl.hkrev.info/portfolio/便衣警地鐵站舉真槍指嚇市民\(東涌\)](https://tl.hkrev.info/portfolio/便衣警地鐵站舉真槍指嚇市民(東涌))); #18335 (<https://tl.hkrev.info/portfolio/沙田多名防暴警一同舉真槍/>); #18337 ([https://tl.hkrev.info/portfolio/防暴警拔槍指向市民\(葵芳\)](https://tl.hkrev.info/portfolio/防暴警拔槍指向市民(葵芳))); #19220 ([https://tl.hkrev.info/portfolio/兩便衣警舉真槍指嚇四周市民\(沙田\)](https://tl.hkrev.info/portfolio/兩便衣警舉真槍指嚇四周市民(沙田))); #19283 (<https://tl.hkrev.info/portfolio/葵涌邨休班警戴頭盔持木棍藤條-舉真槍/>)

113HKDM #20544 (<https://tl.hkrev.info/portfolio/電梯內噴椒棍毆-舉真槍指居民-威嚇記者熄機/>)

114HKDM #9050 (<https://www.gettyimages.hk/detail/新聞照片/hong-kong-police-escort-a-detained-protester-near-the-central-新聞照片/1171981039>; <https://tl.hkrev.info/portfolio/速龍利用已制服被捕者的屈曲身體作人肉盾牌-支撐/>); #20842 (<https://tl.hkrev.info/portfolio/將被捕男如人質挾持-邊用槍指嚇市民/>)

115HKDM #11600 (<https://tl.hkrev.info/portfolio/交通警一落警車立即舉真槍/>); #18333 ([https://tl.hkrev.info/portfolio/交通警舉真槍指嚇\(大圍\)](https://tl.hkrev.info/portfolio/交通警舉真槍指嚇(大圍)))

116HKDM #21859 (<https://tl.hkrev.info/portfolio/飛虎隊狙擊手於理大外伏擊學生/>); #21619 (<https://tl.hkrev.info/portfolio/防暴警向理大校園舉自動步槍真槍/>); #21835 (<https://tl.hkrev.info/portfolio/防暴警舉自動步槍-槍頭對準抗爭者/>)

117HKDM #21591 (<https://tl.hkrev.info/portfolio/警察首次開味警告使用致命武器/>)

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120HKDM #21782 ([https://tl.hkrev.info/portfolio/開三發真槍\(佐敦渡船街\)](https://tl.hkrev.info/portfolio/開三發真槍(佐敦渡船街)))

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126“Manual of Guidance on the Management, Command, and Deployment of Armed Officers,” 2011, p. 34

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210HKDM #18363 (<https://tl.hkrev.info/portfolio/催淚彈射上屋邨平台幼稚園/>)

211HKDM #18368 (<https://tl.hkrev.info/portfolio/催淚煙攻入老人院-職員及多名長者不適/>), #3380, #3079

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319HKDM #5465 (<https://news.now.com/home/local/player?newsId=351573>); #5488 (<https://www.youtube.com/watch?v=7ORvzSJ2OGI&feature=youtu.be>); #5509 (<http://cablenews.i-cable.com/ci/videopage/news/551099/>); <https://news.now.com/home/local/player?newsId=352747>); #5068 (<https://www.youtube.com/watch?v=P6dfVtDqMDY&feature=youtu.be&t=546>); #4767 (<http://passiontimes.hk/article/08-05-2019/54886>); #6862 (<https://youtu.be/Ip3w-0Iwszk>; <https://www.facebook.com/watch/?v=1010701245938223>); #7335 (<https://tl.hkrev.info/portfolio/null-3/>); #12750 (<https://tl.hkrev.info/portfolio/防暴警指罵拍照外籍途人fuck-off-拒出示委任證/>); #12706 (<https://tl.hkrev.info/portfolio/拒絕出示委任証及提供姓名-戲稱自己為fbi/>); #20636 (<http://bit.ly/3aFmIXU>)

320HKDM #5515 (<https://www.facebook.com/watch/?v=573837483023483>)

321 <https://www.thestandnews.com/politics/機動部隊背心無放委任證-警稱該位置-唔係要嚟放委任證/>

322 <https://www.hk01.com/突發/407090/警方記者會-推出行動呼號-警指無理要求出示委任證屬挑戰權力>

323 <https://news.mingpao.com/pns/要聞/article/20191006/s00001/1570298187322/>; <https://news.rthk.hk/rthk/ch/component/k2/1484487-20191005.htm>

324HKDM #13897 (<https://tl.hkrev.info/portfolio/警察記者會謊稱新識別白卡獨一無二/>); #15649 (<http://bit.ly/2ujd3Wg>)

³²⁵HKDM #30627 (<https://tl.hkrev.info/portfolio/至少四名聖誕節執勤警員-行動呼號卡上的編號一模/>)

³²⁶HKDM #5283 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10157984835042448/>); #13591 (<https://tl.hkrev.info/portfolio/蒙面警察執勤時故意配戴反轉的委任證及白紙/>)

³²⁷HKDM #4947; #11489 (<https://tl.hkrev.info/portfolio/防暴警於裝備上違例加上裝飾展示/>); #13592 (<https://tl.hkrev.info/portfolio/中國武警混入香港警察8/>); #13826 (<https://tl.hkrev.info/portfolio/警察制服上繡上不知名圖章-紀律部隊想擺咩就擺咩/>); #15488 (<https://tl.hkrev.info/portfolio/警員於執勤裝備上加上私人裝飾/>)

³²⁸HRC General comment No. 37, ICCPR Article 21: right of peaceful assembly

³²⁹HKDM #8559 (<http://bit.ly/2RCsUXR>)

³³⁰<http://bit.ly/37gYUY5>

³³¹<https://news.mingpao.com/ins/港聞/article/20191026/s00001/1572093965660/>

³³²HKDM #17850 (<https://tl.hkrev.info/portfolio/四警涉警署內輪姦被捕少女-警隱瞞律師立案投/>); <https://hk.news.appledaily.com/local/realtime/article/20191111/60252712>

³³³<https://hk.news.appledaily.com/local/realtime/article/20191111/60252712>; <https://news.rthk.hk/rthk/en/component/k2/1503524-20200118.htm?spTabChangeable=0>

³³⁴HKDM #19215 (<https://tl.hkrev.info/portfolio/港警向韓媒披露-稱至少2宗強姦示威者-721下令製無警/>)

³³⁵HKDM #4782 (<https://www.facebook.com/watch/?v=418059329063052>); #4368; #4457 (<https://www.facebook.com/watch/?v=419320218556284>); <https://www.youtube.com/watch?v=vm8MjyJ332Q>); #4431 (<https://hk.entertainment.appledaily.com/enews/realtime/article/20190915/60048443>); <https://ol.mingpao.com/ldy/showbiz/latest/20190915/1568556363786/>); #6441 (<https://www.facebook.com/hk.nextmedia/posts/10158081467537448>); <https://www.facebook.com/MetroDailyNews/photos/a.498643590565912/768931406870461/?type=3&permPage=1>); <https://www.facebook.com/inmediahk/photos/pcb.2439991782704512/2439989932704697/?type=3&theater>); #8860 (<https://hk.news.appledaily.com/local/daily/article/20190926/20775504>); <https://www.thestandnews.com/politics/防暴警凌晨太子拘捕多人-一青年被制服後仍遭警棍毆打/>); #12913 (<http://bit.ly/2GbnFZP>); #16550 (<https://tl.hkrev.info/portfolio/元朗截查少年被警恐嚇會變浮屍/>)

³³⁶HKDM #4272 (<https://www.facebook.com/appcitycrime/posts/1353830394766149>); #6442 (<https://hk.news.appledaily.com/local/realtime/article/20190921/60070336>); <https://www.facebook.com/akorcp/photos/a.1649560435297698/2419562481630819/?type=3&theater>)

³³⁷<https://news.mingpao.com/pns/要聞/article/20190910/s00001/1568054883152/>

³³⁸HKDM #4378 (<https://www.facebook.com/hkpfviolence/posts/2954846687921270>); <https://m.facebook.com/MasterOverPower/photos/a.2138144056514894/2326011014394863/>)

³³⁹HKDM #4263 (<https://www.facebook.com/watch/?v=2333696590210994>); #7675 (<https://www.youtube.com/watch?v=VN6OTs12Y&feature=youtu.be>); #10655 (<https://imgur.com/gallery/R2wvISE>); #11771 (<https://tl.hkrev.info/portfolio/被捕女士遭警摸胸/>); #17184 (<https://tl.hkrev.info/portfolio/性暴力制服女性/>); #23718 (<https://tl.hkrev.info/portfolio/中環集會爆警民衝突-女學生記者採訪遭防暴男警摑/>)

³⁴⁰HKDM #3008 (<https://hk.news.appledaily.com/local/realtime/article/20190626/59757122>); #4272 (<https://www.facebook.com/appcitycrime/posts/1353830394766149>); #8838 (<https://tl.hkrev.info/portfolio/女抗爭者被捕後遭警察扯爛衫露出內衣/>); #12883 (<https://tl.hkrev.info/portfolio/防暴警撫摸女被捕人臀部-傳媒聯絡警粗暴/>); #13841 (<https://tl.hkrev.info/portfolio/扯開女被捕人外衣-背部裸露/>)

³⁴¹HKDM #4350 (<https://bit.ly/2DU1hTy>); #5464 (<https://www.hkcnnews.com/article/22394/714沙田圍捕-非法集結-沙田百步梯-22413/非法集結>); <https://www.facebook.com/watch/?v=668239483645841>); #4285 (<https://tl.hkrev.info/portfolio/衝去壓倒手無寸鐵女性-騎住並胸襲濫補/>); #4400 (<https://hk.news.appledaily.com/breaking/realtime/article/20190729/59874738>); #4369 (<https://www.facebook.com/cpthcheng/posts/2916798645061001>); #7693 (<https://www.facebook.com/shatindistrict/posts/2859583964051956>); <https://www.facebook.com/1007740659/posts/10217778577308639/>); #4826 (<https://www.facebook.com/watch/?v=412570502723138>); <https://www.facebook.com/cityusedb/posts/1136793856511505>); <https://hk.news.appledaily.com/local/20190903/PPQEVKRIBNJCFRBU7VTRJQEYZQ/>); #4462 (<https://news.rthk.hk/rthk/ch/component/k2/1478615-20190903.htm>); <https://www.facebook.com/mudcow3/videos/1327283067429328/>); <https://www.facebook.com/watch/?v=2445559035503283>); <https://lih.kg/1533119>); #4363 (<https://www.facebook.com/watch/?v=419272275606974>); <https://www.thestandnews.com/politics/場面恐怖-旺角警署外男警身壓穿短褲女子-掩口不讓她叫自己名/>); #3740 (<https://www.facebook.com/watch/?v=2334549683307531>); #9399 (<https://www.facebook.com/watch/?v=884792105255324>); #15074 (<https://tl.hkrev.info/portfolio/衝前揮棍推倒外籍女子-性暴力制服/>); #14859 (<https://tl.hkrev.info/portfolio/性暴力對待女被捕者-下體磨頭無法呼吸-劈開腿扯高/>); #15651 (<https://tl.hkrev.info/portfolio/非禮女被捕人-性暴力對待/>); #16533 (<https://tl.hkrev.info/portfolio/女子遭男警性暴力毆打制服-失去意識不獲施救遭拖/>); #19265 (<https://tl.hkrev.info/portfolio/強闖香港仔中心大廈-暴力拉扯女居民頭髮/>); #20611 (<https://tl.hkrev.info/portfolio/葵涌郵防暴警無故威嚇女保安及暴力拘捕/>); #20542 (<https://tl.hkrev.info/portfolio/男警騎在被捕少女身上/>); #21316 (<https://tl.hkrev.info/portfolio/十警圍一女搜查-用過份武力推倒在地/>)

³⁴²HKDM #12877 (<https://news.mingpao.com/pns/要聞/article/20191024/s00001/1571853854812/>); #4323

³⁴³HKDM #11249 (<https://tl.hkrev.info/portfolio/警察以粗鐵鏈鎖押被捕求醫青年/>)

³⁴⁴HKDM #10896 (<https://tl.hkrev.info/portfolio/濫捕大肚婆-男警擅闖產房騷擾-大話連篇/>)

³⁴⁵HKDM #21823 (<https://tl.hkrev.info/portfolio/男防暴警衝入女廁搜捕-拉出如廁中女性/>)

³⁴⁶HKDM #31247 (<https://tl.hkrev.info/portfolio/十數警察搜查連儂牆-強迫貼海報孕婦蹲下令其毆/>)

³⁴⁷ <https://www.thestandnews.com/politics/關注婦女暴力協會-67-人反送中運動遭性暴-近半涉警及執法人員/>

³⁴⁸ <https://cn.nytimes.com/china/20190621/hong-kong-extradition-protests-christians/zh-hant/>

³⁴⁹HKDM #4761 (<https://www.facebook.com/RTHKVNEWS/videos/453050845272483/>)

³⁵⁰HKDM #6570.

³⁵¹HKDM #4900 (<https://www.facebook.com/watch/?v=2294146557503320>); #4934 (<https://www.facebook.com/watch/?v=2894623580611488>); #4909 (https://hk.on.cc/hk/bkn/cnt/news/20190805/bkn-20190805172332941-0805_00822_001.html); #6569 (<https://hk.news.appledaily.com/local/realtime/article/20190902/59999744>); #6563 (<https://www.youtube.com/watch?v=gA6VhKYNvcY>); #10041 (<https://www.youtube.com/watch?v=quG3lLgeVlQ>); #9757 (multiple links: <http://bit.ly/38spPAk>); #9688 (multiple links: <https://tl.hkrev.info/portfolio/速龍推跌立場記者/>); #9697 (multiple links: <https://tl.hkrev.info/portfolio/防暴強行暴力除脫記者豬嘴-胡椒噴霧指嚇/>); #14600 (<https://tl.hkrev.info/portfolio/警察侮辱得獎國際攝影師-教影相/>); #13593 (<https://tl.hkrev.info/portfolio/立場記者遭警員推撞跌倒-老屈有刀/>); #16552 (<http://bit.ly/2RckLdM>); #17092 (<https://tl.hkrev.info/portfolio/作惡累累警醫院搜記者身阻拍攝/>); #17921 (<https://tl.hkrev.info/portfolio/推開攝影機致直播中斷-推跌攝影助理/>); #20619 (<http://bit.ly/3awUChT>); #24281 (<https://tl.hkrev.info/portfolio/警阻記者採訪-照強光-遮鏡頭-掩記者口/>)

³⁵²HKDM #4922 (<https://www.facebook.com/hkcnews/videos/373390986892704/>); <https://www.hk01.com/突發/370248/8-31遊行-速龍斥記者-黑記-作故仔-強光照記者>; <https://www.facebook.com/watch/?v=2482134041844190>); HKDM #11958 (<https://tl.hkrev.info/portfolio/三名便服少女有戴口罩行街無理被捕-總督察叫記者/>); #12957 (<http://bit.ly/2tHcdmb>); #15073 (https://tl.hkrev.info/police-timeline/?sort_by=date_asc); #15398 (<https://tl.hkrev.info/portfolio/防暴警查問立場記者後-叫記者收皮/>); #16064 (<https://tl.hkrev.info/portfolio/暴力濫捕立場攝記-醫院鐵鏈鎖押-指罵黑記-無條件/>); #24473 (<http://bit.ly/2v2UCoW>); #29608 (<https://tl.hkrev.info/portfolio/防暴警清理路障時-蓄意將雜物踢向記者-玻璃瓶扔向/>); #29719 (<https://tl.hkrev.info/portfolio/防暴警指記者非法集結直斥甲由-拉開強閘麥當勞-拍/>); #30317 (<http://bit.ly/369Xa1n>); #30599 (<https://tl.hkrev.info/portfolio/針對立場記者-指罵黑記/>); 警向鏡頭展示《立場》記者身份證、毀電話 大律師：行為惡劣失職 涉盜竊刑事毀壞: <http://bit.ly/2NLRcgS>

³⁵³HKDM #23207 (<https://tl.hkrev.info/portfolio/一群失控警不斷侮辱及恐嚇理大記者/>)

³⁵⁴HKDM #4911 (<https://www.thestandnews.com/politics/睇片-指記者協助暴動-警察查記者身份證/>); <https://www.facebook.com/crhknews/videos/386018355240200/>; <https://news.mingpao.com/ins/港聞/article/20190729/s00001/1564379671378/>)

³⁵⁵HKDM #9486 (multiple links: <http://bit.ly/2uo69yJ>); #11785 (<https://tl.hkrev.info/portfolio/紀錄片導演遭警威嚇阻差辦公/>); #12749 (<https://tl.hkrev.info/portfolio/警署嗆咪威嚇記者阻差辦公/>)

³⁵⁶HKDM #4769 (<https://www.youtube.com/watch?v=K6HZYrXyutA>; [still photo] <https://www.facebook.com/HKPPA/photos/a.182315455170209/2164064256995309/?type=3&theater>); #4898 (<https://www.macaubusiness.com/macau-reporter-claims-to-have-been-attacked-by-hk-police-during-protest/>) HKDM 4899 (<https://www.youtube.com/watch?v=8qPtRZW0qxI>); #4901 (<https://www.youtube.com/watch?v=MUFspm7xvjo>; <https://www.thestandnews.com/politics/旺角清場期間不斷持長盾推記者-譚文豪-警察好似食咗藥咗/>); #4914 (<https://www.youtube.com/watch?v=M9QEJZ-MBRQ>; <https://www.youtube.com/watch?v=9WZhQjYuoVQ>; <https://youtu.be/bCLgijV3eg?t=57>; <https://www.facebook.com/watch/?v=891374204588624>); #4902 (https://www.881903.com/Page/ZH-TW/newsdetail.aspx?csid=261_341&itemid=1137204); #4906 (<https://www.thestandnews.com/politics/727-元朗-催淚彈射記者-刻意推開記者-攝影記者協會聲明-促政府檢視警權/>); <https://www.facebook.com/watch/?v=436797200505590>); #3162 (<https://www.facebook.com/RememberYourMum/posts/707841362983465>); #4905 (<http://bit.ly/2RdVa3V>); #4935 (<https://www.facebook.com/watch/?v=359980724924288>); #4913 (<https://www.facebook.com/watch/?v=898797103812177>); #4917 (<https://www.facebook.com/HKbadguys/photos/a.107721463913100/118507632834483/?type=3&theater>); #4918 (<https://www.facebook.com/RTHKVNEWS/videos/2927947800610702/>); #4426 (<https://news.rthk.hk/rthk/ch/component/k2/1476782-20190826.htm>); #4929 (<https://news.now.com/home/local/player?newsId=361419>; <https://news.mingpao.com/ins/港聞/article/20190903/s00001/1567500187984/>; <https://www.facebook.com/watch/?v=1326747547490949>); #4938 (<https://www.facebook.com/watch/?v=2297402017175853>); #7884 (<https://www.facebook.com/watch/?v=521811945330004>); #4941 (<https://www.facebook.com/cityusedb/videos/1105472876508710/?v=1105472876508710>); #4939 (<https://www.facebook.com/579827748716829/posts/2710336685665914?sfns=mo>); #4754 (<https://news.now.com/home/local/player?newsId=362866>; https://nextplus.nextmedia.com/article/2_694357_0); #4477 (<https://www.facebook.com/watch/?v=459625941295371>; <https://hk.news.appledaily.com/local/realtime/article/20190918/60057261>); #6340 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10158081152927448/?type=3&theater>; <https://www.facebook.com/standnewshk/posts/2468003043285301>; <https://www.facebook.com/hkucampstv/posts/2463282840407064>); #6827 (<https://www.facebook.com/cityusu.cbc/videos/445658076045037/>); #6857 (<https://www.facebook.com/watch/?v=1198810703654544>; <https://www.facebook.com/cityusedb/posts/1152095191648038>); #8839 (<https://www.facebook.com/watch/?v=377309119821180>); #7898 (<https://www.facebook.com/cityusedb/posts/1156778644513026>);

<https://www.facebook.com/zeparc/videos/10162239760055305/>); #8783 (<https://tl.hkrev.info/portfolio/多名記者遭警蓄意直射胡椒水劑/>); #9654 (<https://www.facebook.com/hk.nextmedia/videos/511810736046894?sfns=mo>; <https://hk.news.appledaily.com/local/realtime/article/20191001/60105607/>); #9684 (<https://tl.hkrev.info/portfolio/警方開槍-港台攝影師被橡膠子彈射傷右膝/>); #10880 (<https://www.facebook.com/watch/?v=468299350694084>); #10881 (<https://tl.hkrev.info/portfolio/防暴警強闖新港城-無視業權人阻止-拘捕保安-暴力/>); #12494 (<https://tl.hkrev.info/portfolio/情緒失控速龍長槍指嚇推撞記者/>); #12637 (<https://tl.hkrev.info/portfolio/朝記者開槍發射催淚彈-記者倒地被抬走/>); #12742 (<https://tl.hkrev.info/portfolio/再三蓄意向記者射染色水炮/>); #12733 (<https://tl.hkrev.info/portfolio/再朝記者投擲催淚彈-於記者頭上爆開/>); #12663 (<https://tl.hkrev.info/portfolio/水炮車再射記者/>); #13662 (<https://tl.hkrev.info/portfolio/防暴警向記者舉槍-槍頭對正鏡頭/>); #13840 (<https://tl.hkrev.info/portfolio/警方無舉旗下開槍-立場記者腿部中彈/>); #13824 (<https://tl.hkrev.info/portfolio/防暴警搜捕示威者不果-逐襲擊記者洩憤/>); #15036 (<https://tl.hkrev.info/portfolio/港台記者遭防暴警盾牌推撞及直射胡椒/>); #19369 (<https://tl.hkrev.info/portfolio/瞄準記者投擲催淚彈/>); #15528 (<https://tl.hkrev.info/portfolio/少年罵警即被捕-自創辱警罪-推撞記者再噴椒/>); #13680 (<https://tl.hkrev.info/portfolio/防暴警蓄意衝前迫打記者-粗口辱罵威嚇/>); #16063 (<https://tl.hkrev.info/portfolio/防暴警商場內噴胡椒偷襲記者/>); #16182 (<https://tl.hkrev.info/portfolio/撤退警以大枝裝胡椒噴霧噴向記者/>); #17804 (<https://tl.hkrev.info/portfolio/蓄意向記者發射催淚彈茶灣/>); #17881 (<http://bit.ly/2uhrpq2>); #17997 (<https://tl.hkrev.info/portfolio/防暴警車上有警示向行人天橋開槍發射催淚彈-擊中n/>); #18128 (<https://tl.hkrev.info/portfolio/水炮車胡亂射-射向載人巴士-射倒記者/>); #21817 (<https://tl.hkrev.info/portfolio/蓄意向記者噴射胡椒噴霧/>); #26518 (<https://tl.hkrev.info/portfolio/防暴手按記者鏡頭妨礙拍攝/>); #27038 (<https://tl.hkrev.info/portfolio/防暴警無警告下用盾牌推撞記者/>); #27217 (<https://tl.hkrev.info/portfolio/記者遭警棍狂毆後頸-拍攝記者同遭毆打/>); #21550 (<https://tl.hkrev.info/portfolio/打立場記者手-連扑鏡頭8下/>); #28848 (<https://tl.hkrev.info/portfolio/警屯門截查立場記者%e3%80%80搶槍手機開拍攝%e3%80%80扯爛記者/>); #29607 (<https://tl.hkrev.info/portfolio/警%ef%bc%9a聽到警察通例會作嘍-老屈記者穿假制服-指罵大/>)

³⁵⁷2019-07-29 Oriental Daily News; HKDM #4915 (<https://www.facebook.com/watch/?v=2308027369437548>; <https://www.facebook.com/nextmagazinefansclub/photos/a.124899627673989/1308293802667893/?type=3>; <https://www.thestandnews.com/politics/727-元朗-警方清場期間記者中彈社工被制服/>); #9683 (<https://www.thestandnews.com/politics/黑色十一-多名記者採訪受傷-有傳媒據報撤走部份記者/>); #17881 (<http://bit.ly/2uhrpq2>); HKDM #20900 (<https://tl.hkrev.info/portfolio/推撞記者-老屈襲警-近距離槍擊記者/>)

³⁵⁸HKDM #5416 (<https://www.thestandnews.com/politics/r-員佐級協會-記者逗留對峙區域忽視安全-嚴重阻礙警方工作/>)

³⁵⁹HKDM #10617 (multiple links: <https://tl.hkrev.info/portfolio/速龍暴力推撞美國記者-暴力除面罩/>)

³⁶⁰HKDM #9685 (<https://tl.hkrev.info/portfolio/身穿反光背心記者被警方鎖上手扣帶走/>)

³⁶¹HKDM #11769 (multiple links: <https://tl.hkrev.info/portfolio/now-新聞司機遭警開槍擊中-被拘捕後警署遭受私刑毆/>)

³⁶²HKDM #13851 (<https://tl.hkrev.info/portfolio/外籍記者要求警察出示委任證遭拒絕並被捕/>)

³⁶³HKDM #16064 (<https://tl.hkrev.info/portfolio/暴力濫捕立場攝影-醫院鐵鏈鎖押-指罵黑記-無條件/>)

³⁶⁴HKDM #30340 (<https://tl.hkrev.info/portfolio/截查記者-將記者身份證蓄意公開展示在直播鏡頭下/>); 警向鏡頭展示《立場》記者身份證、毀電話 大律師：行為惡劣失職 涉盜竊刑事毀壞: <http://bit.ly/2NLRcgS>

³⁶⁵ <https://twitter.com/ennolzen/status/1193423375403601920>

³⁶⁶ <https://today.line.me/hk/pc/article/據報逾+10+名烏克蘭人被拒入境%E3%80%80多次訪港記者被拒入境-r2XLvQ>

³⁶⁷HKDM #26822 (<https://tl.hkrev.info/portfolio/藍絲集會暴力推跌記者-不斷辱罵/>)

³⁶⁸HKDM #27219 (<https://tl.hkrev.info/portfolio/香港國際都會警察-呼喝外籍記者-no-english-呢度廣東話/>)

³⁶⁹HKDM #9827; HKDM #4919 (<https://www.facebook.com/watch/?v=2955953111098379>); #4878 (<https://www.facebook.com/EdUHKSUEB/videos/669716290188649/>; <https://www.facebook.com/EdUHKSUEB/posts/2583134935083460>); #11228 (<https://tl.hkrev.info/portfolio/防暴警擅闖私人大廈-校園記者遭警侮辱為黑記/>); #19281 (<http://bit.ly/2RA04Yd>); #20608 (<https://tl.hkrev.info/portfolio/辱罵學生記者非記者-亂講法律-憑空創造肖像權/>); #26006 (<https://tl.hkrev.info/portfolio/阻鏡頭-辱罵學生媒體為早自報-給甲白看/>)

³⁷⁰HKDM #22293 (<https://tl.hkrev.info/portfolio/十多名學生記者被控暴動-迫下跪反綁雙手6小時/>)

³⁷¹HKDM #4395 (<https://www.facebook.com/watch/?v=436797200505590>)

³⁷²HKDM #4454 (<https://www.thestandnews.com/politics/831-銅鑼灣-16-名被告全被控暴動罪-包括社工陳虹秀/>; <https://www.thestandnews.com/politics/屢在前線籲警方冷靜-社工陳虹秀被捕/>; <https://m.mingpao.com/ins/港聞/article/20190902/s00001/1567429340810/>; <https://www.hk01.com/社會新聞/370785/8-31遊行-社工陳虹秀被控暴動-社聯強烈憤怒-有欠公允/>); #19390 (<https://tl.hkrev.info/portfolio/防暴警拘捕女社工/>)

³⁷³HKDM #12451 (https://www.881903.com/Page/ZH-TW/newsdetail.aspx?ItemId=1148639&csid=261_341); HKDM #5430 (<https://www.facebook.com/watch/?v=405742406713152>); #4302 (https://m.facebook.com/story.php?story_fbid=2358200617627505&id=483780698831135; <http://hd.stheadline.com/news/realtime/hk/1565242/即時-港聞-逃犯條例-疑拍攝遭警阻止-城市花園社區主任仇栩欣被捕/>);

#4836; #10579 (<https://hk.news.appledaily.com/breaking/realtime/article/20191004/60119171>; https://www.facebook.com/andrew.kychiu/posts/10157883944832189?_tn=-R); #11635 (<https://tl.hkrev.info/portfolio/區議員執行職務與警理論-遭警威嚇告遊盪罪/>); #25093 (<https://tl.hkrev.info/portfolio/警員辱罵許議員為垃圾-毫無紀律無視上級吩咐/>)

³⁷⁴HKDM #25926 (<https://tl.hkrev.info/portfolio/防暴警粗口辱罵郭家麒議員及市民/>)

³⁷⁵HKDM #5404 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10158006668642448/?type=3&theater>)

³⁷⁶HKDM #22916 (<https://tl.hkrev.info/portfolio/質問為何清連儂牆-區選候選人遭警無理拘捕/>)

³⁷⁷HKDM #29720 (<https://tl.hkrev.info/portfolio/嘲笑候任區議員會考零分但叫錯名/>)

³⁷⁸ <https://www.hk01.com/政情/348227/專訪-梁耀忠阻示威者遭抱走-理解年輕人情緒-嘆衝擊令親者痛>

³⁷⁹HKDM #4790 (<https://www.facebook.com/RicePost.org/videos/410570182902778/>); #7755 (<https://www.facebook.com/shatindistrict/posts/2884929804850705>; <https://www.facebook.com/hkplanninginfo/posts/1151675628360696>)

³⁸⁰HKDM #19289 (<https://tl.hkrev.info/portfolio/蒙面警教記者拍攝-惡嚇市民小心被消失/>)

³⁸¹HKDM #5415 (<https://www.facebook.com/milkjojo/videos/10220884595650971/>)

³⁸²HKDM #6519 (<https://www.facebook.com/watch/?v=3132335373474989>)

³⁸³HKDM #18050 (<https://tl.hkrev.info/portfolio/理大學生校董遭警施出校門毆打-侮辱早由大學/>)

³⁸⁴HKDM #21812 (<https://tl.hkrev.info/portfolio/理大宿舍舍監被捕/>)

³⁸⁵HKDM #21727 (<https://tl.hkrev.info/portfolio/1118人權組織監察員遭濫捕-警署內遭種族歧視及性暴/>); <https://www.thetimes.co.uk/article/hong-kong-police-abusing-power-says-detainee-5rnn7jhjh?region=global>

³⁸⁶HKDM #25909 (<http://bit.ly/2upjZkr>)

³⁸⁷HKDM #4815 (<https://youtu.be/mT8SH2EJctk>); #18372 (<https://tl.hkrev.info/portfolio/地鐵站設封鎖線-禁止救護員入內急救/>)

³⁸⁸HKDM #7901 (<https://www.facebook.com/janet812/posts/10156652694730493>); #17277 (<https://tl.hkrev.info/portfolio/連續多輛警車拒讓救護車-險釀意外/>)

³⁸⁹HKDM #9589 (<https://www.facebook.com/watch/?v=434289340543484>); #9680 (<https://www.facebook.com/watch/?v=736329240143256>);

HKDM #13661 (<http://bit.ly/2Rgrwex>); #18339 (<https://tl.hkrev.info/portfolio/上水海綿彈射中青年右眼-防暴警阻救護靠近協助/>)

³⁹⁰HKDM #4825 (<https://hk.news.appledaily.com/local/realtime/article/20190726/59863695>); #17672 (<https://tl.hkrev.info/portfolio/防暴警指罵消防處救護員垃圾-要求處長撤換/>)

³⁹¹HKDM #4828 (<https://www.facebook.com/hkpfviolence/posts/2890651571007449>; <https://www.facebook.com/makeinterestingreading/>; https://www.facebook.com/UnitedSocialPress/posts/2662380110461572?hc_location=ufi); #21548 (<https://tl.hkrev.info/portfolio/急救員帶市民離開衝突現場-遭警舉長槍指嚇/>)

³⁹²HKDM #6327 (<https://www.inmediahk.net/node/1067372>; https://www.facebook.com/451516261637371/posts/2280228542099458/?substory_index=0; <https://www.facebook.com/715486135226112/posts/2822730371168334>; <https://www.facebook.com/710476795704610/posts/2466995763386029>); #6762 (<https://www.facebook.com/hk.nextmedia/posts/10158080229757448>; <https://www.facebook.com/cuspcusp/posts/2503774229683306>; <https://www.inmediahk.net/node/1067372>)

³⁹³HKDM #9481 (<https://www.facebook.com/cityusedb/videos/385328608828777/>)

³⁹⁴HKDM #5410 (<https://doctordaddysoccer.blogspot.com/2019/06/HA-AEIS.html?m=1>; <https://www.thestandnews.com/politics/接前線人員舉報-陳沛然-急症室電腦設-警方專用-版面-隨時獲病人資料/>; <https://www.thenewslens.com/article/120878>); #17280 (<https://tl.hkrev.info/portfolio/警察無視爆眼少女私隱取醫療報告-拒絕提交搜查令/>)

³⁹⁵HKDM #10042 (multiple links: <https://tl.hkrev.info/portfolio/持槍防暴警圍屯門醫院-等候拘捕中槍學生/>)

³⁹⁶HKDM #5411 (<http://cablenews.i-cable.com/ci/videopage/news/551394/即時新聞/警方取消在兩公院警崗派駐警員>)

³⁹⁷HKDM #4824 (<https://www.thestandnews.com/politics/包圍警總阻救援-ha-secrets-爆料稱-3-人送院後無求診即離開-斥將病人當公關手段/>); HKDM #4819 (<https://youtu.be/WNie0tPkpSw>; <https://news.mingpao.com/pns/要聞/article/20190623/s00001/1561227102320/>)

³⁹⁸HKDM #21783 (multiple links: <https://tl.hkrev.info/portfolio/索帶反綁拘捕醫生及急救員遭控暴動/>)

³⁹⁹ <https://hk.news.appledaily.com/local/realtime/article/20191220/60397304>

⁴⁰⁰HKDM #21742 (<https://tl.hkrev.info/portfolio/防暴警連續兩天於伊利沙伯醫院外瘋狂施放催淚彈/>)

⁴⁰¹HKDM #20573 (<https://tl.hkrev.info/portfolio/消防員清路障-遭警射催淚彈/>)

⁴⁰²HKDM #21706 (<https://tl.hkrev.info/portfolio/向救火中消防員和橋上記者發射催淚彈/>)

⁴⁰³ <https://hk.news.appledaily.com/local/realtime/article/20191220/60397304>

⁴⁰⁴HKDM #5348 (<https://www.thestandnews.com/politics/專訪-15歲女生撐警集會外被打斷鼻骨-十米外當值警員無阻止-疑放生施襲者/>); #5350 (<https://news.mingpao.com/pns/要聞/article/20190701/s00001/1561919304654/>); <https://www.facebook.com/watch/?t=3&v=2380053038720185>); #5349 (<https://hk.news.appledaily.com/local/realtime/article/20190715/59816161>); <https://www.facebook.com/hkpfviolence/videos/366191210762276/>); #5352 (<https://www.facebook.com/watch/?v=395701341292030>); #5351 (<https://www.youtube.com/watch?v=mt3NR2S7gQg>); <https://www.youtube.com/watch?v=mt3NR2S7gQg>); <https://www.hk01.com/社會新聞/346636/逃犯條例-撐警者襲反修例人士-爆粗擲泥吐口水-兩人眼部中招/>); #5372 (<https://hk.news.appledaily.com/local/daily/article/20190709/20723979>); #5353 (<https://hk.news.appledaily.com/breaking/realtime/article/20190711/59812442>); <https://www.hk01.com/突發/350636/逃犯條例-油塘連儂牆衝突-兩退休男被捕-一人為退休警察/>); #4924 (<https://lihkg.com/thread/1304891/page/1>); #8558 (<https://www.youtube.com/watch?v=4gtFt5IH4K0>); <https://hk.news.appledaily.com/local/daily/article/20190712/20727000>); <https://www.thestandnews.com/politics/九龍灣連儂牆撕-memo-中年漢-連環拳-襲擊兩人-青年中-13-拳不還手/>); <https://www.hk01.com/突發/350531/逃犯條例-九龍灣連儂牆義工遭連環拳毆頭-被捕男-你都幾硬淨/>); #5347 (<https://hk.news.appledaily.com/breaking/realtime/article/20190816/59932987>); #7108 (<https://www.facebook.com/watch/?v=1474998995973928>); #5379 (<https://www.thestandnews.com/politics/立場記者遇襲-油麻地果欄外被打-距數米警方無理會/>); #4428 (<https://www.thestandnews.com/politics/記協-警方無制服向記者施襲人士採訪環境日趨惡劣/>); <https://news.mingpao.com/pns/要聞/article/20190917/s00001/1568658358666/>); <https://www.facebook.com/watch/?v=513774889193717>); #4427 (<https://www.facebook.com/watch/?v=676400419508183>); <https://www.facebook.com/icablenews/videos/548277759249615/>); <https://www.facebook.com/watch/?v=396682177568625>); <https://www.facebook.com/cityusu.cbc/videos/1584173855041047/>); 9438 (<https://www.facebook.com/715486135226112/posts/2846836368757734?sfns=mo>); #20581 (<https://tl.hkrev.info/portfolio/屋邨斬人-高空掙水袋-防暴警方拒絕落案-送刀手去/>); #21592 (<https://tl.hkrev.info/portfolio/港大宿生被自稱和平清路障藍絲圍毆/>); #22205 (<https://tl.hkrev.info/portfolio/一群藍絲捉女學生入西鐵車廂圍毆/>); #30327 (<https://tl.hkrev.info/portfolio/藍絲非禮女性拍打記者鏡頭-警察護送離開/>)

⁴⁰⁵HKDM #5357 (<https://www.facebook.com/watch/?v=378491226114030>); <https://hk.news.appledaily.com/breaking/realtime/article/20190820/59950983>); <https://www.thestandnews.com/politics/將軍澳連儂牆斬人案-受傷女子為信報副刊記者/>); #5380 (<https://www.facebook.com/groups/295202647488775/permalink/1768984496777242/>); <https://www.facebook.com/watch/?v=1427662674049227>)

⁴⁰⁶HKDM #5371; #6022 (<https://m.mingpao.com/pns/要聞/article/20190922/s00001/1569088435940/>); #13556 (<https://tl.hkrev.info/portfolio/屯門公園賣淫大陸大媽拒向公職人員出示身份證明/>)

⁴⁰⁷HKDM #4430 (<https://www.thestandnews.com/politics/疑福建幫被捕時用警盾擋面-警-唔覺得有咩問題/>); <https://www.youtube.com/watch?v=iOfedKMqHQQ>; <https://news.rthk.hk/rthk/ch/component/k2/1480723-20190915.htm>); #12354 (<https://tl.hkrev.info/portfolio/大陸漢警署外持刀威嚇市吹-超過半小時沒有警員出/>)

⁴⁰⁸HKDM #5354 (<https://hk.news.appledaily.com/local/daily/article/20190801/20741170>); <https://www.facebook.com/hkpfviolence/photos/a.2787921037947170/2849715431767730/>); #5381 (<https://www.hk01.com/突發/369151/連儂牆-美孚男持棍打鬥-街坊索帶網綁制服-非法禁錮被捕/>); <https://hk.news.appledaily.com/breaking/realtime/article/20190829/59984837>; <https://news.mingpao.com/ins/港聞/article/20190829/s00001/1567083878369/>); #7697 (<https://lih.kg/1595899>); #8786 (<https://hk.news.appledaily.com/breaking/realtime/article/20190929/60096659>); <https://www.thestandnews.com/politics/睇片-中年漢粉嶺連儂牆釀爭執-圖將青年抱起拋下橋-警稱未接獲報案/>); #12274 (<https://tl.hkrev.info/portfolio/警方多條罪行控告青年-涉爭執藍絲逃之夭夭/>)

⁴⁰⁹HKDM #10584 (multiple links <https://tl.hkrev.info/portfolio/護旗的士蓄意高速衝上行人路撞人-警看守斷腳女傷/>)

⁴¹⁰HKDM #14716 (<https://tl.hkrev.info/portfolio/藍絲警署外非法集結戴口罩-防暴警走過無拘捕/>)

⁴¹¹HKDM #24521 (<https://tl.hkrev.info/portfolio/901藍絲持刀追斬市民-警方曾向其指暫不需自首/>)

⁴¹²HKDM #29650 (<https://tl.hkrev.info/portfolio/5名藍絲持械傷人逃至食店-警員查牌後離去-情侶受/>)

⁴¹³HKDM #30862 (<https://tl.hkrev.info/portfolio/警察恐嚇食店東數日後-有黑社會深夜到食店搗亂/>)

⁴¹⁴HKDM #4831

415HKDM #5479 (<https://www.youtube.com/watch?v=nXDvqNv8Gc>); #4451 (https://www.youtube.com/watch?v=Warw_vir-Js); #5393 (<https://www.thestandnews.com/politics/九龍灣截查九巴-乘客-警要求年輕人雙手放頭逾一小時-不從或告阻差辦公/>); <https://www.thestandnews.com/politics/那輛-42c/>; #4466 (<https://www.facebook.com/watch/?v=410524609604184>); #6516 (https://www.facebook.com/permalink.php?story_fbid=10157885428960016&id=27743445015); #4759 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10158054640742448/?type=1&theater>); <https://www.thestandnews.com/politics/中秋夜-警方紅磡拘捕多人/>; <https://m.mingpao.com/ins/港聞/article/20190913/s00001/1568379796847/>; #5067 (<https://www.facebook.com/watch/?v=488956238320484>); #9485 (multiple links: <https://tl.hkrev.info/portfolio/擅闖屋邨商場舉藍旗-拉郵民/>); #10052 (multiple links: <https://tl.hkrev.info/portfolio/防暴警暴力制服閒坐市民/>); #10597 (<http://bit.ly/30FnJuk>); #10787 (<https://tl.hkrev.info/portfolio/警察情緒失控-截查辱罵戴口罩人仕/>); #11960 (<https://tl.hkrev.info/portfolio/老屈無帶身份證違法-強行帶走女童去警署/>); #11626 (<https://tl.hkrev.info/portfolio/濫捕青年-母親追了解-女警稱差館見/>); #12254 (<https://tl.hkrev.info/portfolio/後生仔鯉魚門貼文官-防暴警如臨大敵/>); #29245 (<https://tl.hkrev.info/portfolio/多名年輕人遭面壁舉雙手搜身/>); #29865 (<http://bit.ly/2TJqwBm>)

416HKDM #4378 (<https://www.facebook.com/hkpfviolence/posts/2954846687921270>); <https://m.facebook.com/MasterOverPower/photos/a.2138144056514894/2326011014394863/>; #10654 (multiple links: <https://tl.hkrev.info/portfolio/濫捕閒坐青少年-命令除衫/>)

417HKDM #11516 (<https://tl.hkrev.info/portfolio/防暴警威嚇市民EF%BC%9A你知我過黎覆桌架/>)

418HKDM #4412 (<https://youtube.com/watch?v=Y05eAjXtdsk>); #7110 (https://www.youtube.com/watch?v=pcUOJ_H3ln0); <https://www.youtube.com/watch?v=5OZ3F5m52uc>; <https://www.hk01.com/政情/351622/光復上水-多警無委任證遭示威者圍困-揮警棍突圍釀衝突/>; #3566 (<https://www.facebook.com/watch/?v=215479076037712>); #9214 (<https://twitter.com/realkyleolbert/status/117822866565836800?s=21>); #10121 (<https://www.facebook.com/mingpaoinews/videos/925756647823055/>); #9686 (multiple links: https://tl.hkrev.info/police-timeline/?_sort_by=date_asc); #11201 (multiple links: <http://bit.ly/2TII6W7>)

419HKDM #15540 (<http://bit.ly/2TK2upV>)

420HKDM #15392 (<https://tl.hkrev.info/portfolio/司機播榮光遭暴力拉出車-防暴警擅自搜車/>)

421HKDM #24264 (<https://tl.hkrev.info/portfolio/防暴警推跌跪地老婦-老婦後腦着地/>)

422 <https://news.rthk.hk/rthk/en/component/k2/1495609-20191202.htm>

423HKDM #4444 (<https://www.facebook.com/standnewshk/posts/2303694809716126>); #4425 (<https://www.facebook.com/watch/?v=2453986478018717>); <https://hk.news.appledaily.com/local/realtime/article/20190825/59972960>; <https://youtu.be/uU217MWSWDg>); #4449 (<https://www.hk01.com/突發/370290/8-31遊行-旺角貨車疑遭防暴警撞毀後鏡-司機下車理論後被捕>); <https://www.facebook.com/258006134228270/posts/3122928797735975?sfns=mo>); #4453 (https://www.youtube.com/watch?v=C5XCXOBk2_I); #5400 (<https://www.facebook.com/watch/?ref=external&v=417338215568726>); <https://www.facebook.com/watch/?v=376824093000684>); #4460 (<https://hk.news.appledaily.com/breaking/realtime/article/20190904/60008298>); <https://www.facebook.com/orochi.ben.lam/videos/10157170406845199/>; <https://www.thestandnews.com/politics/你哋係唔係跌咗嘢-你哋個良心跌咗去邊/>; #6515 (<https://www.hkcnews.com/article/23393/98>); <https://www.youtube.com/watch?v=5JnGvimYsiw>; <https://www.facebook.com/watch/?v=678066029336514>); #6341 (<https://www.facebook.com/hkcnews/videos/627012427822706/>); [TVB originally filmed this but the footage was later taken down] #9045 (<http://cablenews.i-cable.com/ci/videopage/news/558229/>); #9687 (<https://hk.news.appledaily.com/local/realtime/article/20191001/60106034>); #9690 (<https://www.facebook.com/watch/?v=392779791327276>); #9484 (multiple links: <https://tl.hkrev.info/portfolio/防暴警噴椒推跌日籍女士/>); #10841 (<https://tl.hkrev.info/portfolio/擅闖天頌苑-截查母子-濫用暴力/>); #11349 (<https://tl.hkrev.info/portfolio/情緒失控指揮官-噴椒扇老母濫捕市民/>); #11775 (<https://tl.hkrev.info/portfolio/私家車遭橡膠子彈擊中-車上有一歲女嬰-車主與警理/>); #17613 (<http://bit.ly/38pmPoo>); #12955 (<https://tl.hkrev.info/portfolio/防暴警撲倒市民致頭破血流-警指扮野延誤送院/>); #14311 (<https://tl.hkrev.info/portfolio/1021被捕人-13歲被告遭暴力壓頭-沒有成年人陪同錄取/>); #15524 (<https://tl.hkrev.info/portfolio/自創辱警罪-中年男罵警遭噴椒拘捕/>); #15489 (<https://tl.hkrev.info/portfolio/自創辱警罪-少女罵警被綁手拘捕/>); #15528 (<https://tl.hkrev.info/portfolio/少年罵警即被捕-自創辱警罪-推撞記者再噴椒/>); #15648 (<http://bit.ly/30IkH1S>); #20654 (<https://tl.hkrev.info/portfolio/地鐵站製造混亂-激光射人-推開上班族致跌倒/>); #19200 (<https://tl.hkrev.info/portfolio/水炮車射藥房-店主遭警兜面開槍射胡椒球彈-女警疑/>); HKDM #19210 (<https://tl.hkrev.info/portfolio/火車站天橋向手無寸鐵兜面噴椒/>); #24333 (<https://tl.hkrev.info/portfolio/不忿市民離遠批評-上前亂噴胡椒噴霧/>); #27214 (<http://bit.ly/2NLN3JU>); #15554 (<https://tl.hkrev.info/portfolio/1104將軍澳被捕人遭老屈襲警-頭縫十針-匿名警醫報/>); #29487 (<https://tl.hkrev.info/portfolio/商場私人地方舉旗指市民非法集結/>); **【血染元朗】2路過少年突遭警膝壓地顏射椒 爆頭遺血泊**: <http://bit.ly/2tEvWTt>

424HKDM #5402 (<https://www.facebook.com/inmediahk/photos/a.321611837875861/2400287013341656/?type=3&permPage=1>)

425HKDM #10004 (multiple links: <http://bit.ly/38qnDte>)

426HKDM #4778 (<https://www.facebook.com/standnewshk/videos/2889651911076789/>); <https://www.youtube.com/watch?v=i-M5lArctIA>; <https://hk.news.appledaily.com/local/realtime/article/20190824/59969547>)

427HKDM #9696 (<https://www.youtube.com/watch?v=YMOSklQ2uM>); <https://www.thestandnews.com/politics/睇片-警署外射催淚彈-街坊頭破血流-防暴警爆粗喝罵-你住公屋有乜-嘢地位/>)

428HKDM #27215 (<https://tl.hkrev.info/portfolio/防暴警辱罵旺角居民-垃圾-一世住旺角/>)

429HKDM #11205 (<https://tl.hkrev.info/portfolio/總督察不受任何威脅下-鬧市群眾前拔出配槍/>)

430HKDM #5422 (<https://lihkg.com/thread/1501767/>; https://facebook.com/story.php?story_fbid=2387704514599906&id=200954406608272/; #5421 (<https://pt-br.facebook.com/hk.nextmedia/posts/10157989498472448/>; <https://www.facebook.com/hk.nextmedia/posts/10157991144602448/>); #5430 (<https://www.facebook.com/watch/?v=1119657594900458/>); #5383 (<https://www.facebook.com/standnewszhk/posts/2437547829664156/>; <https://www.facebook.com/groups/TaipoTaipo/permalink/10162393206845245/>); #13546 (<https://tl.hkrev.info/portfolio/元朗街坊被無理指控非法集結及辱罵/>); #14857 (<https://tl.hkrev.info/portfolio/強闖居屋大廈搜捕-命令居民跪低半小時搜身/>); #24967 (<https://tl.hkrev.info/portfolio/截查市民記者救護-一男子坐在街上就被捕/>); #30316 (<https://tl.hkrev.info/portfolio/鬧市向人群發射胡椒球彈-濫權截查大批市民命令跪/>)

431HKDM #4450 (<https://www.hk01.com/突發/372181/逃犯條例-警闖坑口安寧花園截查市民-七旬保安員勸退防暴警;> <https://www.facebook.com/watch/?v=1297032807131884/>); #4882 (<https://www.youtube.com/watch?v=9CipY9QjxkI&feature=youtu.be;> <https://www.youtube.com/watch?v=9cbK7C7guok/>); #6556 (<https://www.facebook.com/503084439752305/posts/2504235812970481/>; <https://www.facebook.com/2787894407949833/posts/2907172262688713/>); #6794 (<https://www.facebook.com/hkplanninginfo/posts/1156839167844342/>; <https://www.facebook.com/UnitedSocialPress/posts/2737213209644928/>); #7934 (<https://www.facebook.com/undergradnews/>); #7130 (<https://www.facebook.com/lihkg.forum/videos/2999024306805261/>); #12748 (<https://tl.hkrev.info/portfolio/速龍屈人老母-喝斥途人-小孩受驚/>); #13820 (<https://tl.hkrev.info/portfolio/兩名手持飲品的少女%e3%80%80遭警老屈公眾地方行為不檢/>); #14911 (<https://tl.hkrev.info/portfolio/瘋警向行人路上途人開槍掃射胡椒球彈-呼喝垃圾/>); #15553 (<http://bit.ly/2sO8HpD>); #15532 (<https://tl.hkrev.info/portfolio/排隊等小巴被老屈非法集結/>); #15512 (<https://tl.hkrev.info/portfolio/無故毆打離開地鐵站乘客-多次噴椒/>); #16556 (<https://tl.hkrev.info/portfolio/警車逆線行駛-防暴警指罵威嚇守法司機/>); #16507 (<https://tl.hkrev.info/portfolio/擅闖荷里活廣場-指罵恐嚇市民/>); #17989 (<http://bit.ly/2RcXdVW>); #18064 (<https://tl.hkrev.info/portfolio/無辜市民離開商場-一轉身右肩即中胡椒球彈/>); #18014 (<https://tl.hkrev.info/portfolio/濫權封閉商場-多次噴椒開胡椒球槍射向市民/>); #18104 (<https://tl.hkrev.info/portfolio/警擒圍欄闖天水圍景湖居搜捕-警棍毆打推跌居民頭/>); #18425 (<http://bit.ly/3ay7R14>); #17849 (<https://tl.hkrev.info/portfolio/無故辱罵候車乘客破壞社會安寧/>; https://www.facebook.com/lihkg.forum/videos/539443829941017/?hc_location=ufi); #27211 (<https://tl.hkrev.info/portfolio/速龍無故推跌一名女士後逃逸/>); #30317 (<http://bit.ly/369Xa1n>); #30597 (<https://tl.hkrev.info/portfolio/蒙面番裝警商場內指嚇要市民跳樓/>); #30598 (<http://bit.ly/3aw08Rm>); #31304 (<https://tl.hkrev.info/portfolio/旺角等過馬路遭警老屈非法集結/>); #31867 (<https://tl.hkrev.info/portfolio/懶理指揮官指示-警員喝罵排隊食客/>)

432HKDM #29212 (<https://tl.hkrev.info/portfolio/一名督察以警棍粗暴推倒手無寸鐵中年漢/>)

433HKDM #7754 (<https://www.facebook.com/watch/?v=972637193072999>)

434HKDM #10586 (<http://bit.ly/2TII6W7>)

435HKDM #15328 (<https://www.facebook.com/watch/?v=795189740919956>)

436HKDM #10881 (<https://tl.hkrev.info/portfolio/防暴警強闖新港城-無視業權人阻止-拘捕保安-暴力/>); #19029 (<https://tl.hkrev.info/portfolio/強闖屯門大廈恐嚇保安/>)

437HKDM #18058 (<https://tl.hkrev.info/portfolio/爆門闖入麥當勞-拘捕經理-全部食客搜身/>)

438HKDM #5392 (<https://hk.news.appledaily.com/local/realtime/article/20190826/59973322;> <https://hk.news.appledaily.com/breaking/realtime/article/20190825/59972755/>); #5405 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10157997203257448/?type=3&permPage=1>)

439HKDM #7900 ([https://news.mingpao.com/pns/要聞/article/20190930/s00001/1569782634848/;](https://news.mingpao.com/pns/要聞/article/20190930/s00001/1569782634848/) [https://news.mingpao.com/ins/港聞/article/20191003/s00001/1570097182483/;](https://news.mingpao.com/ins/港聞/article/20191003/s00001/1570097182483/) [https://hk.news.appledaily.com/local/realtime/article/20191003/60111595/;](https://hk.news.appledaily.com/local/realtime/article/20191003/60111595/) [https://hk.news.appledaily.com/local/daily/article/20190905/20762564/;](https://hk.news.appledaily.com/local/daily/article/20190905/20762564/) <https://www.hk01.com/社會新聞/375054/警為未滿16歲被捕人士申保護令-社工促社署設法倒塞漏洞;> <https://www.hk01.com/社會新聞/381881/警方濫用兒童保護令-團體轟無理關押-呈個案擬向聯合國-告狀>)

440HKDM #5431 ([https://www.facebook.com/factwire/videos/697676813990581/;](https://www.facebook.com/factwire/videos/697676813990581/) <https://www.hknews.com/article/22729/方仲賢-激光電筒-鏽射-22732/浸大學生會>)

441HKDM #4774 (<https://www.hk01.com/社會新聞/364925/逃犯條例-警方fb播馬鞍山警署dj式警告-勸誡勿失25年光陰>)

442HKDM #4775 (<https://hk.news.appledaily.com/local/realtime/article/20190815/59935594;> [https://www.thestandnews.com/politics/8-14-深水埗警員揚聲器大叫-收啦-警-合適語言溝通-無特定規範/;](https://www.thestandnews.com/politics/8-14-深水埗警員揚聲器大叫-收啦-警-合適語言溝通-無特定規範/) <https://www.facebook.com/steven.lau3/videos/10156822638578773/>); #21851 (<https://tl.hkrev.info/portfolio/叫咪女警違規使用揚聲器-挑釁抗爭者煽動暴力/>)

443 <https://www.thestandnews.com/politics/8-14-深水埗警員揚聲器大叫-收啦-警-合適語言溝通-無特定規範/>

444HKDM #5396 (<https://www.facebook.com/100006513602358/videos/2660947727465655/>); #7694 (<https://lih.kg/1530140>)

445HKDM #4464 (<https://hk.news.appledaily.com/breaking/realtime/article/20190903/60003650;> [https://www.thestandnews.com/politics/大埔何郭佩珍中學學生罷課-警員到場撲倒學生-學生受傷送院/;](https://www.thestandnews.com/politics/大埔何郭佩珍中學學生罷課-警員到場撲倒學生-學生受傷送院/) <https://www.facebook.com/watch/?v=927668977596331>)

446HKDM #17866 (<https://hk.news.appledaily.com/breaking/realtime/article/20191112/60256837>); HKDM #19286 (<http://bit.ly/2G877Sw>); #19275 (<https://tl.hkrev.info/portfolio/港鐵站內多名中學生遭一字排開截查及指罵/>)

447HKDM #22049 (<https://tl.hkrev.info/portfolio/復課第一日-西鐵站截查一排學生/>)

448HKDM #28183 (<https://tl.hkrev.info/portfolio/中學陸運會-大批防暴警到場搜查/>)

449HKDM #10590 (multiple links: <https://tl.hkrev.info/portfolio/防暴警擅闖中大校園-隨意截查學生-阻礙拍攝/>); #10587 (<https://tl.hkrev.info/portfolio/防暴警擅闖浸大校園搜捕學生/>)

450HKDM #13858 (<https://tl.hkrev.info/portfolio/過百警駐守大專校園外-舉槍指嚇挑釁學生/>)

451HKDM#17091 (<https://tl.hkrev.info/portfolio/禁止大學生回校上課-自創辱警罪/>); #17828 (<https://tl.hkrev.info/portfolio/防暴警挑釁學生校董-強光照射訪客及學生/>); #18234 (<https://tl.hkrev.info/portfolio/防暴警強闖港大宿舍-近距離向學生舉槍噴椒/>)

452HKDM #19282 (<http://bit.ly/2Gb3Lli>); #29607 (<https://tl.hkrev.info/portfolio/警%ef%bc%9a聽到警察通例會作嘔-老屈記者穿假制服-指罵大/>)

453HKDM #28651 (<https://tl.hkrev.info/portfolio/數名防暴警遊樂場拘捕小朋友/>)

454HKDM #8942 (<https://tl.hkrev.info/portfolio/速龍威嚇欺凌自閉人士/>)

455HKDM #11763 (<https://tl.hkrev.info/portfolio/通宵拘留中度智障男-禁見社工謊稱事主後腦右傷/>)

456HKDM #12960 (<http://bit.ly/2G8AunB>)

457HKDM #30736 (<https://tl.hkrev.info/portfolio/防暴警商場內推倒失明女律師/>)

458HKDM #15646 (<http://bit.ly/2NKezY4>)

459HKDM #16543 (<https://tl.hkrev.info/portfolio/無知警質疑戴口罩患癌病人醫生紙真偽/>)

460HKDM #18059 (<http://bit.ly/3awOIwP>)

461HKDM #12743 (<https://tl.hkrev.info/portfolio/警種族歧視外藉男-目擊市民遭胡椒噴霧攻擊/>); #22294 (<https://tl.hkrev.info/portfolio/濫捕兩名德國學生-警棍威嚇/>); #20543 (<https://tl.hkrev.info/portfolio/防暴警察無理截查一家大細外國遊客/>)

462HKDM #22294 (<https://tl.hkrev.info/portfolio/濫捕兩名德國學生-警棍威嚇/>)

463HKDM #22053 (<https://tl.hkrev.info/portfolio/日籍學生以暴動罪名被捕-遭警毆打/>)

464HKDM #4489 (<https://www.facebook.com/photo.php?fbid=10218223429713613>; <https://www.thestandnews.com/politics/818-集會-黑衣人與警現身海富天橋-警方-昨日無派出喬裝示威者/>; <https://www.facebook.com/hk.nextmedia/posts/10157965536597448>)

465HKDM #4478 (<https://tl.hkrev.info/portfolio/警察全身抗爭者裝備混入拉人/>)

466HKDM #4479 (<http://bit.ly/2RzUZ25>)

467HKDM #4478 (<https://www.facebook.com/watch/?v=2390645441024134>; <https://www.thestandnews.com/politics/8-11-銅鑼灣-戴口罩黑衣人-喬裝示威者-揮警棍毆打拘捕多人/>; <https://www.facebook.com/RTHKVNEWS/posts/2729612020480170>)

468HKDM #3695 (<https://www.facebook.com/watch/?v=368752920734436>; <https://www.facebook.com/watch/?v=1326285747548655>; <https://www.facebook.com/standnewshk/posts/2416547431764196>; <https://www.facebook.com/watch/?v=919922791715411>)

469HKDM #3704 (<https://www.facebook.com/watch/?v=368752920734436>; <https://www.facebook.com/watch/?v=1326285747548655>; <https://www.facebook.com/standnewshk/posts/2416547431764196>; <https://www.thestandnews.com/politics/警員再扮示威者進行拘捕-多次開槍擲物-拒答是否警察/>; <https://www.hknews.com/article/23251/831警察太子站打人-警察扮示威者-逃犯條例-23251/香港警察>)

470HKDM #4926 (<https://www.facebook.com/watch/?v=368752920734436>; <https://www.facebook.com/watch/?v=455417988378837>)

471HKDM #6513; #3550 (<https://tl.hkrev.info/portfolio/女警假扮抗爭者/>); #7892 (<https://www.facebook.com/1422203927/posts/10221128523549016/>)

472HKDM #8785 (multiple links to image and video found here: <https://tl.hkrev.info/portfolio/持警棍臥底警察-鬧市開真槍/>)

473HKDM #11434 (multiple links: <https://tl.hkrev.info/portfolio/便衣警無出示委任證-指揮蒙面人士圍毆襲擊市民/>)

474HKDM #3686 (<http://bit.ly/37eK1z>)

475HKDM #8796 (multiple links here: <http://bit.ly/37fwLk7>)

476HKDM #11231 (<http://bit.ly/2tEO1Rd>)

477HKDM #17994 (<https://tl.hkrev.info/portfolio/黃埔再現喬裝示威者-拘捕至少五名市民/>)

478HKDM #26820 (<https://tl.hkrev.info/portfolio/新都會廣場現疑似便衣警-拒絕回應記者或出示委任/>)

479HKDM #27017 (<https://tl.hkrev.info/portfolio/多名疑似喬裝警商場襲擊市民-行山杖恐嚇記者-逃至/>)

480HKDM #28650 (<https://tl.hkrev.info/portfolio/數十蒙面喬裝警商場內巡遊挑釁-保安表示沒有報警/>); #28728 (<https://tl.hkrev.info/portfolio/蒙面喬裝警商場挑釁市民-疑似拔真槍威嚇後逃走/>)

481HKDM #28669 (<https://tl.hkrev.info/portfolio/蒙面便衣警手指玩弄截查市民面部-扯口罩不准插袋/>)

482HKDM #4488 (<https://hk.news.appledaily.com/breaking/realtime/article/20190826/59973530>)

483HKDM #4792 (<https://www.facebook.com/watch/?v=482729872580006>)

484HKDM #9045 (<http://cablenews.i-cable.com/ci/videopage/news/558229/即時新聞/男子指罵警察後被多名防暴警制服>)

485HKDM #11754 (<https://tl.hkrev.info/portfolio/警察利用偽裝政府車輛運送速龍/>)

486HKDM #30338 (<https://tl.hkrev.info/portfolio/警察拘捕毫無準則-防暴警捉錯便衣警/>)

487 HKDM #11863 (<https://tl.hkrev.info/portfolio/便衣警私刑暴力毆打被制服市民/>)

488For information about the 21 July attack, please see <https://www.nytimes.com/video/world/asia/10000006624535/hong-kong-protest-police-triad-investigation.html?playlistId=10000005638006>; <https://news.now.com/home/hot/player?newsId=356367&hot=1>; Full length documentary of the event (in Cantonese): https://m.facebook.com/story.php?story_fbid=429559897644836&id=249783961737360&_rdr

489 HKDM #5390.

490 <https://www.thestandnews.com/politics/李家超-721-濫用-999-情況嚴重-警車三巡無異樣-林卓廷-終極垃圾回應/>; <https://www.facebook.com/hk.nextmedia/posts/10158254953502448/>

491 <https://www.hknews.com/article/22370/元朗打人-警察-逃犯條例-22370/元朗恐襲獨立調查報告>; <https://www.thestandnews.com/politics/元朗襲擊-回應軍裝調頭走-警方-就算差人預住槍都會畀人打得好緊要/>; <https://www.hk01.com/政情/354646/元朗黑夜-警方-全部衝鋒車已出動-只能派兩人到港鐵站處理>.

492HKDM #5340 (https://www.youtube.com/watch?time_continue=38&v=fEkwTKxAvIo&feature=emb_logo)

493 <https://www.hknews.com/article/22370/元朗打人-警察-逃犯條例-22370/元朗恐襲獨立調查報告>

494 <https://www.hknews.com/article/22370/元朗打人-警察-逃犯條例-22370/元朗恐襲獨立調查報告>

495HKDM #4764 (<https://www.youtube.com/watch?v=fDFxwtwnAJQ>)

496 <https://www.hknews.com/article/22370/元朗打人-警察-逃犯條例-22370/元朗恐襲獨立調查報告>

497HKDM #5340 (<https://www.youtube.com/watch?v=16CiwPChpr0>; <https://www.facebook.com/now.comNews/videos/2852461808116213/>)

498HKDM #5342 (<https://youtu.be/M7jxaxBzz8U>)

499HKDM #5456 (<https://tl.hkrev.info/portfolio/違反通例匿名表達意見-支持黑社會/>)

500 <https://hk.news.appledaily.com/local/realtime/article/20190722/59849252>

501HKDM 31160 (<https://tl.hkrev.info/portfolio/721元朗恐襲-高級警司歪曲事實-老屈受襲居民為入元/>)

502HKDM #23655 (<https://hk.news.appledaily.com/breaking/realtime/article/20191021/60175740>)

503HKDM #5368 (<https://www.youtube.com/watch?v=obCMtz2VfZA>; <https://www.youtube.com/watch?v=W8wyPhtbKqo>; <https://hk.news.appledaily.com/local/20190731/CXFLZC54AWS3C6Q6I2AFBCAMW4/>)

504HKDM #5363 (<https://www.facebook.com/watch/?v=2236043166707030>; <https://news.mingpao.com/pns/要聞/article/20190806/s00001/1565030060504/>; <https://www.facebook.com/watch/?v=488141241951513>)

505 <https://news.mingpao.com/pns/經濟/article/20191111/s00004/1573410878951/>

506HKDM #5347 (<https://www.youtube.com/watch?v=LRiIrEVRz5w>; <https://hk.news.appledaily.com/breaking/realtime/article/20190816/59932987>)

507HKDM #5344

508HKDM #5356

509HKDM #5361 (<https://www.hk01.com/18區新聞/367819/825荃葵青遊行-白衣人藍衣人再出沒-荃灣沙咀道有大量鐵通>; <https://www.youtube.com/watch?v=kkSathN5kHU>)

510HKDM #4945

511HKDM #5366 (<https://news.mingpao.com/pns/要聞/article/20190812/s00001/1565551357565/>)

512HKDM #5365 (<https://www.facebook.com/watch/?v=461394327752128>; <https://www.thestandnews.com/politics/8-11-北角-港台記者富臨皇宮外遭藍衣漢拍打臉部-附近有警員駐守/>; <http://bit.ly/36inPZT>; <https://www.facebook.com/watch/?v=2353824721373337>); #5345 (<https://www.facebook.com/watch/?v=524825361391537>; <https://www.facebook.com/watch/?v=485442695357986>); #5367 (<https://news.mingpao.com/pns/要聞/article/20190812/s00001/1565551357565/>; <https://www.thestandnews.com/politics/8-11-北角-黑衫青年行經富臨皇宮被五漢圍毆-立場記者被指嚇搶腳架-港台記者遇襲-在場警員無拉人/>)

513HKDM #5374 (<https://hk.news.appledaily.com/local/realtime/article/20190901/59996335>; <https://www.youtube.com/watch?v=IHE05KISVyw>)

514HKDM #5376

515HKDM #5377 (<https://www.facebook.com/watch/?v=2959846680751997>; <https://hk.news.appledaily.com/local/realtime/article/20190903/60002851>; <https://www.facebook.com/RTHKVNEWS/posts/2784114065029965>)

516HKDM #5738 (<https://www.facebook.com/watch/?v=430507057582091>; <https://hk.news.appledaily.com/breaking/realtime/article/20190914/60044035>); #5814 (<https://www.facebook.com/watch/?v=544509626088864>; <https://www.facebook.com/hkplanninginfo/posts/1151666568361602>)

517HKDM #6028 (<http://bit.ly/30Ijfy9>; <https://www.facebook.com/watch/?v=912741845778680>; https://www.facebook.com/standnewshk/posts/2450828695002736?_tn_=H-R; <https://www.facebook.com/watch/?v=448936005715718>; <https://www.facebook.com/watch/?v=382849785961945>; <https://www.facebook.com/RTHKVNEWS/posts/2805234289584609>; <https://www.youtube.com/watch?v=6-cwJhcZ3gw>; <https://www.youtube.com/watch?v=Zm0QdqctZtc>; https://www.youtube.com/watch?v=5pnV8_HpgwQ)

518 <https://www.thestandnews.com/politics/淘大撐警人士疑遺留未來醫生紙-涉事港大深圳醫院醫生被停職調查/>; <https://www.hk01.com/社會新聞/375333/淘大有人遺-未來醫生紙-港大暫停深圳醫院同名醫生職務>

519HKDM #4428 (<https://www.thestandnews.com/politics/記協-警方無制服向記者施襲人士採訪環境日趨惡劣/>; <https://news.mingpao.com/pns/要聞/article/20190917/s00001/1568658358666/>; <https://www.facebook.com/watch/?v=513774889193717>); #4427 (<https://www.facebook.com/watch/?v=676400419508183>; <https://www.facebook.com/icablenews/videos/548277759249615/>; <https://www.facebook.com/watch/?v=396682177568625>; <https://www.facebook.com/cityusu.cbc/videos/1584173855041047/>); #4875 (<https://www.hkja.org.hk/聲明/記協強烈譴責惡意針對及恐嚇新聞工作者記者的暴/>; <https://www.facebook.com/icablenews/videos/367343400818737/>; <https://www.youtube.com/watch?v=TJ3delMf9UQ>); #8773 (<https://news.mingpao.com/ins/港聞/article/20190929/s00001/1569720553512/>; <https://www.facebook.com/710476795704610/posts/2485925008159771?sfn=mo>)

520HKDM #22046 (<https://tl.hkrev.info/portfolio/黑社會旺角持斧頭恐嚇途人/>)

521 <https://news.mingpao.com/pns/要聞/article/20191208/s00001/1575741322090/>

522 HKDM #2984 (<https://www.youtube.com/watch?v=WJmXvCCKT1o>); #3152 (<https://tl.hkrev.info/portfolio/拖行量倒癮症市民/>); #4393 (<https://hk.news.appledaily.com/local/daily/article/20190716/20730297>); #4399 (<https://news.rthk.hk/rthk/ch/component/k2/1471056-20190729.htm>); #4414; #4405 (<https://www.facebook.com/watch/?v=2899880846752513>); #4340 (<https://www.facebook.com/watch/?v=363132417919724>); #4406 (<https://www.facebook.com/RTHKVNEWS/posts/2726928070748565>); #4408 (<https://youtu.be/ekLUCw-HVMw>; <https://www.facebook.com/624488627/videos/10157645636113628/>); #4423 (<https://www.facebook.com/watch/?v=367087293962668>; <https://news.rthk.hk/rthk/ch/component/k2/1476587-20190824.htm>); #7896 (<https://www.facebook.com/gil.lee.129/videos/10156308515986437/>); #4424 (<https://news.rthk.hk/rthk/ch/component/k2/1479151-20190906.htm>); #4433 (<https://www.facebook.com/watch/?v=541476799761764>); #4426 (<https://news.rthk.hk/rthk/ch/component/k2/1476782-20190826.htm>); #4448 (<https://www.facebook.com/watch/?v=1616868681782638>); #4452 (<https://www.facebook.com/watch/?v=949119922092920>; <https://twitter.com/SCMPHongKong/status/1167822279138410497?fbclid=IwAR2KA9JjNKdQC80IOANPp6m9gM9BcLm1a01OeJsCA3rCRdKOL78FxrAv8k>); #4463 (<https://www.facebook.com/watch/?v=505234126876735>); #14721 (<https://www.facebook.com/hk.nextmedia/posts/10158225287192448>; <https://www.thestandnews.com/politics/四男女涉串謀破壞港鐵站-投訴警員以警犬威嚇-隻狗未食早餐-再嘈搵狗咬你/>); #4465 (<https://www.thestandnews.com/politics/太子站男子被警制服-疑昏迷送院-九龍灣截停巴士帶走多人-街坊包圍罵警/>; <https://www.facebook.com/watch/?v=2302818239969472>); #4933 (<https://www.facebook.com/watch/?v=353238195630383>); #4473 (https://www.youtube.com/watch?v=1HEORh5_zEg); #6038 (<https://www.facebook.com/standnewshk/posts/2453640494721556>); #4429 (<https://www.facebook.com/hk.nextmedia/photos/a.170516952447/10158061686187448/?type=3&theater>; <https://www.thestandnews.com/politics/915-衝突-岳-字灰衣男遭壓地噴椒-警-男子助同黨逃走-用合適武力制服/>); #7312 (<http://cablenews.icable.com/ci/videopage/news/557888>; <https://www.thestandnews.com/politics/防暴警凌晨太子拘捕多人-一青年被制服後仍遭警棍毆打/>); #8780 (<https://hk.news.appledaily.com/local/realtime/article/20190929/60097777%60>; <https://m.youtube.com/watch?feature=youtu.be&v=8LZ4ZNmfofs>); #8784 (<https://tl.hkrev.info/portfolio/警棍私刑毆打已制服抗爭者-並掩口/>);

#9129 (<https://www.facebook.com/groups/295202647488775/permalink/1799220317086993/>); #10585 (<https://tl.hkrev.info/portfolio/防暴警私刑毆打已制服人士/>); #10082 (<https://tl.hkrev.info/portfolio/撲倒無動作男子-無警告下舉槍/>); #11957 (<https://tl.hkrev.info/portfolio/防暴警私刑毆打已制服人士-威嚇急救員/>); #10856 (<https://tl.hkrev.info/portfolio/防暴警無故拘捕街坊-噴椒毆打至後腦出血/>); #11384 (<https://tl.hkrev.info/portfolio/速龍蓄意踐踏被捕人士/>); #11705 (<https://tl.hkrev.info/portfolio/街坊伯伯因戴口罩被暴力制服拘捕/>); #13555 (<https://tl.hkrev.info/portfolio/老屈有槍-路邊食煙市民被圍捕-暴力壓傷/>); #13764 (<https://tl.hkrev.info/portfolio/防暴警私刑腳踢已制服人士/>); #14855 (<https://tl.hkrev.info/portfolio/右搜查令強圍食店-暴力制服拘捕店東/>); #15394 (<https://tl.hkrev.info/portfolio/防暴警疑捨被捕示威者下陰/>); #16409 (<https://tl.hkrev.info/portfolio/抗爭者阻擋防暴警遭暴力制服-滿頭鮮血/>); #17793 (<https://tl.hkrev.info/portfolio/一群防暴警暗角私刑毆打被捕人士/>); #18127 (<https://tl.hkrev.info/portfolio/圍毆示威者至爆血無知覺-趕記者市民離開並封鎖現/>); # 21153 (<https://tl.hkrev.info/portfolio/戴口罩即被拉倒在地-箍頸壓地棍毆/>); #18359 (<https://tl.hkrev.info/portfolio/擅闖教堂後門搜捕-多名防暴警棍棍私刑圍毆被捕人/>); #18373 (<https://tl.hkrev.info/portfolio/防暴警拖行被捕中大學生/>); #19244 (<https://tl.hkrev.info/portfolio/往中大司機遭速龍撲爆玻璃拉出拘捕/>); #19310 (<https://tl.hkrev.info/portfolio/速龍助跑瘋狂飛撲緩步行走途人/>); #21814 (<https://tl.hkrev.info/portfolio/速龍暴力將被捕人倒轉拖行落樓梯/>); #21868 (<http://bit.ly/30II0Ux>); #21791 (<https://tl.hkrev.info/portfolio/被捕抗爭者遭毆打至血流披面/>); #21830 (<https://tl.hkrev.info/portfolio/防暴警拖行被捕人-蓄意暴力踩頭/>); #21855 (<https://tl.hkrev.info/portfolio/速龍抬走被捕人-面褲脫至小腿-頭撞石學-內褲磨地/>); #21884 (<https://tl.hkrev.info/portfolio/速龍近距離圍槍-警棍私刑毆打被捕人/>); #21852 (<https://tl.hkrev.info/portfolio/被捕男抗爭者-遭防暴警扯開上衣和面褲/>); #21866 (<https://tl.hkrev.info/portfolio/四速龍持棍圍毆一名男子/>); #21871 (<http://bit.ly/2TJ0Zbn>); [https://www.hk01.com/政情/398833/民主黨兩候選人稱被捕後遭-私刑-將報警及作民事索償](https://www.hk01.com/政情/398833/民主黨兩候選人稱被捕後遭-私刑-將報警及作民事索償;); #26818 (<https://tl.hkrev.info/portfolio/被制服女示威者嘗試抬頭-防暴警粗暴壓下/>); #29146 (<https://tl.hkrev.info/portfolio/從後箍頸拉起身-警棍狂毆被捕男/>); #29940 (<https://tl.hkrev.info/portfolio/防暴打爆被捕者頭顱%e3%80%80向記者群及市民群舉槍/>); #30733 (<https://tl.hkrev.info/portfolio/胡椒鎗非法抬頭-警棍狂毆圍節-兜頭噴椒-虐打被捕/>); #30954 (<https://tl.hkrev.info/portfolio/商場市民遭蒙面便衣警挖鼻扯頭髮/>); 【血染元朗】2路過少年突遭警膝壓地顏射椒 爆頭遺血泊: <http://bit.ly/2tEvWTt>

⁵²³HKDM #4258

⁵²⁴HKDM 5463 (<https://hk.news.appledaily.com/local/realtime/article/20190716/59828939>)

⁵²⁵ <https://news.rthk.hk/rthk/ch/component/k2/1468860-20190717.htm>

⁵²⁶HKDM #4393 (<https://hk.news.appledaily.com/local/daily/article/20190716/20730297>)

⁵²⁷HKDM #7928 (<https://www.youtube.com/watch?v=DoMO5o9z2WQ>; <https://news.mingpao.com/pns/要聞/article/20190924/s00001/1569263898344>); <https://hk.news.appledaily.com/breaking/20191204/ATBBAYJOILHSLUPXEE6YWVZB4I/>; HKDM #6560 (<https://www.facebook.com/hkpfviolence/posts/2803071113098829>; <https://www.facebook.com/124853124283126/photos/a.1942048532563567/1942048729230214/>; <https://www.hk01.com/18區新聞/351603/光復上水-警揮棍追打示威者-有人被擊中頭部流血>); #7678 (<https://hk.news.appledaily.com/local/realtime/article/20190909/60027422>; <https://m.mingpao.com/pns/要聞/article/20190925/s00001/1569350613551/>; <https://news.rthk.hk/rthk/ch/component/k2/1478693-20190904.htm>)

⁵²⁸HKDM #19204 (<https://tl.hkrev.info/portfolio/防暴警以虎頭釧酷刑對待已制服被捕學生/>)

⁵²⁹HKDM #5836 (<https://www.facebook.com/hkpfviolence/posts/2971780432894562>)

⁵³⁰HKDM #21869 (<https://tl.hkrev.info/portfolio/超過廿名速龍私刑圍毆倒地抗爭者-拳打腳踢/>); #21871 (<http://bit.ly/2TJ0Zbn>); #21866 (<https://tl.hkrev.info/portfolio/四速龍持棍圍毆一名男子/>); #21875 (<https://tl.hkrev.info/portfolio/速龍後巷私刑棍毆圍毆拖行被捕人/>); #21879 (<https://tl.hkrev.info/portfolio/速龍狂摔被捕人落地再連環腳踢/>)

⁵³¹HKDM #15383 (<https://tl.hkrev.info/portfolio/1030被捕人身上-被警用不脫色水筆寫上編號/>)

⁵³²HKDM #15397 (<https://tl.hkrev.info/portfolio/侮辱式被捕人士兩小時-在身體劃上記號-非禮女被捕/>)

⁵³³HKDM #5422 (<https://lihkg.com/thread/1501767/>; https://facebook.com/story.php?story_fbid=2387704514599906&id=200954406608272);

⁵³⁴HKDM #21783 (multiple links: <https://tl.hkrev.info/portfolio/索帶反綁拘捕醫生及急救員遭控暴動/>)

⁵³⁵HKDM #25352 (<https://tl.hkrev.info/portfolio/土瓜灣便衣警制服女生當凳坐/>)

⁵³⁶HKDM #4480 (<https://hk.news.appledaily.com/local/realtime/article/20190812/59921996>; <https://hk.news.appledaily.com/local/daily/article/20190814/20748753>); #4481 (https://m.youtube.com/watch?v=31KYU_hCAr4); #4491 (<https://www.youtube.com/watch?v=TtUux1kgkeE>); #6517 (<https://www.facebook.com/watch/?v=493728317856030>; <https://www.facebook.com/watch/?v=506722423234342>); #6518 (<https://www.facebook.com/connie.hk/videos/10156736673982252/>); #9679 (<https://www.thestandnews.com/politics/96-人被控暴動-醫生-護士-教師及多名學生被控-全部獲保釋-需遵禁足令/>); #19224 (<https://tl.hkrev.info/portfolio/教堂被捕青年遭插賊嫁禍鎗仔-受傷未獲送院/>)

⁵³⁷HKDM #4475 (<https://www.facebook.com/hkbubnn/photos/a.267967246660999/1298438313613882/>; <https://www.facebook.com/RTHKNEWS/videos/802634240152161/>; <https://hk.news.appledaily.com/local/realtime/article/20190917/60052340>)

⁵³⁸HKDM #9698 (multiple link: <http://bit.ly/369qwgS>)

⁵³⁹HKDM #15384 (<https://tl.hkrev.info/portfolio/榮光樂隊持中藥沖劑-警以藏毒拘捕全員/>)

540HKDM #5453 (<https://hk.news.appledaily.com/breaking/realtime/article/20190803/59891646>; <https://twitter.com/journodannyaero/status/1157314372647059456?s=21>; <https://mobile.twitter.com/aaronMCN/status/1157320133246763009?s=19>)

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542HKDM #4800 (<https://www.hkcpqdb.com/cat15-case2.html>); <https://www.thestandnews.com/politics/睇片-青年商場拍照-遭便衣警指違法庭禁制令帶返警署-父-兒被打鼻及下體/>

543HKDM #15527 (<https://tl.hkrev.info/portfolio/904被捕人遭老屈襲擊港鐵車長-再改控非法集結罪904/>)

544HKDM #4484

545HKDM #4490

546HKDM #4363 (<https://www.facebook.com/watch/?v=419272275606974>; <https://www.thestandnews.com/politics/場面恐怖-旺角警署外男警身壓穿短褲女子-掩口不讓她叫自己名/>); #6789 (<https://www.facebook.com/RTHKVNEWS/videos/738648736588248/>); <https://hk.news.appledaily.com/local/realtime/article/20190923/60073764>); HKDM #8784 (<https://tl.hkrev.info/portfolio/警棍私刑毆打已制服抗爭者-並掩口/>); #13595 (<https://tl.hkrev.info/portfolio/市民間被捕人士資料-遭警老屈犯法/>); #17093 (<https://tl.hkrev.info/portfolio/被捕青年遭防暴警粗暴掩口/>); #1761 (<https://tl.hkrev.info/portfolio/一群防暴警暗角私刑毆打被捕人士/>); #21811 (<https://tl.hkrev.info/portfolio/被捕人道出個人資料遭防暴警掌咀/>); #30339 (<https://tl.hkrev.info/portfolio/粗言恐嚇查詢被捕人士資料市民/>)

547 <https://www.thestandnews.com/politics/致函盧偉聰-大律師公會主席-警阻見被捕者-粗言辱罵律師/>

548HKDM #9679 (<https://www.thestandnews.com/politics/96-人被控暴動-醫生-護士-教師及多名學生被控-全部獲保釋-需遵禁足令/>)

549HKDM #12159; HKDM #26591 (<https://tl.hkrev.info/portfolio/被捕人投訴遭警打至腳癩-威嚇剪下體-拒解鎖手機被/>); #27780 (<http://bit.ly/37hrNn1>); #29864 (<http://bit.ly/2NKzjPJ>)

550HKDM #11978

551HKDM #26591 (<https://tl.hkrev.info/portfolio/被捕人投訴遭警打至腳癩-威嚇剪下體-拒解鎖手機被/>); <https://hk.news.appledaily.com/local/20200113/SCWOR4LWSWJIPN5HFTGNBOB7FY/>

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553 <https://www.info.gov.hk/gia/general/201909/10/P2019091000784.htm>; <https://www.hk01.com/突發/375011/反暴力熱線-fb刪除警十條whatsapp報料熱線-警-決定暫停服務>

554 https://www.police.gov.hk/ppp_tc/03_police_message/peace.html

555HKDM #4763 (<https://www.youtube.com/watch?v=KwDBM6R-0aQ>); <http://bit.ly/30EXMLo>; <https://www.facebook.com/photo.php?fbid=10157937080832915&set=a.10151045042692915&type=3&theater>; <https://news.mingpao.com/ins/港聞/article/20191109/s00001/1573310108295/>);

HKDM #4762 (<https://www.thestandnews.com/politics/621-包圍警總-警員情緒失控-隔玻璃爆粗指罵市民/>); #6520 (<https://www.youtube.com/watch?v=W7R25KHESGU>)

556HKDM #5457

557HKDM #4783 (<https://www.facebook.com/watch/?v=400249277279370>); #4776 (<https://www.thestandnews.com/politics/睇片-尖沙咀清場-防暴警喝斥示威者-走啦早由-走啦早由/>); #4777 (<https://www.facebook.com/watch/?v=675643112902156>); #11383 (https://www.youtube.com/watch?v=-LOLQ_B2MOo); <https://lih.kg/1645167>); #6768 (<https://www.facebook.com/watch/?v=436937180260146>); #10576 (<https://bit.ly/2TH3RFA>); #11649 (<https://bit.ly/2TGAH9L>); #15327 (<https://bit.ly/2NGZc2P>); #18425 (<https://bit.ly/30ERSdn>); #18050 (<https://tl.hkrev.info/portfolio/理大學生校董遭警施出校門毆打-侮辱早由大學/>)

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563HKDM #11823 (<https://bit.ly/38srLZA>)

564HKDM #17614 (<https://bit.ly/30HAapw>)

565HKDM #19238 (<https://bit.ly/2RcwI36>)

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567HKDM #14721 (<https://www.facebook.com/hk.nextmedia/posts/10158225287192448>; <https://www.thestandnews.com/politics/四男女涉串謀破壞港鐵站-投訴警員以警犬威嚇-隻狗未食早餐-再嘈搵狗咬你/>)

568HKDM #12488 (<https://hk.lifestyle.appledaily.com/lifestyle/realtime/article/20190908/60021680>); #12879 (<https://tl.hkrev.info/portfolio/強迫無裝備真警犬硬食催淚煙/>)

569HKDM #4476 (<https://news.rthk.hk/rthk/ch/component/k2/1480470-20190914.htm>); #5539 (<https://hk.news.appledaily.com/breaking/realtime/article/20190918/60058997>; <https://news.mingpao.com/ins/港聞/article/20190918/s00001/1568803193487/>)

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⁶⁵⁸ <https://tl.hkrev.info/portfolio/警員公器私用-用警方揚聲器失控宣洩個人情緒1/>

⁶⁵⁹ <https://tl.hkrev.info/portfolio/速龍一米內行刑式開槍掃射示威者/>; <https://tl.hkrev.info/portfolio/扶手電梯暴打抗爭者-險釀成人踩人/>; <https://lihkg.com/thread/1486726/page/1>

⁶⁶⁰ <https://www.facebook.com/applecitycrime/videos/904508716609363/>

⁶⁶¹ <https://news.rthk.hk/rthk/ch/component/k2/1474054-20190811.htm>; <https://lihkg.com/thread/1473444/page/1>; <https://lihkg.com/thread/1486726/page/1>

⁶⁶² <https://tl.hkrev.info/portfolio/扶手電梯暴打抗爭者-險釀成人踩人/>

⁶⁶³ <https://tl.hkrev.info/portfolio/問警察良心去左邊-即被打至頭破血流-頭縫5針/>

⁶⁶⁴ <https://tl.hkrev.info/portfolio/防暴警包圍一對父母-留低小朋友自己一個係街/>

⁶⁶⁵ <https://tl.hkrev.info/portfolio/在記者背後偷襲-噴胡椒噴霧/>

⁶⁶⁶ <https://www.youtube.com/watch?v=K6HZYrXyutA>

⁶⁶⁷ <https://tl.hkrev.info/portfolio/交通警有生命威脅開三發真槍-中槍學生昏迷仍遭警/>

⁶⁶⁸ HKDM #18332 (multiple links: <https://tl.hkrev.info/portfolio/交通警有生命威脅開三發真槍-中槍學生昏迷仍遭警/>); #19230 (<https://tl.hkrev.info/portfolio/示威者被槍傷-警稱移動傷者警員不知其受傷/>)

⁶⁶⁹ HKDM #18343 (<https://www.thestandnews.com/politics/同袍興奮-交通警實彈射倒少年-黃光頭警長-這才是國際標準-黃大仙警-開三槍少得滯/>; <https://www.facebook.com/hkcnews/videos/2789200604445508/>; <https://www.facebook.com/studioincendo/videos/2266577476966466/>; <https://www.facebook.com/watch/?v=429273844450984>)

⁶⁷⁰ <https://tl.hkrev.info/portfolio/索帶反綁拘捕醫生及急救員遭控暴動/>

⁶⁷¹ Darren Mann, “International humanitarian norms are violated in Hong Kong,” [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(19\)32909-5/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(19)32909-5/fulltext)

⁶⁷²Ibid.

⁶⁷³Ibid.

⁶⁷⁴Ibid.

⁶⁷⁵ <https://tl.hkrev.info/portfolio/港鐵站內多名中學生遭一字排開截查及指罵/>

⁶⁷⁶ <https://news.rthk.hk/rthk/en/component/k2/1496806-20191209?>; <http://bit.ly/3asXvjn>

⁶⁷⁷ <https://www.chemring.co.uk/~media/Files/C/Chemring-V2/PDFs/Chemring-Pyrotechnics.pdf>;

<https://www.bits.de/NRANEU/others/amd-us-archive/FM3-23.30%2800%29.pdf>

⁶⁷⁸ <http://www.nonlethaltechnologies.com/pdf/DS/MP-6M5-CS.pdf>