

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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HONG KONG – International law obligation to ensure investigation by independent specialists of police violence and misconduct

FOR IMMEDIATE RELEASE

19 December 2019 –Lawyers’ Rights Watch Canada (LRWC) today called on Hong Kong authorities to ensure an independent expert investigation into complaints of misconduct and unlawful use of force by the Hong Kong Police Force in relation to protests since June. An international panel of experts engaged to advise the IPCC [recently confirmed](#) the inability of the Independent Police Complaints Council (IPCC) Ordinance to conduct the objective investigation required by law.

The Hong Kong Police Force’s use of tear gas, pepper spray, rubber bullets, bean bag shots, live ammunition, and water cannons with chemical dye is well-documented. The use of excessive and unlawful use of force and restraint measures has resulted in many serious injuries and thousands of arrests. Also requiring investigation and remedies are serious allegations that police obstructed access by medical personnel, dispersed journalists, and failed to protect protesters from violence by non-state actors.

The rights of those affected and any charges against those arrested can only be properly determined after the legality and proportionality of police action have been evaluated in an impartial, independent investigation that meets Hong Kong’s international human rights law obligations.

“Hong Kong’s failure to ensure the independent inquiry into police violence and other misconduct requested by the protesters – and required by law – signals an intention to use the law as a tool of repression and not as an instrument of justice,” said Gail Davidson of LRWC.

LRWC’s letter called on Chief Executive Carrie Lam and Hong Kong authorities, to comply with Hong Kong’s international law obligations and to immediately ensure:

- an investigation by independent experts into allegations of excessive or unlawful use of force and other misconduct by police in relation to protests, protesters and journalists since June 2019;
- the right of all Hong Kong residents to voice demands for lawful reform, promote respect for human rights and engage in peaceful protests free from arbitrary arrest or detention, and excessive use of force by state and non-state actors; and,
- effective cooperation with, and technical assistance from, the UN Office of the High Commissioner for Human Rights (OHCHR) and relevant UN independent experts.

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