



July 31, 2019

Mr. Douglas R. Hassebrock.
Acting Assistant Secretary for Export Enforcement
Bureau of Industry and Security
US Department of Commerce

Dear Mr. Hassebrock:

I am writing on behalf of Amnesty International USA to express grave concern about recent events in Hong Kong, and particularly the misuse of US-made police equipment by the Hong Kong Police Tactical Unit and its Special Tactical Squad.

During largely peaceful demonstrations in Hong Kong over the past six weeks, Amnesty International has verified several incidents involving the dangerous use of rubber bullets, officers beating protesters who did not resist, aggressive tactics used by police to obstruct journalists on site, and the misuse of tear gas and pepper spray. We were alarmed to learn that *most of these incidents involved US-made policing equipment*, including:

- Pepper spray manufactured by Sabre
- Batons manufactured by Armament Systems and Procedures
- Rubber Bullets manufactured by ALS
- Remington Model 870 launcher
- Penn Arms GL-1 Compact 40mm single launcher

All of the incidents verified by Amnesty International constitute violations of international law and standards on the use of force by law enforcement officials. The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF), among other international standards, require that force of any kind may be used only when there are no other means available that are likely to achieve the legitimate objective. If the force is unavoidable it must be no more than is necessary and proportionate to achieve the objective, and law enforcement must use it in a manner designed to minimize damage or injury, must respect and preserve human life, and ensure medical aid is provided as soon as possible to those injured or affected.

The footage verified by Amnesty drew upon media coverage as well as footage posted on social media. A summary of Amnesty International's findings can be found [here](https://www.amnesty.org/en/latest/news/2019/06/hong-kong-police-violence-verified/) [https://www.amnesty.org/en/latest/news/2019/06/hong-kong-police-violence-verified/] with the full report [here](https://www.amnesty.org/download/Documents/ASA1705762019ENGLISH.pdf) [https://www.amnesty.org/download/Documents/ASA1705762019ENGLISH.pdf].

In view of these serious allegations, we would like to know:

- What licenses, if any, has the BIS issued for law enforcement equipment to Hong Kong since pro-democracy protests commenced in 2014?
- What end-use certification and verification has BIS undertaken to ensure lawful use of US-manufactured police equipment supplied to Hong Kong, or supplied to China for transfer to Hong Kong?
- Are any new licenses pending?
- To what extent has the State Department's Bureau of Human Rights, Democracy and Labor been involved in any recent reviews of license applications for less lethal crowd control equipment intended for sale to Hong Kong authorities?

In the meantime, we urge you to suspend all transfers to Hong Kong of less lethal "crowd control" equipment, including tear gas, pepper spray, rubber bullets, projectile launchers and parts and components. Exports of such equipment must not resume until Hong Kong authorities put in place adequate safeguards to prevent security forces committing further serious violations of international human rights law when policing protests.

I look forward to your reply.

Sincerely,



Francisco Bencosme
Asia Pacific Advocacy Manager
Amnesty International USA

CC:

David R. Stilwell, Assistant Secretary of State, Bureau of East Asian and Pacific Affairs
Scott Busby, Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor