

AMNESTY INTERNATIONAL

Public Statement

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USA: Amnesty International calls for inquiry into force used by the US Border Patrol against 'No Border Camps' protesters

Amnesty International (AI) has called for a full investigation of allegations of excessive force by the United States Border Patrol (BP) in dispersing a protest organized by the group 'No Border Camps' at the US border with Mexico in Calexico, California, on 11 November.

Video footage shows BP police advancing on the group of some 30 demonstrators, swinging batons and indiscriminately firing pepperball guns (projectile weapons that fire painful pepper spray gas) at the protesters. Although the police later reported that some demonstrators had assaulted officers and begun to destroy government property, none of those shown on the video appeared to be engaged in acts of violence when they were charged by officers.

Those at the scene also reported that no prior warning was given for the protesters to disperse before agents began using their weapons against them. A number of the demonstrators are alleged to have suffered injuries as a result of the police action.

In a letter to the Border Patrol Chief, David Aguilar, AI expressed concern that the agents' actions appeared to breach international standards on police use of force set out under the United Nations (UN) Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms. These stipulate, among other things, that force should be used only as a last resort, in proportion to the threat posed, and should be designed to minimize damage or injury.

The Basic Principles note that "everyone is allowed to participate in lawful and peaceful assemblies, in accordance with the principles embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights" and state under Article 13 that "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".

AI also pointed to the dangers inherent in the use of projectile weapons, and noted that pepper spray can be harmful in certain cases, particularly when used in large quantities. A number of people have died in the USA after being subjected to pepper spray devices, including a woman in Boston who died in 2004 after being struck in the eye by a pepperball gun.

Background information

No Borders Camp is a group which describes itself as opposing borders. The protest took place at the border fence which separates Calexico in the USA and Mexicali in Mexico. There were also demonstrators on the Mexican side.

