

## **Rules for Use of Force by Police Forces, 2006**

*The Minister of Interior:*

Pursuant to provisions of Article (75) (1) (L) of Police Forces' Act, 1999, issues the following Act:

### **Chapter I**

#### **Preliminary Provisions**

##### **Title and Commencement**

1. This Act may be cited as "Police Forces Rules for Use of Force, 2006" and shall enter into force from the date of its signature.

##### **Interpretation**

2. (1) In this Act, unless the context otherwise requires, the following phrases and words, shall have the same meanings set forth in the Criminal Procedures Act, 1991 or the Police Forces' Act, 1999.

(2) Unless the context otherwise requires:

"Force" Shall mean the use by a person of their physical vigor or energy directly or by another means against another person to cause any change or to stop their movement or make any other object to come in contact with part of the body of that person or their cloths or what they are carrying to affect them materially or morally and shall include physical force and armed force

"Body forces" Shall mean the physical force of a person or the force in which some effective means are involved for police physical use.

"Armed force" Shall mean the force in which arms are used including firearms and bayonet and any other tool that causes death or harm with all its forms and types.

### **Chapter II**

#### **Cases of use of force**

3. (1) Subject to provisions of the Criminal Procedures Act, force shall be used in the following cases:
  - a) If a person resists enforcement of a warrant of arrest or search warrant issued against them or if they attempt to escape.
  - b) If a policeman is obstructed while undertaking their duties or enforcing any judicial order.

- c) To disperse unlawful gathering or to disperse riots
- d) To pursue culprits and to deter armed aggression
- e) Any other cases stipulated by the law

(2) The right of use of force referred to in Section (1) herein does not authorize causing of death save in the cases stipulated in the Criminal Procedures Act or any other valid Act.

#### **General principles for use of force by police**

4. The following principles shall be observed when force is used by the police:
  - a. Force shall not be used by any policeman unless he is authorized to do so by the law.
  - b. Force shall not be used unless all other measures are taken or in circumstances in which reluctance in use of force may be considered negligence to perform a duty required by law or may jeopardize safety of police or people or their property.
  - c. "All other measures" shall not include firing at a crowd of people or firing in the air or in any other way for the purpose of intimidation.
  - d. The amount of force to be used in all cases, after proper consideration of all circumstances, shall be the least force to achieve the purpose for which the use of force was necessitated and the use of force shall not continue after the purpose thereof is achieved.
  - e. Force shall not be used by any policeman against any person during investigation or interrogation with a view to influence the person and the person shall not be beaten, abused or humiliated or coerced to extract any information and the policeman shall do their best to look for evidences and by all lawful ways using their capabilities and skills.

#### **General principles for use of firearms by police**

5. The following principles shall be observed when firearms are used by police:
  - a) Firearms shall only be used after all other measures are taken but produced no result or after consideration of all circumstances in which reluctance may be considered negligence to perform a lawful duty or may jeopardize lives or property of policemen or others.
  - b) Except in cases where reluctance to fire may be undesirable, warning shall be given before fire is opened at public individuals and the

warning shall be clear and audible or readable or both such as the use of loud speakers or red signs prepared in advance for this purpose.

- c) When a policeman opens fire the firing shall be limited. He shall fire the least possible number of bullets and by a clear order from the force command for an individual or individuals that shall be determined before hand or at that moment and that firing shall stop at the first possible opportunity after serving the purpose for which fire was opened.
- d) A policeman shall not fire with the intent to kill save in the cases specified by the Act. They shall open fire with the intent to disable the target person to prevent them from causing harm to themselves or to others or property and in all cases the use of arms shall be accompanied by the force of determination and resolution.
- e) In cases of firing, arms shall be aimed at legs and the target part shall be below the knee.
- f) Passive shooting (in the air) by policemen is strictly forbidden, if the shooting is decided it shall be positive shooting

### **Controls on the Use of Firearms by Policemen**

6. A policeman while using the firearms shall adhere to the following:

- a. self control and endurance while using force;
- b. to act in manner appropriate with gravity of the crime and the lawful target to be achieved;
- c. to reduce harm, injury and to respect and uphold human life and physical safety;
- d. to offer support and assistance and aid those affected by the use of force by the police;
- e. no policeman may point weapons against their colleagues or any other person for play or fun
- f. no policeman may use firearms in private parties or occasions or for any other purpose that does not legally entail the use of arms;
- g. the officer in charge shall decide type of arms to be used as per the situation necessitating such, in all circumstances shall use light weapons unless otherwise is required

### **Chapter III**

#### **Arrest Warrant Procedures**

7. (1) A policeman, while carrying out the arrest warrant, shall observe the following:

- a. to identify themselves to the person to be arrested and to produce their ID cards if asked for such, in all cases, they shall not hand over such cards to

the person to be arrested, who shall be allowed to look into its contents while in the hand of the policeman;

- b. a policeman shall show a warrant to the person upon whom the arrest warrant is issued or to inform such person of the content of the accusation in case the crime is among those crimes that need no warrant;
  - c. use of technical means to affect the arrest or to illicit help of the public in case of refusal of the person concerned to abide by the warrant or resistance thereof;
  - d. non use of excessive force unless otherwise required.
- (2) A policeman shall be solely responsible for the protection of the person arrested and to maintain their integrity and respect of their humanity.
- (3) Various arrest locations and reasons should be made known provided that the officer in charge is to determine number soldiers required to carry out the arrest warrant as per circumstances of each case. In all cases, an arrest warrant issued against any person accused of committing a crime punishable by death penalty or imprisonment for not less than 7 years must be carried by out by an officer or under their direct supervision.

### **Manner of Arrest**

8. A policeman, while carrying an arrest warrant, must do the following:
- a. to place their left hand on the left shoulders of the person arrested while standing facing such person and put their right hand across to shield themselves from any counter attack by the person attacked. The policeman may chain the arrested to tie legs whenever the arrest requires such;
  - b. the policeman, upon placing their left palm on the arrested, shall notify the arrested that they are being arrested, reason of arrest asking them to comply with orders given;
  - c. to order the person arrested to stand before a wall or a vehicle, part legs while the policeman is on their back to start inspection from top of the body to down, and to remove any weapon or hazardous device or any prohibited or forbidden items,
  - d. after assuring position of the person arrested, the handcuffs are placed on their hands from the front or back side as the case may necessitates and if the arrested cruelty or brutality is known from antecedents or that an attack is eminent and so escaping thereof, the policeman in charge of the arrest shall place firstly chains on the hands of the person to be detained prior to any other act and shall made suddenly

### **Illegal Assembly, Dispersing of Riots and**

#### **Procedures for Dispersing Illegal Gathering**

9. (1) the officer in charge of dispersing an illegal assembly is to order such crowd or any potential such assembly that may commit riot crime or crime disruption of the public peace, to disperse and members of such assembly shall do so accordingly;

(2) In the event that the public does not disperse, or act contradictorily to the order, or in the event that the commander of the force feels, from the circumstances that the assembly will not disperse, the officer in charge may order the dispersion of such assembly by the gradual use of force from the least to the maximum provided that the firearms shall not be used unless a permission to do so is issued by the attorney accompanying the force, if there is any, or from the officer in charge and thenceforth take the crucial decision appropriate in such occasion;

(3) the officer in charge may seek assistance from any person to disperse an assembly and to order the force to arrest any person participating in such assembly;

(4) in the event that the force used is not sufficient to disperse the assembly, the senior attorney or the senior officer in charge may order any policeman from outside the concerned force to render assistance to disperse the assembly by the use of armed force to restore order and maintain public peace.

### **Duties of Officer In Charge of Dispersing an Illegal Assembly**

10. Officer in charge of dispersing an illegal assembly shall undertake the following measures:

- a. request the latest security and criminal information about the situation in the area and the surroundings and to identify motives of the crowd, destructive targets and force used by such assembly to determine force needed for such dispersion and weapons needed;
- b. to exert any amicable efforts that lead to dispersing the assembly before using force;
- c. to order men of the force to use force needed to disperse the illegal assembly in case the assembly members refrain from complying with the order;
- d. Notwithstanding the provisions of item (1) hereabove, in cases necessitate the use of firearms, the officer in charge may decide usage of thereof upon fulfilling the following:

1. Command the gathering disperse using suitable audio or visual equipment or both.

2. Warn the gathering, through loudspeakers, in a clear and decisive manner that the police is intending to use firearms if the gathering do not disperse or in case of eminent danger on the police force and others. The officer in charge shall then show red flags that demonstrate the intention to shoot and give ample time to the gathering to disperse. This warning shall be repeated three times.

3. Select at least three skilled and qualified snipers and place them at the rear of the force then command them in a loud voice to advance using the following expression: "Snipers to firing line". The officer in charge will thereafter whisper to one element commanding them to shoot a specific target as follows: "X lance corporal; the person in such dress, one shot under the knee; shoot!" and so forth.

4. Directs the snipers to control themselves and not to shoot until ordered to do so.

5. Ask the sniper to shoot on such parts of the body so as to weaken or paralyze the person and not likely to kill them.
6. Ask the snipers to fire single intermittent shots.
7. Order the force to hold their fires when the target is achieved.
8. Not to use gathering dispersing materials in stifling areas or where exit facilities available are not sufficient, unless in emergency cases.

### **Measures to Disperse Riots**

11. The officer in charge of the riot dispersing force shall take the following measures to disperse the riots:

- a. Issue verbal warning through loudspeakers or on bill boards demanding the rioters to disperse. This warning shall be repeated three times.
- b. In case of non compliance with such demands by the rioters and following elapse of the prescribed period, the officer in charge shall then command their force to attack the rioters using tears gas, batons and shields to break up the rioters.
- c. If the rioters do not disperse, the officer in charge shall withdraw the force using tears gas, batons and shields, issue a second warning to the rioters that the force is intending to use firearms.
- d. In case it becomes indispensable to use firearms, the police officer in charge shall request permission from the accompanying judge or prosecutor and follow the procedures provided for in Article 9/d herein.

### **Measures to be taken in case of death or injury resultant from the use of force**

12. In case of death or serious injury of any person as a result of a legitimate use of force, the officer in charge shall conduct or cause to conduct a written investigation with the force they are commanding and take legal action they think appropriate.

### **Monitoring Policemen Conduct While on Duty**

13. 1. The officer in charge of a riot dispersing force shall monitor, take note of the conduct of the force elements and discipline those who violate the appropriate conduct of a policeman.
2. The security police elements accompanying the riots dispersing force shall protect the back of such force and assist the officer in charge in monitoring any actions that contradicts the best conduct of policeman or any aspect of power abuse by their force.

## **Chapter V**

### **General Provisions**

#### **Rules Pertaining to Dispensing of Firearms**

14.1 The officer in charge shall take necessary measures for dispensing firearms from stores in accordance with Act, administrative rules, commands, orders and circulars.

2. No firearm or ammunition may be dispensed to any policeman unless for a duty.

**Violations and Penalties**

15. Any policeman who violates any of the provisions contained herein shall be committing an offence and shall be punished by any of the penalties or punishments provided for in the Police Act.

**Power to Issue Regulations and Orders**

16. a. The Director General may issue necessary orders for the implementation of these regulations.

b. The Director of the Police Forces may issue orders to regulate implementation of the present regulations.

Given under my hand this 1<sup>st</sup> day of January 2006

(Signed)

Dr. Alzubair Baheer Taha,  
Minster of Interior