

The Registrar
European Court of Human Rights
Council of Europe
6705 Strasbourg CEDEX
France

By ECtHR eComms

29 October 2026

Dear Registrar,

Re: Written comments in *Pontonnier v France* Apps. No. 7094/26 and 8368/26

We refer to your letter dated 9 October 2026 granting us permission to make joint written comments to the Court pursuant to Rule 44 § 3 of the Rules of Court.

We now enclose the written comments of REDRESS, Omega Research Foundation, and the World Organisation against Torture (OMCT).

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Yours sincerely,



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WRITTEN COMMENTS OF REDRESS, OMEGA RESEARCH FOUNDATION, AND THE WORLD ORGANISATION AGAINST TORTURE

1. These written comments seek to assist the Court in assessing whether the use of less-lethal weapons by law enforcement in protests, particularly GLI-F4 grenades, is compatible with Article 3 of the European Convention on Human Rights (ECHR).
2. The comments examine: (A) the nature of GLI-F4 grenades and the risks associated with their use as a crowd control tool in protests; and (B) the international legal framework governing their use in protests *vis-à-vis* the absolute prohibition of torture and other ill-treatment under Article 3 of the ECHR.

A. THE NATURE OF GLI-F4 GRENADES AND THE RISKS ASSOCIATED WITH THEIR USE IN PROTESTS

i. The technical features of GLI-F4 grenades

3. The GLI-F4 Instantaneous Tear-Gas Grenade is an explosive grenade that can be thrown by hand or launched from a 56 mm grenade launcher, such as the Cougar launcher commonly used by the French police. On detonation, this grenade produces a very loud bang and releases a payload of 2-chlorobenzalmalononitrile (CS), a chemical irritant commonly known as tear gas. According to the manufacturer's promotional materials, the GLI-F4 grenade "is intended for restoring public order and can be used in all outdoor environments. This grenade is designed to destabilise demonstrators in particularly difficult situations (violence, riots)".¹ Certain technical specifications are relevant to understanding the risks associated with its use in public assemblies.
4. The GLI-F4 weighs 132 g, including 30 g of "detonating explosive composition".² When detonated, the explosive charge delivers a "deafening report and a blast".³ The French regulatory framework and use of force operational guidance referred to the GLI-F4's "blast effect". For example, Article R. 211-16 of the French Internal Security Code⁴ provided that: "Except in the two cases provided for in the sixth paragraph of Article L. 211-9, the firearms that may be used for maintaining public order are grenades primarily producing a blast effect and their launchers falling within the scope of Article R. 311-2 and authorised by decree." In this regard, the GLI-F4 differs from many other grenades that are marketed as less-lethal, including stun grenades, chemical irritant grenades or multi-effect grenades. Where less-lethal grenades use an explosive charge, its function is normally to produce a loud bang or disperse a chemical irritant payload, with any blast effect being incidental. By contrast, the blast wave appears to be an inherent feature of the GLI-F4's design and intended effect.

¹ SAE Alsetex promotional material no. 1 on file at the Omega Research Foundation and included as Annex I.

² SAE Alsetex promotional material no. 2 on file at the Omega Research Foundation and included as Annex II. An ACAT France report also states that the "explosive substance" is comprised of 26 g of TNT and 4 g of Hexocire. See ACAT France, *Maintien de l'ordre: À quel prix?*, March 2020, p. 44.

³ Annex II.

⁴ Code de la sécurité intérieure, as amended by Decree No 2014-1253 of 27 October 2014.

5. The sound level of the “deafening report” (bang) is reportedly 166 dB at a distance of 5 metres and 160 dB at 10 metres,⁵ which may be sufficient to cause both temporary and permanent or at least long-term damage to a person's hearing.⁶
6. The GLI-F4 contains a 10 g payload of “pure CS tear-gas powder”. CS is instantaneously dispersed, creating a cloud of CS powder. The concentration of CS in such a cloud after dispersal is not publicly available, nor is it known whether the CS powder is equally dispersed in all directions. The payload may result in substantial exposure, increasing the risk of serious effects and injuries that may not be temporary.
7. The GLI-F4 can be launched from the Cougar 56 mm launcher, commonly used by French police, or the more compact Chouka 56 mm launcher, using a variety of compatible fuses (*dispositifs de propulsion*). Fuses rated at 50 metres, 100 metres and 200 metres are manufactured by SAE Alsetex and are commonly used by French police. The range when hand-thrown is much reduced, up to 30 metres according to the manufacturer.⁷ Safe hand throwing requires effective training and practice to ensure that the grenade is accurately aimed and correctly released so that it does not fall short or go off-line.

ii. The risks associated with the use of GLI-F4 grenades as a tool for policing protests

8. The GLI-F4 grenade contains a sufficient explosive charge to potentially cause serious blast injury if it detonates close to a person. Direct blast injury mechanisms are typically organised in three categories, which may interact. Primary blast injuries are caused by overpressure waves which can affect air-filled organs such as the lungs or ears. Secondary blast injuries are caused by the explosion or fragmentation of the device itself or when objects such as loose stones or gravel are entrained in the blast wave, causing penetration injuries. Tertiary blast injuries are caused when people or parts of their bodies are pushed into solid objects (displacement). Other explosion-related injuries include burns, inhalation injuries, stampede-related injuries, and systemic effects from chemical or other additives.⁸
9. There is also a high risk of temporary or permanent hearing damage from the intense acoustic impulse (the “deafening report”), particularly if the GLI-F4 grenade detonates close to a person. Even at distances of 10 metres or more, the reported sound level raises serious concerns about auditory injury. Military and occupational guidance commonly uses a peak impulsive noise level of 140 dB as a precautionary exposure ceiling,⁹ as higher levels carry a high risk of acoustic trauma and subsequent hearing loss.¹⁰ By way of comparison, a study assessing 117 ‘flash-bang’ devices (stun grenades) recorded a median peak sound pressure level of 163 dB(C) for operational ‘one-bang’ devices at a distance of approximately 2 metres

⁵ Annex II.

⁶ National Institute on Deafness and Other Communication Disorders (NIDCD), [Noise-Induced Hearing Loss](#).

⁷ Annex I.

⁸ Matthew McEvoy, Neil Corney, Marina Parras, and Rohini J. Haar, ‘State violence against protesters: Perspectives and trends in use of less lethal weapons’. *Torture* 34, no. 1 (2024): 22-43; Blast Injury Research Coordinating Office, ‘[What is Blast Injury?](#)’, U.S. Department of Defense (last modified 20 October 2026).

⁹ See European Union, Council Directive 86/188/EEC of 12 May 1986 on the protection of workers from the risks related to exposure to noise at work; Reza Rahimi, [Literature review of metrics for risk of hearing damage from impulse noise](#), Norwegian Foreign Defence Research Establishment, 11 February 2025.

¹⁰ Carlos R. Esquivel et al., ‘Aural Blast Injury/Acoustic Trauma and Hearing Loss’, [Joint Trauma System Clinical Practice Guideline](#), 27 July 2018, p. 2.

and a maximum level of 167.2 dB(C).¹¹ Although the manufacturer's measurement methodology is unavailable to enable direct comparison with other devices, the reported sound pressure levels for the GLI-F4 device of 166 dB at 5 metres and 160 dB at 10 metres are exceptionally high.

10. Chemical irritants such as CS (tear gas) used by police should result in only temporary effects that clear and reverse after a short time. However, the 10 g of CS that the GLI-F4 contains, and the lack of data about its concentration on dispersal, may expose persons to levels of CS sufficient to cause non-temporary medical effects.
11. Additionally, very loud noises in a crowd, such as those caused by the detonation of a GLI-F4 grenade, can cause panic and uncontrolled stampedes, resulting in possible crush injuries or other secondary injuries. Such effects are not conducive to effective, safe, or orderly dispersal. Crowd panic and stampedes have caused serious injuries and even deaths.
12. The risks associated with the launching or throwing of a GLI-F4 grenade are heightened where the user cannot see where the grenade will land. The use of the launching fuse (to 50 m, 100 m or 200 m) increases the risks of the grenade going off target (the further the distance, the higher the risk).
13. Given its nature as an explosive grenade with blast effects, its operational use requires enhanced training and awareness. The risks associated with the GLI-F4 raise questions as to whether its use for law enforcement purposes can be justified at all (see section B(ii)).

Official recognition of the risks associated with the GLI-F4

14. In 2014, the internal inspection and oversight bodies of the French National Police and National Gendarmerie stated that "[d]evices that cause a blast effect produced by an explosive or deflagrating substance are capable of maiming or fatally injuring a person," and noted that France was the only country in Europe that used "explosive munitions in law enforcement operations with the aim of keeping the most violent demonstrators at a distance."¹² Although the report did not recommend discontinuing use of the GLI-F4, it did recommend enhanced training and stricter parameters on the use of "intermediate force weapons", including a requirement that explosive hand grenades only be used by a pair comprised of the thrower and a supervisor.¹³
15. In January 2018, the manufacturer SAE Alsetex announced that it would cease production of the GLI-F4.¹⁴ Among the reasons given was that, following the prohibition of the offensive grenade (OF-F1) after the death of Remi Fraise, the GLI-F4 was likely to be prohibited for similar reasons. The announcement states: "In the last ten years, there have been several serious physical injuries involving the GLI-F4."
16. In February 2019, the French Ministry of the Interior announced that the GLI-F4 would be gradually replaced by the GM2L, another 56 mm munition detonated with a pyrotechnic mix rather than an explosive charge. In this regard, the Ministry noted that the GM2L "does not

¹¹ Gurmail S. Paddan and Matt J. Howell, '[Measurement and analysis of noise produced by "flash-bang" hand grenade distraction devices](#)' (2025) 237 *Applied Acoustics* 110755.

¹² French Ministry of the Interior, Inspection générale de la police nationale (IGPN) and Inspection générale de la gendarmerie nationale (IGGN), Report on the Use of Munitions in Public Order Operations (Rapport relatif à l'emploi des munitions en opérations de maintien de l'ordre), 13 November 2014, pp. 4, 27.

¹³ Ibid, pp. 38-39.

¹⁴ SAE Alsetex, [Substitution de la Grenade LGI F4 par la Grenade GM2L](#).

project any injurious fragments”.¹⁵ While the initial policy was to continue using existing stocks until they were exhausted, cessation of GLI-F4 use was later accelerated. In January 2020, the Minister of the Interior, “in view of the dangers posed by the weapon”, decided to discontinue use of the GLI-F4 before existing stocks had been exhausted.¹⁶ The Ministry acknowledged in the announcement that the explosion of the “active material [in the GLI-F4], which consists partly of tolite [TNT], generates a blast effect and may produce injurious fragments.”

iii. The injuries caused by GLI-F4 grenades and similar munitions

17. Injuries arising from GLI-F4 grenades are typical of explosive munitions and blast-type injuries, resulting from the power of the blast itself, as well as fragments of the grenade body propelled as high-speed projectiles. Reported injuries include severe soft tissue damage, penetrating wounds, tissue and bone destruction, fragment and shrapnel penetration wounds, lacerations, and severe bleeding. Depending on the part of body affected, such wounds can and have led to life changing injuries or death.
18. Several incidents predating 24 November 2018 demonstrate the serious and potentially life-changing injuries caused by GLI-F4 grenades:
19. On 26 October 2013, during a demonstration against the *écotaxe* infrastructure at Pont-de-Buis-lès-Quimerch, Mickaël Cueff sustained severe injuries after picking up a GLI-F4 grenade, which exploded while he was holding it. His right hand was subsequently amputated.¹⁷
20. On 15 August 2017, Robin Pagès was seriously injured during a demonstration against the Cigéo nuclear-waste project at Bure when a GLI-F4 exploded close to his foot. He reportedly sustained a wound approximately 13 cm in diameter and up to 3 cm deep, fractured metatarsals, pulverisation of the big-toe bone, ankle burns, and more than 30 additional impacts to his other leg.¹⁸
21. In April 2018, during police operations to clear an occupied protest site at Notre-Dame-des-Landes, three protesters and two journalists sustained foot or leg injuries from GLI-F4 grenades.¹⁹ In July 2026, the Nantes Administrative Tribunal awarded compensation to all five.²⁰ In the three protesters’ cases, the Tribunal held that the use of GLI-F4 grenades during demonstrations involved “exceptional risks”, noting that their explosive blast could “destroy tissue, mutilate or even kill”; and it found that the State had not demonstrated compliance with the applicable safeguards.²¹

¹⁵ French Senate, Written Question No. 8058, Pierre Laurent, ‘[Use of Grenades during Public Order Operations](#)’, response of the Ministry of the Interior, Official Journal, 21 February 2019, p. 1023.

¹⁶ French National Assembly, Written Question No 16653, Bastien Lachaud, ‘[Interdiction des grenades GLI-F4](#)’, response of the Ministry of the Interior, Official Journal, 16 February 2021, p 1449.

¹⁷ *Cour administrative d’appel de Nantes*, 4e chambre, 28 February 2025, [No. 23NT03843](#), para. 1, Légifrance.

¹⁸ Tanguy Lyonnet, ‘[Manifestation de Bure: On a reçu une salve de grenades](#)’, *Le Parisien*, 23 August 2017.

¹⁹ Christophe Gueugneau, ‘[Évacuation de la ZAD: cinq victimes de violences policières saisissent la justice](#)’, *Mediapart*, 20 October 2018.

²⁰ Bertrand Merloz, ‘[Évacuation de la Zad de Notre-Dame-des-Landes en 2018: l’État indemniserait cinq blessés](#)’, *Oest France*, 22 July 2026.

²¹ Tribunal administratif de Nantes, 5e ch., 22 July 2026, nos 2303697, 2304571, 2304572 and 2304573. Court-appointed ballistics experts attributed the injuries in each of the four available judgments to GLI-F4 grenades, and the Tribunal awarded compensation to all claimants. In the three cases concerning protesters (nos 2303697, 2304571 and 2304572), the Tribunal found, because the GLI-F4 contains an explosive charge producing a blast which, according to

22. On 22 May 2018, 21-year-old Maxime Peugeot was seriously injured during renewed clashes at Notre-Dame-des-Landes when a GLI-F4 exploded after he picked it up. The explosion reportedly tore off his right hand, which was later amputated.²² An official forensic examination reportedly undertaken by the National Gendarmerie's Criminal Research Institute (IRCGN) as part of the investigation, with the report dated 11 July 2018, found that the grenade's shockwave at contact range could fragment tissue and bone and that an explosion while held could tear off the hand. It concluded that the risks posed by the grenade had been underestimated by the authorities and manufacturer.²³

B. THE INTERNATIONAL LEGAL FRAMEWORK RELEVANT TO THE USE OF GLI-F4 GRENADES IN PROTESTS

i. Application of Article 3 and the principles governing the use of force by law enforcement officials in protests

23. Article 3 of the ECHR enshrines an absolute prohibition that permits no exceptions or justifications.²⁴ In the context of protests, the Court has developed the following principles concerning the use of force by law enforcement officials, reflecting international standards, such as relevant UN guidance on the use of force and on the policing of assemblies.²⁵
24. **First**, the use of force by law enforcement in protests must be strictly necessary and proportionate. It is generally not permissible to use force to disperse “a crowd which does not present a danger to public order and is not engaging in violence”.²⁶ The Grand Chamber stated in *Tsaava and Others v Georgia* that, where force attains a level of severity sufficient to bring it within Article 3, its use will be lawful “only if it is indispensable and not excessive — or, in other words, only if the force is strictly necessary and proportionate to the aim for which it was used”.²⁷ Accordingly, unnecessary or disproportionate force in protests violates Article 3. The same test of absolute necessity and strict proportionality applies under Article 2 to force resulting in death.²⁸

the ballistics expert, can “destroy tissue, mutilate or even kill” (“détruire les chairs, mutiler, voire tuer”), its use during a demonstration “involves exceptional risks” (“comporte des risques exceptionnels”) and the State failed to establish that applicable safeguards had been complied with, including deployment by an officer acting together with a supervisor. See, e.g., TA Nantes, 22 July 2026, no. 2303697, 4–6; 2304572, 4–6.

²² “*Notre-Dame-des-Landes: un homme grièvement blessé dans la ZAD en ramassant une grenade*”, *Le Monde*, 22 May 2018.

²³ Ismaël Halissat, “*Grenade GLI-F4: révélations sur une arme qui mutile*”, *Libération*, 25 January 2019.

²⁴ *Izci v Turkey* (Application No. [42606/05](#)), 23 July 2013, para 54. See also *Gäffen v. Germany* [GC] (Application No. [22978/05](#)), 1 June 2010, para 87; *Selmouni v France* (Application No. [25809/94](#)), 28 July 1999, para 95; *Soering v the United Kingdom* (Application no. [14038/88](#)), 7 July 1989, para 88; and *Chahal v the United Kingdom* [GC] (Application no. [22414/93](#)), 15 November 1996, para 79.

²⁵ UN Human Rights Council Resolution on the Promotion and Protection of Human Rights in the Context of Peaceful Protests ([A/HRC/RES/38/11](#)), para 10 (**HRC Resolution 38/11**); UN Code of Conduct for Law Enforcement Officials ([Resolution 34/169](#)), (**UN Code of Conduct**); [UN Guidance on Less-Lethal Weapons in Law Enforcement](#) (**UN Guidance on less-lethal weapons**); UN Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests ([A/HRC/55/60](#)) (**UN Model Protocol**); [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#), (**UN Basic Principles**); UN Human Rights Committee (**HRCttee**), General Comment No. 37 ([CCPR/C/GC/37](#)) (**General Comment 37**).

²⁶ *Tsaava and Others v Georgia* [GC] (Application No. [13186/20](#)), 11 December 2025, para 327(d).

²⁷ *Tsaava and Others v Georgia*, para 327(a). See also *Zakharov and Varzhabyan v Russia* (Application Nos. [35880/14](#) and [75926/17](#)), 13 October 2020, para 62; *Muradova v Azerbaijan* (Application No. [22684/05](#)), 2 April 2009, para 109; and *Izci v Turkey*, para 55.

²⁸ *Fraisie and Others v France* (Applications Nos. [22525/21](#) and [47626/21](#)), 27 February 2025, para 108.

25. In assessing these criteria, the Grand Chamber noted in *Tsaava* that “[t]he key question ... is not whether the use of force was necessary and proportionate in the situation in general, but whether that was so in relation to the individual applicant”.²⁹ Thus, the use of force in protests must distinguish between individuals engaging in violence, based on their individual conduct, and peaceful demonstrators and bystanders.³⁰ Nonetheless, even where an individual has engaged in violence, unlimited force is not justified; they may forfeit their right to freedom of peaceful assembly, but retain their other rights, including the right to be free from torture and other ill-treatment.³¹ Thus, even against individuals posing a threat, force must remain strictly necessary and proportionate to the legitimate aim pursued and cease once no longer required. This assessment must be guided by “the nature, characteristics and degree of the force used”; “the seriousness of any injuries resulting from it”; and “the exact circumstances in which those injuries were caused”.³²
26. The Court has repeatedly affirmed that, in respect of a given individual, any “recourse to physical force which has not been made strictly necessary by his or her own conduct diminishes human dignity and is an infringement of the right set forth in Article 3”.³³ In *Tsaava*, the Court found an Article 3 violation where the respondent State failed to establish that any applicant “had been violent or had posed a threat to the police or members of the public”, holding that “broad-brush explanations” concerning the protest’s general violent escalation did not justify the use of force.³⁴ Similarly, in *Zakharov and Varzhabetyan v Russia*, the Court found force to be “unnecessary and excessive” where the respondent State failed to explain why it had been applied against the applicants.³⁵
27. Further, under UN standards and this ECtHR’s caselaw, less-lethal weapons must not be used as a “general crowd-control weapon rather than a targeted one”³⁶ or in a manner that is likely to cause indiscriminate harm.³⁷ In *Izci v Turkey*, the Court held that the indiscriminate use of tear gas against demonstrators and bystanders was incompatible with Article 3 of the ECHR.³⁸
28. **Second**, Article 3 of the ECHR requires States to reduce the risk of ill-treatment and physical harm through their legal framework.³⁹ The Grand Chamber has stated that the use of less-lethal weapons must be “sufficiently delimited by domestic law, under a system of adequate and effective safeguards against arbitrary action, misuse of force and avoidable accidents”.⁴⁰ The Court has also identified certain types of munitions which domestic law should proscribe for use by police in assemblies. In *Tsaava*, the Grand Chamber stated that these include

²⁹ *Tsaava and Others v Georgia*, para 327(b) and (b)(iii), and see also para 332. See also *Muradova v Azerbaijan*, para 133.

³⁰ UN Guidance on less-lethal weapons, para 6.3.2.

³¹ HRCtee, General Comment 37, para 9; UN Model Protocol, para 26.

³² *Tsaava and Others v Georgia*, para 327(b)(i); (ii); and (iii).

³³ *Muradova v Azerbaijan*, para 109; *Izci v Turkey*, para 55; and *Navalnyy and Gunko v Russia* (Application No. [75186/12](#)), 20 November 2020, para 41.

³⁴ *Tsaava and Others v Georgia*, paras 333–335.

³⁵ *Zakharov and Varzhabetyan v Russia*, para 90.

³⁶ *Tsaava and Others v Georgia*, para 344(a).

³⁷ UN Model Protocol, para 79 (f) and (g).

³⁸ *Izci v Turkey*, para 62. See also *Muradova v Azerbaijan*, para 109, in which applicant sustained injury in the area where police were conducting an operation and resorted to force to quell mass unrest.

³⁹ United against Torture Consortium (UATC), [Protesting without Fear: a policy framework to end torture and ill-treatment in the context of protests](#) (Protesting without Fear), p. 14.

⁴⁰ *Tsaava and Others v Georgia*, paras 327(e) and 337.

multiple projectiles, due to their inherent imprecision, and projectiles containing metal, due to their capacity to cause serious injury.⁴¹ Likewise, under Article 2 of the ECHR, the Court also considers the legal or regulatory framework and the training of the officers concerned, beyond the actions of the agents who resorted to force.⁴²

29. Specifically, the domestic legal framework must lay down guidelines for the use of specific weapons, tailored in light of the risks associated with each weapon.⁴³ The guidelines must provide officers with certainty about the limited circumstances in which they can resort to force and use less-lethal weapons or firearms, taking into account international guidelines. Guidelines setting down broad proportionality requirements without addressing the risks of the use of each weapon are insufficient; such guidelines should include directions on a “differentiated” use of force using weapons of differing levels of danger, as well as specific requirements regarding use of weapons to minimise their dangerous effects.⁴⁴ In *Tsaava*, the Grand Chamber emphasised the need for detailed rules tailored to the particular weapon, its risks, and the circumstances and manner of its use.⁴⁵ Likewise, guidelines which are too complex to be accessible to those responsible for implementing them may lead to unlawful uses of force.⁴⁶ In *Izci*, the Court established that “the lack of a clear, detailed and binding set of instructions on the use of tear gas at the time (...) contributed greatly to the excessive and unjustifiable use of tear gas towards the applicant and the other demonstrators”.⁴⁷
30. **Third**, authorities must take appropriate precautions and other minimum procedural safeguards in their operations to avoid Article 3 violations in protests, especially when less-lethal weapons or other force are involved. This ‘precautionary principle’ requires authorities to plan and control specific policing operations so as to minimise recourse to force and avoidable death or serious ill-treatment.⁴⁸ Specifically, in *Tsaava*, the Grand Chamber stated that the compatibility of a use of force with Article 3 will be informed by “whether steps have been taken to regulate and organise the operation in issue in such a way as to minimise to the greatest extent possible the risk of serious bodily harm to demonstrators, journalists covering the events, and bystanders”.⁴⁹ Accordingly, officers should be given “precise and clear instructions ... as to specific crowd-control measures” which may be used.⁵⁰
31. Additionally, the deployment of less-lethal weapons should be subjected, to the extent possible, to a strict chain of command and control.⁵¹ In *Tsaava*, the Grand Chamber noted that “[f]rontline officers appeared to have acted, overall, independently and on their own initiative” when it came to the deployment of less-lethal weapons, which showed uncertainty as to the existence of a strict chain of command.⁵² Similarly, in *Fraisie*, the Court found there was inadequate on-site involvement and oversight by the authority responsible for

⁴¹ *Tsaava and Others v Georgia*, para 342.

⁴² *Fraisie and Others v France*, para 109; *Farmanyan and Others v Armenia*, para 196.

⁴³ *Tsaava and Others v Georgia*, para 339(a); *Kilici v Turkey*, para 35.

⁴⁴ *Tsaava and Others v Georgia*, para 340; *Fraisie and Others v France*, paras 124, 126, 128; *Farmanyan and Others v Armenia*, paras 186 and 220.

⁴⁵ *Tsaava and Others v Georgia*, paras 338-342.

⁴⁶ *Fraisie and Others v France*, paras 110 and 122.

⁴⁷ *Izci v Turkey*, para 66.

⁴⁸ *Fraisie and Others v France*, para 112.

⁴⁹ *Tsaava and Others v Georgia*, para 327(c). See also *Muradova v Azerbaijan*, para 113.

⁵⁰ *Nika v Albania* (Application No. [1049/17](#)), 14 November 2023, para 167.

⁵¹ *Kilici v Turkey* (Application No. [32738/11](#)), 27 November 2018, paras 35-37.

⁵² *Tsaava and Others v Georgia*, para 344(f).

supervising the operation and decisions on the use of force.⁵³ In *Nika v Albania*, there was no clear and precise instruction as to who would give the order to use lethal force or make an assessment that the use of firearms was necessary, with officers instead acting on their own initiative; this contributed to a finding of an ECHR violation.⁵⁴

32. Further, law enforcement officials should be provided with adequate equipment to allow for the safest possible use of potentially lethal weapons. In *Nika*, officers were not provided with sufficient less-lethal equipment (such as tear gas and water cannons) to enable a differentiated use of force, making escalation to potentially lethal measures more likely.⁵⁵ In *Fraisie*, the lighting equipment provided to officers had poor battery life, meaning that they had to defend themselves in poor lighting, and they did not have an effective loudspeaker for issuing warnings. These were among various “shortcomings” in the operation which contributed to a finding of an Article 2 violation.⁵⁶
33. **Fourth**, law enforcement officers must be sufficiently trained in human rights, policing⁵⁷ and the use of less-lethal weapons,⁵⁸ and must be instructed not only as to the weapons’ technical characteristics but also the risks they pose to life and health.⁵⁹ A lack of training in the correct use of specific less-lethal weapons and “the risks that they could pose to life and limb” was one of the factors contributing to the finding in *Tsaava* that Article 3 had been breached.⁶⁰ A similar conclusion was reached in *Farmanyan*, in which the Court found a violation of Article 2 due to the lack of clear instructions and appropriate training and supervision on the use of tear gas, as well as the conditions of its deployment.⁶¹ Requirements relating to both enhanced training and stricter parameters on the use of the weapon resonate with what has been officially endorsed in relation to the GLI-F4 grenades (see para 14).
34. **Fifth**, before using force, law enforcement officials must seek to de-escalate situations⁶² and, where non-violent means have been exhausted, they must give appropriate warnings to protesters⁶³ and allow sufficient time for dispersal, unless such a warning is clearly infeasible.⁶⁴ A warning cannot be “vague” or “imprecise”, such as by indicating that “action” may be taken, without specifying that potentially lethal weapons may be used.⁶⁵ A lack of warning was one of the factors contributing to the finding in *Tsaava* that Article 3 had been breached.⁶⁶

⁵³ *Fraisie and Others v France*, paras 131–134.

⁵⁴ *Nika v Albania*, paras 169 and 171.

⁵⁵ *Nika v Albania*, para 168. See also *Farmanyan and Others v Armenia*, para 213. See also: Inter-American Court of Human Rights (IACtHR), *Case of Tavares Pereira et al. v Brazil*, 16 November 2023, para 103; *Case of the Landaeta Mejías Brothers et al v Venezuela*, 27 August 2014, paras 124–126.

⁵⁶ *Fraisie and Others v France*, paras 130, and 134–136.

⁵⁷ *Fraisie and Others v France*, para 113 and 126; UN Model Protocol, para 48.

⁵⁸ *Farmanyan and Others v Armenia*, para 220.

⁵⁹ *Tsaava and Others v Georgia*, para 342(e), citing *Abdullah Yaşa and Others v Turkey* (App. No. [44827/08](#)), 16 July 2013, para 49 and *İzci v Turkey*, para 65.

⁶⁰ *Tsaava and Others v Georgia*, paras 344(e) and 345.

⁶¹ *Farmanyan and Others v Armenia*, para 226.

⁶² UN Model Protocol, para 72; and UATC, ‘Protesting without Fear’, p. 16.

⁶³ UATC, ‘Protesting without Fear’, p. 17.

⁶⁴ *Alkhatib and Others v Greece* (Application No. [3566/16](#)), 16 January 2024, para 127. See also: HRCttee, General Comment 37, paras 78 and 87.

⁶⁵ *Nika v Albania*, para 170.

⁶⁶ *Tsaava and Others v Georgia*, paras 344(d), 345.

35. **Sixth**, regulation as to the use of force in protests must account for other ECHR rights, including Article 11: “where demonstrators do not engage in acts of violence, it is important for the public authorities to show a certain degree of tolerance towards peaceful gatherings if the freedom of assembly guaranteed by Article 11 of the Convention is not to be deprived of all substance”.⁶⁷

ii. The inherent dangers of GLI-F4 grenades and their implications for use in protests under Article 3

36. The characteristics and risks described in Section A are relevant to the application of Article 3 and the suitability of GLI-F4 grenades for crowd dispersal. The UN Guidance on Less-Lethal Weapons calls for prior legal review and independent testing of reasonably expected uses, and states that weapons whose intended use does not comply with the rules governing law enforcement or which present an undue risk of death or serious injury should not be authorised for procurement, deployment or use.⁶⁸ Applied to GLI-F4 grenades, this requires consideration of foreseeable effects, including risks arising from their nature and intended operation rather than solely from improper use.
37. While previous instances have demonstrated the capacity of the GLI-F4 to cause serious and irreversible injuries (see section A(iii)), the gravity of the resulting injury is not the sole consideration in determining whether treatment attains the minimum level of severity required under Article 3 of the ECHR (see section B(i)). Where an individual is confronted with law enforcement, the Court’s examination focuses on whether force was necessary and proportionate, rather than solely on the severity of the treatment or injury.⁶⁹ The nature of the weapon and its inherent risks are also relevant: in *Kilici v Turkey*, bruising caused by a rubber bullet was sufficient to engage Article 3 because of the dangerous nature of the munition and the risk of more serious injury.⁷⁰
38. The specifications of a weapon system also inform the Court’s assessment of its risk and the safeguards required for its use. In *Abdullah Yasa and Others v Turkey*, the Court considered not only the use of tear gas but its delivery through a grenade fired directly at demonstrators. Recognising “the risk of causing serious injury [...], or indeed of killing someone, if the grenade is launched improperly”, the Court applied its case-law on potentially lethal force *mutatis mutandis* and required clear domestic legal limits and effective safeguards against arbitrariness, abuse, and avoidable accidents.⁷¹ Similarly, in *Farmanyan and Others v Armenia*, an Article 2 violation arose in part because tear gas grenades were fired into a crowd in a way that increased the risk of serious injury or death to individuals.⁷²
39. *Fraisie* provides a particularly close analogy concerning explosive blast effects. Although the case concerned an OF-F1 grenade and Article 2, the Court explicitly recognised the weapon’s

⁶⁷ *Farmanyan and Others v Armenia*, para 198.

⁶⁸ UN Guidance on less-lethal weapons, paras 4.2.1-4.2.3. See also UN General Assembly, Report of UN Special Rapporteur on Torture Nils Melzer, ‘Extra-custodial use of force and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment’ ([A/72/178](#)), 20 July 2017, paras 59-60.

⁶⁹ *Muradova v Azerbaijan*, para 109; *Geylani and Others v Turkey* (Application No. [10443/12](#)), 12 September 2023, para 71. See also: *Ivan Vasilev v Bulgaria* (Application No. [48130/99](#)), 12 April 2007, para 62; *Mursic v Croatia* [GC] (Application No. [7334/13](#)), 20 October 2016, para 97; *Bouyid v Belgium* [GC] (Application No. [23380/09](#)), 28 September 2015, para 86.

⁷⁰ *Kilici v Turkey*, para 32.

⁷¹ *Abdullah Yasa and Others v Turkey*, paras 42-43.

⁷² *Farmanyan and Others v Armenia* (Application No. [15998/11](#)), 18 September 2025, para 222.

risks and dangerous nature, and considered its provision to law enforcement personnel problematic without a precise and protective framework.⁷³ Its reasoning demonstrates that scrutiny extends beyond an individual officer's actions to the decision to equip officers with such weapons, the safeguards in operations, and the framework governing their deployment (Section B(i)).

40. The UN Special Rapporteur on torture has likewise recognised that “certain delivery mechanisms [of chemical irritants] can be indiscriminate”.⁷⁴ The Special Rapporteur further noted that chemical irritant grenades “can also cause serious injuries or death from the kinetic impact of the munitions, submunitions, fragments or shrapnel” and that stun grenades “can cause long-term damage to hearing or sight. Shrapnel from the explosion of the grenade may cause injuries. Their use can also cause panic-driven stampedes”.⁷⁵
41. For GLI-F4 grenades, the concern extends beyond improper deployment. As explained in Section A, the blast effect is an intended feature of the weapon, which distinguishes it from other less-lethal grenades. Detonation produces an explosive pressure wave and an intense acoustic impulse capable of causing serious blast injuries and temporary or permanent hearing loss. Accurate throwing or launching does not eliminate those risks; it can only seek to limit exposure. Avoiding serious injury – for example through sufficient separation between the point of detonation and persons nearby – would require a clear landing area, which presents particular difficulties in a dynamic environment such as protests. Section A also clarified that, in a crowded setting, its blast and acoustic effects cannot be directed solely at individuals whose conduct might justify (proportionate) force, while the risks of panic add a further level of risk. Enhanced training, supervision, and regulation may reduce deployment errors but do not remove the dangers posed by the weapon and, consequently, the risks which are inherent to this type of grenade.

CONCLUSION

42. The technical characteristics of GLI-F4 grenades expose individuals to a significant risk of serious and irreversible injury, including through their intended explosive and acoustic effects. In protest settings, where large numbers of people are often concentrated in relatively contained spaces, these effects create a foreseeable risk of indiscriminate harm that training, supervision, and accurate deployment cannot eliminate. The interveners therefore submit that, given their inherently dangerous nature and associated risks, GLI-F4 grenades are unsuitable for the policing of protests and that their use for crowd dispersal in such contexts is incompatible with Article 3 of the ECHR. In examining alleged Article 3 violations, proper regard must also be had to the principles and safeguards governing the use of force and their application in the circumstances of the case. These require States to regulate, plan and conduct policing operations – including the choice of weapon, manner of deployment, and training – so that force is strictly necessary and proportionate to legitimate aims and risks of torture and other ill-treatment are minimised.

⁷³ *Fraisse and Others v France*, paras 125-126.

⁷⁴ UN Special Rapporteur on Torture, “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment”, 24 August 2023, UN Doc. [A/78/324](#), para 62.

⁷⁵ *Ibid*, [Annex II](#), pages 10 and 13.

ANNEX I



GRENADE LACRYMOGENE GLI F4 **SAE 810**

UTILISATION

La grenade lacrymogène instantanée GLI F4 est destinée au rétablissement de l'ordre et utilisable en tous milieux extérieurs. Cette grenade permet de déstabiliser les manifestants dans des situations particulièrement difficiles (violences, émeutes).

DESCRIPTION

Après initiation, la grenade GLI F4 émet par détonation un effet sonore et de choc très intense en libérant instantanément du CS pulvérulent. Aucun éclat n'est émis lors de la détonation. Les portées obtenues avec le tir au fusil ou avec le Lanceur Cougar sont de 50 m, 100 m et 200 m.

MISE EN OEUVRE

	INITIATEUR	PORTEE
A la main	Bouchon allumeur BA F10 – R 0	5 – 30 mètres
Lanceur CHOUKA	DPR 50	40 - 70 mètres
	DPR 100	80 - 120 mètres
Lanceur COUGAR	DPR 50	40 - 70 mètres
	DPR 100	80 - 120 mètres
	DPR 200	150 - 220 mètres
Fusil + tromblon	Bouchon retard BR 2,5 s	70 - 130 mètres

PERFORMANCES

- Effets psychologiques engendrés par l'effet sonore (165 db mesuré à 5 mètres et 160 db mesuré à 10 m) et l'onde de choc.
- Effet irritant par dispersion instantanée du CS au moment de la détonation.



CARACTERISTIQUES

- Diamètre extérieur : 56 mm
- Longueur : 178 mm
- Masse totale : 190 g
- Masse active : 41,2 g
- Masse de CS pur : 10 g

TRANSPORT

- UN : 0301
- Classe de transport : 1.4 G
- Conditionnement : Caisse Bois par 20 pièces
- Condition d'exportation : AEMG

SAE ALSETEX - USINE DE MALPAIRE 72300 PRECIGNE FRANCE
TEL : 00.33.2.43.92.81.00 - FAX : 00.33.2.43.92.81.33 - Web site : www.asetex.fr
Dans un souci d'optimisation de ses produits, ALSETEX se réserve le droit d'en modifier, sans préavis, certaines caractéristiques.

LAW ENFORCEMENT

56-MM RANGE / DUAL EFFECT

GLI F4 INSTANTANEOUS TEAR-GAS GRENADE

The GLI F4 grenade delivers an instant deafening report and long-lasting, highly powerful CS tear gas for use during law enforcement and public order operations in urban and rural environments. These versatile grenades can be deployed effortlessly by hand, rifle or ALSETEX launchers.

DESCRIPTION

The GLI F4 grenade contains a CS tear-gas powder charge inside a moulded plastic casing. The CS tear-gas charge is dispersed before the grenade impacts the ground and the casing splits in two to avoid harmful backspill. It also delivers a deafening report and a blast. Range varies from 10 to 200 metres depending on the delivery method.

APPLICATIONS

The GLI F4 grenade creates a safety zone in front of police agents during law enforcement and public order operations. The certified(1) CS tear-gas powder combined with the deafening report and the blast ensure maximum effectiveness with no irreversible effects.



SPECIFICATIONS

- Ø: 56-mm
- 10 g of pure CS tear-gas powder(1)
- 30 g detonating explosive composition
- Length: 137 mm
- Weight: 132 g
- Report: 166 dB at a distance of 5 metres; 160 dB at 10 metres
- Deployed by hand (1.5 or 2.5 fuse), launcher (50, 100 or 200 delayed-fuse propellant) or rifle (1.5 or 2.5 delayed fuse)

PERFORMANCE

The CS laden powder cloud combined with an intense sound report and blast destabilize and incapacitate individuals with no irreversible effects.
Radial Coverage: diameter of 10 to 20 metres.
Operating temperature range: -20/+50 °C

PACKAGING/TRANSPORT

UN 0301



Subsidiary hazards: 6.1 / 8
Export License : AEMG
Customs nomenclature: 93.06.90.90.00
Packaging: box of 30

(1) In compliance with the MIL-R-51029C standard and REACH regulations