

Time for a moratorium on non-lethal weapons in the hands of Thai police

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In mid-November, Thai police employed heavy-handed tactics as they deployed chemical-laced water cannons, tear gas canisters and the suspected use of rubber bullets - a counterproductive move that Mark S. Cogan argues will only lead to an escalation of violence

At a demonstration near Thailand's Parliament on November 17, the Royal Thai Police escalated defensive measures against pro-reform protesters, employing water cannons and throwing canisters of tear gas in an effort to push back the crowd.

According to Erawan Medical Centre, as many as [55 people were injured](#), mainly from those who inhaled teargas, and five people who were shot. While some of the injuries stemmed from a confrontation between pro-democracy protesters and yellow-clad royalists, police were [seen carrying semi-automatic weapons loaded with what appeared to be rubber bullets](#).

The police claimed that they [fired the tear gas-laced water from high-powered cannons](#) as protesters attempted to cut through barricades fortified with razor wire. The police [denied the use of rubber-coated bullets or live ammunition](#). The tactics employed by Thai police demonstrated a tangible increase in state-sanctioned violence, with limited calls for accountability and transparency. In an environment increasingly ripe for dramatic escalations by counter-protesters or other groups mobilised in support of the political status quo, Thai authorities would be better served with deliberate restraint on the use of chemical irritants and other [crowd-control weapons \(CCWs\)](#).

International reaction from multiple entities was rather limited. A statement attributed to a spokesperson for UN Secretary-General António Guterres "expressed concern" about the deteriorating human rights situation in Thailand and called the repeated usage of less-lethal weapons against protestors "disturbing". Later, [a statement was signed by human rights groups condemning police for their tactics](#) as well as failure to prevent conflicts between demonstrators and Yellow Shirt royalists.

What requires greater explanation from the Royal Thai Police is the rationalisation of these escalations and a justification for risking public safety and increasing the likelihood of violence between conflicting groups. The tactics by which police respond to volatile public demonstrations is often determined by a variety of "non-lethal" weapons available to police officers and the amount of training that police receive in ensuring their proper use. The Royal Thai Police, like many law enforcement agencies, have responded to popular protests with these non-lethal weapons [CCWs](#).

Many of these weapons are made in the United States and are employed with little regulation, monitoring, or accountability. Further, the misuse of these weapons, evidenced by the larger number of people injured on November 17, often results in accidental permanent injury, disability and even death.

In many cases, law enforcement agencies have misused CCWs, particularly chemical irritants, [which can cause a number of medical issues](#), such as chemical burns, suffocation, as well as severe blistering of the skin. In Hong Kong, more than 10,000 canisters of tear gas were launched over a period of six months, [according to the Associated Press](#). CS gas, which is common in tear gas can produce health risks for vulnerable people. An August 2019 survey showed that journalists covering the protests had developed breathing problems, skin allergies and severe stomach problems. Some even coughed up blood. When used in an arbitrary manner, particularly at public gatherings, these weapons can cause additional injury through panic.

US cities like Philadelphia, Pennsylvania, [announced a moratorium on the use of tear gas in the dispersal of crowds](#) after allegations of police brutality, as well as an evaluation of other equipment available to SWAT personnel. The mayor of Portland, Oregon also [banned the use of tear gas](#) in crowd control.

Despite their increased use, most recently in the United States, Iran, [and Hong Kong](#), very few have paid attention to grave concerns about the sales and manufacturing of tear gas, partially because it is [largely unregulated and there is little to no accountability among governments](#). No common standards exist for the composition of tear gas and canisters come in an assortment of sizes and contain a variety of toxic chemicals. The International Human Rights Program (IHRP) at the University of Toronto recommends that as the use of tear gas is rightfully banned in warfare, it should equally be banned as a riot control agent in domestic contexts.

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Similar actions after the events of November 17 might be appropriate as a precaution against further reputational damage, and Thai authorities have a long history of inappropriate and deadly uses of force against public demonstrators.

In 1991, a bloodless coup overthrew the democratically-elected government of Chatichai Choonhavan. A year later, General Suchinda Kraprayoon became Prime Minister, which galvanised protest against him, with hundreds of thousands of Thais taking to the streets to demand Constitutional changes that would ensure that only an elected official would serve as Prime Minister. When talks broke down in May of 1992, Thai security forces opened fire on pro-democracy demonstrators, killing 52 and injuring hundreds. Multiple reports suggested that the use of lethal force was unwarranted, and that authorities made little effort to employ non-lethal methods of crowd control.

Law enforcement agencies seem unwilling to bridge the gap in knowledge about which tactics to employ and a lack of understanding about the potential side effects of the employment of non-lethal weaponry. For example, chemical irritants such as tear gas cause pain and inflammation, particularly on the skin or entering the body via mucous membranes. Higher concentrations of chemical irritants can cause prolonged discomfort, requiring hospitalisation.

At a hearing the Deputy Chief of the 2nd Crowd Control Division Lt. Col. Chawalit Runsiri admitted that the police [admitted that tear gas was mixed in with water](#) which was sprayed at anti-government protesters. Chawalit told a Parliamentary hearing that the riot police followed “universal standards” on crowd control, and only resorted to the use of tear gas after the water cannon failed to force protesters to retreat. Evidence about the chemical content of the irritants used are scarce, however a [researcher at Kasetsart University found significant quantities](#) of CS gas, or *2-chlorobenzylidene malonitrile* and other dangerous chemicals in an obtained sample.

Thailand's less-than-perfect record in managing crowds contrasts with international human rights standards, which obligate the State to protect individuals exercising their right to assemble from forms of violence by law enforcement or counter-protesters. Non-lethal force should be limited to rare situations where violence is imminent and is directed at the de-escalation of that violence. Clearly, this was not the case on November 17, where indiscriminate force was directed at protesters who posed no danger to the well-equipped police.

[According to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#), the use of non-lethal weaponry should only be employed as a last resort. These weapons exist, supposedly, as options when regular community policing methods have failed. Water cannons, preferably not laced with tear gas, according to UN guidance, "should only be used in situations of serious public disorder where there is a significant likelihood of loss of life, serious injury, or the widespread destruction of property".

When the [Chemical Weapons Convention](#) entered into force in 1997, states agreed that tear gas was not acceptable during war. 193 states ratified it, but unfortunately, the agreement was negotiated in order to permit the use of the chemical agents for riot control purposes, which allow law enforcement agencies to use tear gas on civilians.

Despite Thailand's obligations under the [International Covenant on Civil and Political Rights \(ICCPR\)](#), the regime continues to use violence and intimidation as means of control, but only a moratorium on these brutal "non-lethal" weapons and unnecessary aggressive tactics can reduce the risk of an outbreak of violence or an unfortunate loss of life.

Without the use of these non-lethal agents, police will have to develop techniques to de-escalate protests while developing and nurturing non-violent strategies and solutions, both hallmarks of a community policing environment and a more democratic society.

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