



UK Mission  
Geneva

UK Mission Geneva  
PO Box 6  
Avenue Louis Casar 58  
1216 Cointrin GE

Tel: 022 918 2453  
Fax: 022 918 2333

**Note Verbal No. 026**

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to submit its response to communication ALGBR 14/2024, further to the letter dated 27 November 2024 from the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 30 January 2025.

Special Procedures Branch  
Office of the High Commissioner for Human Rights

## **United Kingdom of Great Britain and Northern Ireland**

### **Response to Special Procedure communications AL GBR 14/2024 of 27 November 2024 sent by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the rights to freedom of peaceful assembly and of association**

---

Thank you for your letter of 27 November 2024 regarding the 2024 Emergency Tech Show. We have answered your questions below.

#### **1. Please provide any information and comment on the above information.**

The UK Government is committed to complying with international human rights law and is against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment. Measures against this have been in place in the UK since 2005.

The UK Government is committed to maintaining robust and transparent strategic export control and import control systems, administered by the Department for Business and Trade.

Addressing points 1 and 3 in your letter, we would like to clarify the relevant UK legislation and comment on the preliminary list of items identified by the Special Rapporteur on Torture as inherently cruel, inhuman or degrading and that, as such, are considered to be prohibited due to either (a) their technical specifications; or (b) because the purpose for which they are being used can be achieved by less harmful means. We also set out additional information on the UK's import and export control systems, namely on the law on imports and exports and any licensing activity in this area which you may find useful.

The electric body worn device is not being used by British domestic authorities and there are no plans to do so for UK Police forces, according to the Home Office.

#### UK Legislation

The relevant UK legislation is Assimilated Regulation (EU) 2019/125 of the European Parliament and of the Council<sup>1</sup>. This regulation was amended by the Trade in Torture etc. Goods (Amendment) (EU Exit) Regulations 2020<sup>2</sup> to address inoperabilities and deficiencies of retained EU law arising from the withdrawal of the United Kingdom from the EU and to ensure EU-derived domestic import and export control legislation operated effectively post EU exit. By virtue of the Windsor Framework the EU regulation continues to apply in Northern Ireland.

Regulation (EU) 2019/125 has three key chapters covering different types of goods:

- Chapter II prohibits the export, import, transit, brokering, training on the use, display or offer for sale in an exhibition or fair, and advertising to sell to or to purchase from persons outside of the UK, of goods which have no practical use other than for the purposes of capital punishment or torture and other cruel, inhuman or degrading treatment or punishment. Goods specified for the purposes of Chapter II include, *“Electric shock devices which are intended to be worn on the body by a restrained individual, such as belts, sleeves and cuffs, designed for restraining human beings by the administration of electric shocks.”*
- Chapter III requires a UK licence for the export, technical assistance and brokering of goods that could be used for the purpose of torture or other cruel, inhuman or degrading treatment or punishment. Goods specified in Chapter III include *“Portable electric discharge weapons that can target only one individual each time an electric shock is administered, including but not limited to electric shock batons, electric shock shields, stun guns and electric shock dart guns.”*

Chapter III also prohibits executing the transit of such goods where the person providing the service knows that any part of a shipment of such goods is intended to be used for torture or other cruel, inhuman or degrading treatment or punishment in a third country.

- Chapter IV requires a licence for the export, technical assistance and brokering of goods that could be used for the purpose of capital punishment. Goods specified for the purposes of Chapter IV include *“Short and intermediate acting barbiturate anaesthetic agents.”*

Chapter IV also prohibits executing the transit of such goods where the person

---

<sup>1</sup> [Regulation \(EU\) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment \(codification\)](#)

<sup>2</sup> [The Trade in Torture etc. Goods \(Amendment\) \(EU Exit\) Regulations 2020](#)

providing the services knows that any part of the shipment of such goods is intended to be used for capital punishment in a third country.

In addition to Assimilated Regulation (EU) 2019/125, the Export Control Order 2008<sup>3</sup> makes provision for trade controls and under Article 21 requires that a person has a UK licence to supply or deliver; agree to supply or deliver; or do any act calculated to promote the supply or delivery of any Category A goods, where that person knows or has reason to believe that such action or actions will, or may, result in the removal of those goods from one third country to another third country. Category A goods include “*Portable devices designed or modified for the purpose of riot control or self-protection by the administration of an electric shock (eg, electric-shock batons, electric-shock shields, stun-guns and electric-shock dart-guns)*”.

Firearms import controls are detailed in Annex I of the Open General Import Licence<sup>4</sup> with domestic controls and definitions set out in the Firearms Act 1968<sup>5</sup>, as amended, for Great Britain and the Firearms (Northern Ireland) Order 2004 for Northern Ireland<sup>6</sup>.

A wide range of firearms are prohibited under the Firearms Act 1968 and authority has to be sought from the Secretary of State at the Home Department if someone wishes to possess or trade a firearm which is otherwise prohibited. A casework team in the Home Office considers any request for such an ‘authority’.

Applications are subject to robust scrutiny. As a matter of policy, an authority will normally only be granted to those with a legitimate commercial need to possess prohibited weapons, rather than for private use or speculative business interest.

The Courts in the UK have held that stun guns are prohibited weapons under the terms of section 5(1)(b) (*Flack v Baldry* (1988) 1 All.ER 673) and anyone wishing to purchase, acquire or possess these and similar weapons, which give off an electrical discharge, must apply for the Secretary of State’s authority. It is an offence to purchase etc a prohibited weapon without authority, carrying a maximum penalty of 10 years imprisonment. The prohibition on stun guns includes police and other authorities.

Items considered by the Special Rapporteur as inherently cruel, inhuman or degrading and which should be considered to be prohibited.

---

<sup>3</sup> [The Export Control Order 2008](#)

<sup>4</sup> [Open General Import Licence](#)

<sup>5</sup> [Firearms Act 1968](#)

<sup>6</sup> [The Firearms \(Northern Ireland\) Order 2004](#)

Annex 1 of the Report of Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment A/78/324<sup>7</sup> sets out a list of items considered to be inherently cruel, inhuman or degrading based on either (i) their technical specifications (design) such that they inflict pain or suffering, or are humiliating or debasing, that is beyond the threshold permitted by the prohibition on torture or other ill-treatment; or (ii) because the purpose for which they are being used can be achieved by less harmful means and hence their purpose is deemed to be illegitimate.

Chapter 3 of Annex 1 splits electric shock weapons into two categories, 3.1 Body worn electric shock devices and 3.2 Direct contact electric shock weapons.

Body worn electric shock devices are described as “capable of delivering painful electric shocks, designed to be worn by a detainee (usually in the form of a cuff, sleeve, vest, or belt). The electric shock is delivered by a third-party activating the device by remote control”. As noted above, such devices are specified for the purposes of Chapter II of Regulation (EU) 2019/125 and are subject to the prohibitions ascribed to Chapter II above.

Direct contact electric shock weapons are described as including stun batons, electric shock shields and stun guns. As noted above such items are specified under Chapter III of Regulation (EU) 2019/125 and are subject to the to the authorisation requirements in Chapter III. In addition, they would be subject to trade controls under Article 21 of the Export Control Order 2008.

The “G.L.O.V.E.” described in your letter is not intended to be worn by a detainee and based on the information held by the UK Government would require a UK licence under Chapter III of (EU) 2019/125 for the purposes ascribed to Chapter III. In addition, it would be subject to trade controls under Article 21 of The Export Control Order 2008.

Our records indicate that the UK Government has not issued an import licence for the relevant devices. Our records indicate that the UK Government has not issued export or trade control licences for the relevant devices up to 30 June 2024.

Under the Statistics and Registration Service Act 2007 (SRS), we are unable to prematurely disclose licensing official statistics for the period since 30 June 2024 because they are intended for future publication.

Section 13(1) of the SRS compels producers of National Statistics to comply with the Code of Practice for Statistics. Disclosing the requested licensing information would

---

<sup>7</sup> [annex-i-document-august-2023-ae-18-09-23.pdf](#)

breach T3 of the Code of Practice for Statistics ('Orderly Release'), the Pre-release Order, and by extension the SRS.

Information about export licensing decisions recorded in the period 1 July – 30 September 2024 will be published in 2025 as part of quarterly reports on Strategic Export Controls which contain detailed information on export licences issued, refused, or revoked, by destination, including the overall value, type (e.g. Military, Other) and a summary of the items covered by these licences. They are available to view on GOV.UK at <https://www.gov.uk/government/collections/strategic-export-controls-licensing-data>.

**2. Please provide information on the measures adopted by Your Excellency's Government to investigate the above-mentioned information regarding the promotion and display of inherently cruel, inhuman or degrading devices at the 2024 Emergency Tech Show in Birmingham.**

HM Revenue and Customs is responsible for enforcement of controls relating to this activity under [Regulation \(EU\) 2019/125 of the European Parliament and of the Council](#) and undertakes a preliminary assessment into all credible intelligence / allegations of breaches. While the department cannot comment on operational matters or specific cases, it has nonetheless, a strong control regime and a wide range of enforcement options available. This includes education, warning letters, disruptions and seizures and in the most serious of cases, issuing compound settlements for an out of court financial settlement or in more severe cases, a referral to the Crown Prosecution Service for consideration of prosecution.

**3. Please provide information on the measures adopted or envisaged by Your Excellency's Government in order to prohibit and prevent the exhibition and trade of the above-mentioned and similar devices in future trade fairs.**

HMRC works with the Department for Business and Trade, Border Force, Foreign Commonwealth and Development Office, HM Treasury and other agencies to contribute to raising awareness of sanctions and strategic export controls through educational outreach to business. In addition, the department participates in outreach and capability-building events with international partners. This activity strengthens links with other enforcement agencies in the field of strategic export control and improves the capabilities of international partners.

**4. Please highlight the steps that Your Excellency's Government has taken, or is considering to take, including policies, legislation, and regulations, to fulfil its obligations to protect against human rights abuse by business enterprises under its jurisdiction, and ensuring that business enterprises within its territory conduct effective human rights due diligence to identify, prevent, mitigate and account for how they address their impacts on human rights**

**throughout their operation, as set forth by the UN Guiding Principles on Business and Human Rights.**

The UK Government is clear that it expects all UK businesses to respect human rights throughout their operations, in line with the UN Guiding Principles on Business and Human Rights (UNGPs). The UK Government has consistently supported the UNGPs, which are widely regarded as the authoritative international framework to steer practical action by Governments and businesses worldwide on this important agenda. Implementation of the UNGPs will support access to justice and remedy for victims of business-related human rights abuses, wherever these occur, and encourage businesses to adopt due diligence approaches to respecting human rights. In response to the UNGPs, the UK was the first State to produce a National Action Plan (NAP), and we continue to develop our approach.

The UK Government expects, encourages, and supports UK businesses to undertake human rights due diligence to respect human rights in their operations and supply chain relationships, in line with the OECD Guidelines for Responsible Business Conduct and the UNGPs. As a signatory to the Guidelines the UK is legally required to operate a [UK National Contact Point \(NCP\)](#). This is an independent function within the Department for Business and Trade (DBT) responsible for promoting the OECD Guidelines and managing a non-judicial grievance mechanism to resolve complaints where a stakeholder alleges a breach of the Guidelines by a UK business.

In the UK, under the Companies Act 2006, all directors of a company are required to consider the impact of a company's operations on a range of factors including the community and environment when making decisions to promote the success of a company. Since 2019, large companies are required to disclose how they have done that in their Annual Report. In addition, certain other companies (quoted companies and large public interest entities) are required to report on social matters and respect for human rights as part of their annual reports and accounts.

Businesses can also access the [overseas business risk pages](#), managed by the UK's trade and diplomatic network, which include information on human rights risks when trading overseas.

Next year, the FCDO will be carrying out a National Baseline Assessment (NBA) on the implementation of the UNGPs. An NBA will contribute to the evidence base to inform the UK's approach to tackling business-related human rights abuses, including in global supply chains.

The UK also has clear legislation to combat forced labour in supply chains. Section 54 of the Modern Slavery Act 2015 requires commercial businesses who operate in the UK and have a turnover of £36m or more to report annually on the steps they

have taken to prevent modern slavery in their operations and supply chains. Detailed best practice guidance can be found on gov.uk pages, including [statutory guidance](#) from the Home Office with links to external resources to help businesses publish their annual modern slavery statement.

The UK recognises the importance of ensuring UK businesses do not cause or contribute to human rights abuses or violations. The UK Government will review the best ways to prevent human rights abuses in both private and public sector supply chains.

**5. Please provide any information in respect of discussions with the above-mentioned company or others in the same trade to ensure that their activities are in alignment with international human rights law.**

The UK Government takes its trade control responsibilities very seriously and we operate export and import control regimes that are amongst the most robust and transparent in the world. The UK Government encourages companies to be compliant with international obligations in all their undertakings.

It is not appropriate for the UK Government to disclose any discussions which may or may not have taken place with third parties in respect of firearms licensing. Assurance can be provided that the UK has strong controls, and our priority is public safety.

By way of further reassurance, police may use only less lethal weapons which have been approved by the Secretary of State for the Home Department for police use. Any decision by the Secretary of State for the Home Department on whether to approve a less lethal weapon for police use is informed by police operational requirements, robust technical testing and technical and medical assessments and consideration of societal and ethical issues.

I hope this information will be helpful.