

THE ARMED FORCES PUBLISHED A *USE OF FORCE MANUAL* WITH ADHERENCE TO HUMAN RIGHTS

On May 30th, the *Use of Force Manual* was published through official decree, by the Ministry of Defense and the Ministry of the Navy. This Manual has the objective of ensuring that, whenever military personnel resort to the use of force, they promote, respect, protect and guarantee human rights.

The Manual covers the following topics: i) concept and principles on the use of force; ii) the circumstances in which it is appropriate to use force and weapons and mechanisms that can be used; iii) measures to reduce damage to third parties; iv) identification protocols, deterrence methods and; v) persuasion and responsibilities.

The document defines the use of force as "the use of techniques, tactics, methods and weapons by personnel of the armed forces, to control, repel or neutralize acts of non-aggressive, aggressive or severe aggressive resistance".

According to the Manual, the use of force by members of the armed forces should only be appropriate when it is inevitable and indispensable. It also states that the use of force should be performed with strict adherence to existing standards on human rights, regardless of the type of aggression and with due regard to the principles of opportunity, proportionality, rationality and legality.

The document states that members of the armed forces may only use force in order to: fulfill a duty to act in support of civil authorities; overcome resistance; prevent the commission of crimes; protect legal interests in case of an attack; in self-defense, and; to control a person who resists arrest in cases of *flagrante delicto*.

Notably, the Manual establishes the State's duty to train members of the armed forces in order to ensure that they act "with respect and protection of human rights, including particularly vulnerable groups (children, people with some different capacity or specific medical conditions, pregnant women and the elderly, among others)."

In the last section, the Manual states that the use of force is one of the most sensitive activities within the exercise of authority, so default on certain obligations could result in criminal or administrative responsibility for the individual; or to Mexico in the international sphere.

This instrument is based on constitutional provisions, the organic laws of Mexico's Navy, Army and Air Force, the Code of Conduct for Law Enforcement Officials adopted by the UN General Assembly and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, also by the UN.

To specifically regulate the actions of members of the armed forces is an important step towards respect and enjoyment of the rights of society in Mexico. The publication of this Manual is an addition to the actions taken by the Government of Mexico to ensure the protection of human rights.

Reference:

National Program for Equality and Non-Discrimination 2014-2018: http://www.dof.gob.mx/nota_detalle.php?codigo=5343069&fecha=30/04/2014