

LE CADRE LÉGAL D'USAGE DES ARMES DU MILITAIRE DE LA GENDARMERIE

ABSOLUE NÉCESSITÉ

PROPORTIONNALITÉ

Code pénal
La légitime défense :
article 122-5
L'état de nécessité :
article 122-7

**Code de la
sécurité intérieure**
Le cadre commun
Police-Gendarmerie :
article L435-1

**Code de la
défense**
Zone de défense
hautement sensible
et OPEX :
article 4123-12

- **A**tteinte à la vie
- **M**enace avec arme
- **E**nvironnement
- **R**ecours



Nouvelles dispositions de l'article L. 435-1 du Code de la sécurité intérieure

CAS N° 1

Atteintes
à la vie ou à
l'intégrité
physique
contre
soi-même
ou autrui

CAS N° 2

Ne peuvent
défendre
autrement
– les lieux
qu'ils
occupent
– les personnes
qui leur sont
confiées

CAS N° 3

Ne peuvent
arrêter
autrement
les personnes
qui cherchent
à échapper
à leur garde

CAS N° 4

Ne peuvent
immobiliser
autrement
des véhicules
ou moyens
de transport
dont les
conducteurs
n'obtempèrent
pas à l'ordre
d'arrêt

CAS N° 5

Empêcher
la réitération
d'un ou de
plusieurs
meurtres
ou tentatives
de meurtre



Sommations " Halte gendarmerie,
halte ou je fais feu "

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Roger Casement



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