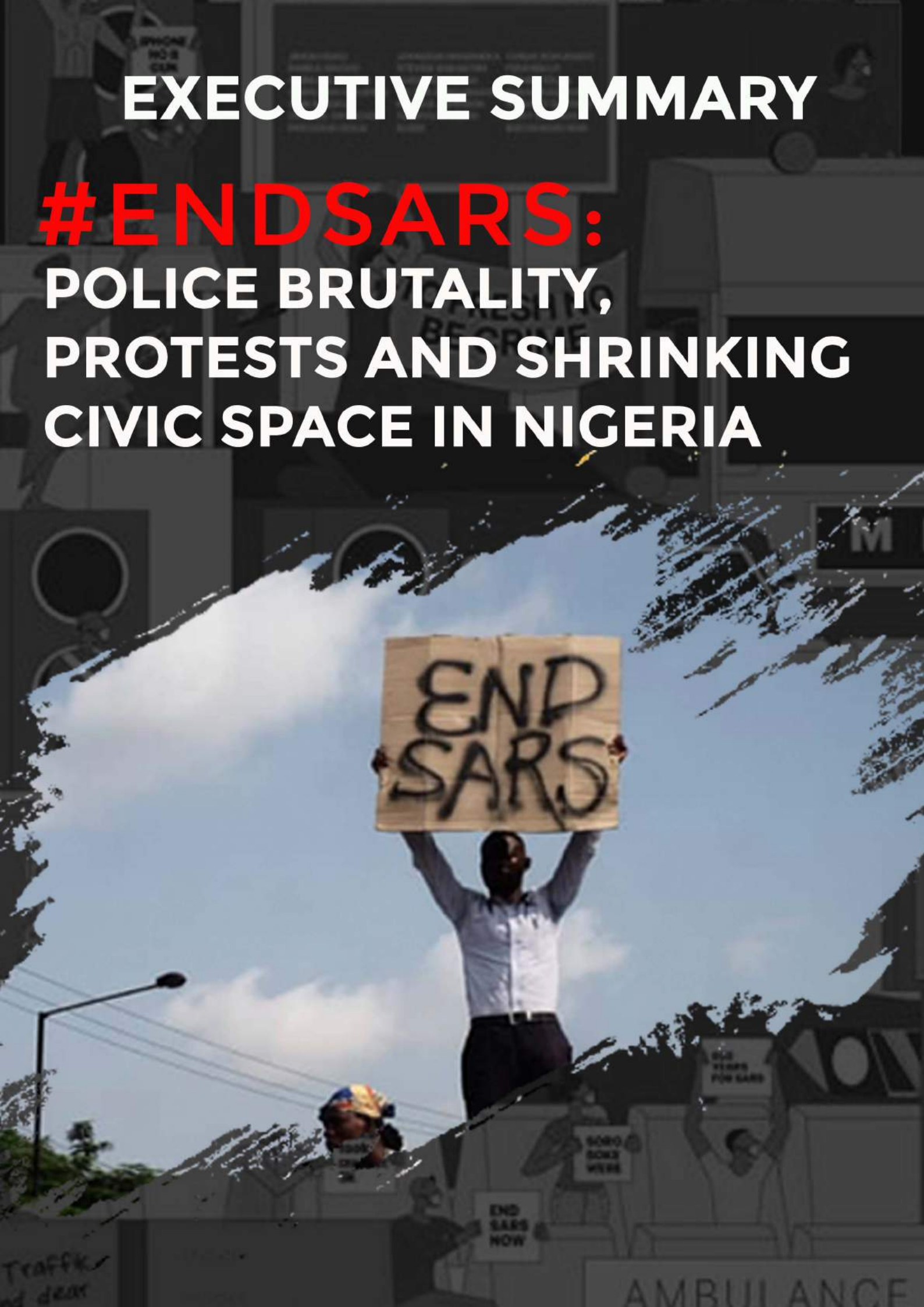


# EXECUTIVE SUMMARY

## #ENDSARS:

### POLICE BRUTALITY, PROTESTS AND SHRINKING CIVIC SPACE IN NIGERIA





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# #EndSARS



# FOREWORD

The civic space is clearly under attack in Nigeria. Nothing exemplifies the rapidly-backsliding civic freedoms in the country more than the scale of securitized responses to the recent #ENDSARS protests against the activities of an unpopular unit of the Nigerian police force, known as the Special Anti-Robbery Squad (SARS). Officers of the loathed SARS unit were notorious for a litany of wrongdoings such as extortions, kidnaps, rapes, extra-judicial killings and profiling well-dressed young people through random stop-and-search raids. The term, #EndSARS, first surfaced on social media in 2017 when Nigerian campaigners and activists coined the hashtag to register their displeasure against the violent behavior of SARS operatives.

The report, titled, **#ENDSARS: POLICE BRUTALITY, PROTESTS AND SHRINKING CIVIC SPACE IN NIGERIA**, looks back on a long history of police violence in Nigeria, tracking how the deep-seated grievances unaddressed by the state for decades morphed into spontaneous, peaceful demonstrations against governmental inaction. The #ENDSARS protests marked a watershed moment in the trajectory of civic space in Nigeria. Historically, mass protests in the country have always been led by trade-student unions, civil society organizations and other organized labour groups. The tides turned when a horrid video about the gruesome murder of a young man by SARS operatives in Ughelli, Delta State (in South-South Nigeria) went viral on social media, provoking national outrage. What started as a single tweet on Twitter metamorphosed into a major upset to the old order of mass action. The grievances of the horrified audience spiraled from online expressions of rage into peaceful street demonstrations that shut down the nation's commercial and political hubs for several days.

The #EndSARS protests may have subsided, but the governmental crackdowns on protesters have continued to surge. Amid the global outrage and heightened demand for accountability trailing the attacks on protesters—especially the October 20 shooting incident at the Lekki toll gate—state actors have pushed back, introducing numerous measures designed to deter and to punish, which include arrests, smear campaigns, travel bans, confiscation of campaigners' travel passports, freezing of protesters' bank accounts, cryptocurrency ban, slamming fines on broadcasting stations for their media coverage of the protests and the demolition of communities that provided eye-witness accounts of the Lekki shooting. Framed around the objective of protecting national security and countering the financing of terrorism, these measures have provided legal cover for acts that suppress dissent and violate citizens' rights of association, assembly and expression. The securitized backlash against protesters further demonstrates how state actors are overstretching counter-terrorism and national security laws to achieve purposes unrelated to fighting the war against terror.

According to Clément Nyaletsossi VOULE, Special Rapporteur on Rights to Freedom of Peaceful Assembly and of Association, this report unequivocally unveils how civic space has been under attack in many countries of the world, including Nigeria. Together with a number of other UN Special Rapporteurs, they expressed serious concern to the Nigerian Government not only about the multiple alleged incidents of excessive use of force by police and soldiers to disperse peaceful protests reportedly leading to the deaths of protesters, but also on the alleged attacks on protesters by armed individuals in some cases supported by the authorities.

Structured into two parts, the first part, **#EndSARS: HISTORY, TRIGGERS AND THE ERUPTION OF PUBLIC ANGER**, merges historical analysis of police misconduct with firsthand accounts of eyewitnesses, frontliners and victims of police brutality. The second part: **#EndSARS: PROTESTS AND SHRINKING CIVIC SPACE IN NIGERIA**, extensively analyses the events, actors and factors that shaped the #ENDSARS protests across seven states—Abia, Anambra, Akwa-Ibom, Cross-Rivers, Imo, Lagos and Rivers State—in order to deepen understanding of the triggers, trends and drivers of the revolutionary changes to the dynamics of civic space in Nigeria. As Clément Nyaletsossi VOULE, the UN Special Rapporteur makes clear, *the right to peaceful assembly guaranteed and protected by the Article 21 of International Covenant on Civil and Political Rights and other relevant international standards, is a democratic means by which individuals and groups come together to express their views or grievances and shape their future. Excessive use of force against protesters has a tremendous chilling effect on civic space and the willingness of individuals and organizations to assemble freely and express their views and grievances.*

This report is based on the findings of a joint fact-finding mission by members of the [Action Group on Free Civic Space](#) (AGFCS) to Nigeria's Anambra and Enugu States in the South-Eastern region, with a special focus on Awkuzu SARS—the deadliest SARS unit in the country. The AGFCS mission investigated the atrocities committed by SARS operatives in the region with the aim of identifying victims and establishing the identities of erring officers. Several victims of police brutality interviewed in Anambra and Enugu elected not to speak under conditions of anonymity. Amid reports of the escalating use of coercive means to dispel protesters and suppress organized dissent, AGFCS extended their coverage to other states to independently assess whether the civic space is open and enabled for civil society and ordinary citizens to speak out and participate in the #EndSARS protests without hindrance.

An #EndSARS focus was added to the Closing Spaces Database ([www.closingspaces.org](http://www.closingspaces.org)) following the spikes in human rights abuses, including deaths during the peaceful nationwide protests. The synthesis of the data gathered from the field missions, personal observations, key informant interviews, eye-witness accounts, extensive literature reviews on police violence and reforms in Nigeria, media and database tracking and on-the-spot assessment reports from protest grounds and the case studies shared present important evidence showing how local advocates are building civic capacity to demand political and corporate accountability, and how the Nigerian government is responding to citizens' demands through securitized and enhanced restrictions.

SPACES FOR CHANGE (S4C), Rule of Law and Accountability Center (RULAAC), TheNiche Newspapers, Citizens Solutions Network, Policy Alert, Youth and Environmental Advocacy Centre, World Impact Development Foundation (WIDEF) teamed up to conduct this research, with the timely support of the Fund for Global Human Rights (FGHR). We hope that the reflections and findings from this group effort will spur collective action needed to protect the civil society from external and internal shocks.



# #ENDSARS NOW

## SUMMARY OF FINDINGS

The findings of this report are grouped into four: the roots of public anger, the crackdowns on protesters, dewdrops of good practice and the AGFCS' key asks.

### 1. #ENDSARS: THE ROOTS OF PUBLIC ANGER

- The foundation for police brutality was laid at the inception of colonial rule. The Nigeria Police Force (NPF) as currently constituted, is a relic of the colonial police. At independence in 1960, Nigeria inherited the heavily-flawed institutions and culture of the colonial police, which emphasized the use of 'force', and not to serve and protect. Post-independence, Nigeria's military dictatorship copied generously from the playbook of the colonial police, entrenching the culture of force, violence, repression, corruption, and abuse, which emboldened police officers to commit atrocities under the pretext of crime-fighting.

- Against the backdrop of rising levels of violent crimes in the nineties, SARS was formed with the intention to carry out covert operations to support the entire crime-fighting architecture of the NPF. SARS deviated from its original mandate by not only adopting torture and other incredulous means as indispensable tools of criminal investigation, but also overreached its authority by extending its policing powers to investigating cybercrimes popularly known as yahoo-yahoo. From a crime-fighting unit carrying out undercover operations, SARS transmuted into a dreaded squad that arrested, harassed, targeted and terrorised young people if they as much as looked well-to-do, had a car, carried a laptop or iPhone, cut a certain hairstyle, or had body piercing and tattoos.

- The atrocities committed by police officers, including SARS operatives, are well documented in a litany of local and international reports. Reports like the "Final Report of Civil Society Panel on Police Reforms in Nigeria" (2012); "Rest in Pieces: Police Torture and Deaths in Custody in Nigeria," by Human Rights Watch; NOPRIN's Criminal Force: Torture, Abuse, and Extrajudicial Killings (2012), found that Nigeria's police force is over-centralized, under-resourced and ill-equipped, and suffers from political interference. The personnel routinely carry out summary executions of persons accused or suspected of crime; rely on torture as a principal means of investigation; commit rape of both sexes, with a particular focus on sex workers; and engage in extortion at nearly every opportunity. The recruitment process into the police force is compromised, leaving the police with a poorly trained, badly paid workforce that is prone to corruption and violence.

- Awkuzu SARS is the deadliest unit of SARS. Located in Oyi Local Government Area of Anambra State in the South-eastern part of the country, Awkuzu SARS is famed for carrying out the most barbarous acts of aggression on their victims. There is a saying about Awkuzu SARS that captures the station's chilling reputation: if you're taken there, you may never come out.

- Although Awkuzu SARS has been in the news for a long time, the government failed to take steps to investigate the well-documented atrocities. Awkuzu SARS' infamy for gruesome executions peaked in 2013 when dead bodies numbering about 35 were seen floating on Ezu river, Amansea—the boundary between Anambra and Enugu States. The absence of accountability provided a fertile ground for the killing of suspected criminals in the name of fighting crime to continue, while emboldening the SARS officers to become deadlier, and commit more crimes with alarming lethality and intensity.

- The factfinding mission team documented twelve (12) established patterns and motivations for extreme violence by SARS operatives in Anambra, Enugu as well as other parts of the country. They patterns include: the deployment of SARS to settle personal scores; using pseudonyms to disguise their real identities; prolonged detentions, including denial of access to family members and lawyers; the use of torture to extract information

from victims or to request bribes to facilitate their release; killing detainees for fun and according to mood swings; deliberate starvation of detainees with intent to kill slowly and without proof; incriminating innocent persons; keeping detainees in overcrowded cells, forcing them to sleep in shifts on top of each other or to sleep while standing; keeping decomposing dead bodies in the cells together with the living detainees; extrajudicial execution of detainees for refusing to pay bribes in exchange for freedom; trading of dead bodies especially to the university teaching hospitals in Nigeria. Politicians also used SARS as a willing tool of oppression to deal with perceived enemies and political opposition.

- Typical methods and tools of torture include the use of cigarette burns, electric shocks, electric cable wires and machetes to whip victims, especially during interrogation which often left open wounds and lacerations. Others include spraying teargas into prison cells of detainees, leaving them to choke, suffocate, suffer nerve pains or hot burns in their eyes. Crude objects like broomstick were regularly inserted into male victims' genitals while bottles and other instruments were often forced into female genitals. Victims were oftentimes, 'handcuffed' on both hands and legs and joined together at the back and the victim suspended in very painful positions. SARS police stations maintain torture chambers called 'theatre'. In some states like Enugu and Anambra, certain officers were designated as 'O/C Torture' (officer in charge of torture) because of how they skilfully inflicted nonstop pain and suffering on their victims.

- Notable euphemisms used to disguise treacherous police conduct include terms like 'sent to Abuja', meaning the detainee has been executed. Travelled is another parlance signifying that a detainee had been summarily executed. 'Ambulancing' refers to the practice of compelling inmates to play the role of an ambulance. Security operatives would make detainees carry dead persons who died in the cell from torture or starvation to the back of the torture hall where their bodies are later disposed. The dead bodies are for the most part, hidden and buried secretly in unmarked graves. The dead bodies are usually framed up as having been killed during a gun battle between SARS and armed robbers. Labelling them off as armed robbers provides legal justification for police officers to use maximum force to protect public safety.

- Interviewees repeatedly named certain politicians as the alleged sponsors of various acts of police brutality against them. The names include Mr. Afam Nnaji (Okiti) and Honourable Nnoli Nnaji (popularly known as "Ozoigbondu") who currently represents Nkanu West/Nkanu East constituency in the House of Representatives.

- SARS operatives whose names popped up in every conversation regarding extreme torture include Ugochukwu Ozuode (Ugoo SARS), late Jude Agbanijelu; Okponton (literally means 'the nailer' because of his notoriety for driving nails into his victims' skulls), Orthopedic, Pele, and Too-Much-Money—posted to Neni SARS station. These pseudonyms have over the years helped notorious officers escape recognition and culpability because victims are often at a loss regarding their torturer's identity.

- On December 8, 2019, the British Broadcasting Corporation published a report, tagged, "Nigeria Police: Issuing Corpses and Denials." In this report, the mortuary logbook of Enugu State's University Teaching Hospital showed that between June and November 2019, the Special Anti-Robbery Squad in Enugu deposited seventy-six (76) dead bodies. What is most striking about the mortuary log-book obtained by BBC is the unmistakable inking of Ugochukwu Ozuode's name on the pages of the book as a regular depositor of corpses, corroborating eye-witness accounts of his involvement in a booming trade of dead bodies of SARS' detainees as cadavers to university teaching hospitals.

- Several initiatives introduced to reform SARS—ranging from Muhammad Danmadami Presidential Committee on Police Reform 2006; M.D Yusufu Presidential Committee on the Reform of the Nigeria Police Force 2008; Parry Osayande Presidential Committee on the Reform of the Nigeria Police Force 2012; Anthony Ojukwu Presidential Panel on the Reform of the Special Anti-Robbery Squad (SARS) of the Nigeria Police Force 2018, numerous civil society interventions as well as the reform programmes launched by successive inspector generals of police (IGPs)—have been largely unsuccessful.

- The multiplicity of reform programs above that successive Nigerian governments only pay lip service to police reform. While some of the recommendations of the various panels have been captured in certain legislations like the Violence Against Persons Prohibition Act 2015; Administration of the Criminal Justice Act 2015; Nigeria Police Act 2020, a lot remains undone, while the problem of police brutality continues to frequently surface as an open sore that disfigures the image of the police.

## 2. THE CRACKDOWNS ON PROTESTERS

- Four major factors triggered the countrywide expressions of rage in October 2020. First, the lack of political will to implement genuine police reforms deepened public mistrust for the government across sectors. Emboldened by the decades of governmental failure to transform the police and implement recommended reforms, SARS operatives continued their barbaric policing, unleashing a splurge of arbitrary killings within and outside their traditional torture chambers. Thirdly, the mounting youth bulge combined with the perceived insensitivity of political leaders to the pre-existing social and economic conditions in the country further triggered spontaneous eruptions of anger. Fourthly, millions of Nigerians were still grappling with economic hardship and uneven social outcomes resulting from the prolonged lockdowns introduced in response to the COVID-19 pandemic. All these issues combined to further inflame people's passion and set the stage for an explosion of pent-up anger.

- #EndSARS protesters campaigning against police brutality faced resistance from the Nigerian government, with state actors at the federal and state levels employing a variety of tactics to suppress the protests. The tactics deployed ranged from sponsored infiltration by thugs, protest hijacks, violent physical attacks on protesters to media censorship. A combination of these tactics neutralized youthful energy and collective willpower to continue.

- The #EndSARS protests may have subsided following the unfortunate spin of events, but targeted attacks on protesters have continued to mount. State-sanctioned measures used to target protesters are usually framed around the objective of protecting national security and to counter the financing of terrorism. Some notable repressive measures documented include freezing of protesters' bank accounts, fines slammed on media groups that covered the protests, gestapo-styled arrests of activists, smear campaigns, influx of surveillance technologies, cryptocurrency ban, confiscation of activists' passports, demolition of informal communities housing eye-witnesses of Lekki shootings, intimidation of hospitals that treated wounded protesters and so forth.

- Accountability for police brutality lags behind when highly-placed persons and institutions fail to respond to judicial summons to answer to the alleged crimes. In Imo, the 34 Artillery Brigade of the Nigerian Army, Obinze in Imo State refused to appear before the Imo State Judicial Commission of Inquiry into Police Brutality and Extrajudicial Killings despite the service of several summons and hearing notices on them. Some other high-profile witnesses—such as the Deputy Commissioner of Police (DCP) Abba Kyari; former head of Awkuzu SARS, CSP James Nwafor and former Anambra governor Peter Obi—have toed the line of the Nigerian Army. There have been no consequences for these refusals.

## 3. DEWDROPS OF GOOD PRACTICE

- Bowing to pressure from protesters, the Nigerian government disbanded SARS on October 11, 2020. The replacement of the disbanded SARS with SWAT (Special Weapons and Tactics) was however greeted with skepticism because no official investigations were launched into the reported atrocities perpetrated by SARS officers and nobody was tried and punished for those crimes.

- As part of the governmental responses to the demands of #EndSARS protesters, judicial panels of enquiry with uniform terms of reference have been set up across states, including the Federal Capital Territory, Abuja. The terms of reference for the judicial panels include investigating cases of extrajudicial killings by men and officers of the Nigeria Police Force and those of other security agencies from 2015 to date; investigating all forms of police brutality, extortion and intimidation from 2015 to date; ascertaining the immediate and remote causes of the #EndSARS protest and other associated grievances.

- 29 States out of the 36 States in the country have constituted judicial panels of enquiry to probe and redress the wrongs of the Nigerian police. In Lagos, an 8-member Judicial Panel of Inquiry and Restitution—established pursuant to Section 5 of Tribunals of Inquiry Law, Laws of Lagos State, 2015—was constituted to investigate the October 2020 Lekki shootings plus other cases of police brutality in the state. As of February 7, 2021, the Lagos



judicial panel had received about 230 petitions while Imo's 17-member judicial commission had received a total of 144 petitions. The active participation of aggrieved citizens and the civil society in the judicial panels attests to the lingering desire of victims to seek and obtain justice for the wrongs they suffered in the hands of security forces.

- Despite the refusal of highly-placed persons and institutions to respond to summons and answer to the alleged crimes, the state and federal judicial panels are defying the odds, investigating matters of great complexity to ensure victims receive reparation to address the harm done.

- Social media networking sites, especially Twitter, played a major role in transforming the character of the protests from online rage to street action. A single tweet about the murder of a young man in Ughelli, Delta State by SARS officers instantly went viral, provoking national outrage. The speed of circulation was so prodigious that the video was uploaded, shared and reshared across other social media platforms like WhatsApp, Instagram, Facebook and LinkedIn within hours. The initial boost derived from social media helped campaigners to gather the right amount of energy needed to face the chaos of the streets and the government's typical counter-protest-tactics to offline demonstrations.

- Furthermore, the social media enabled the democratization of instant, uncensored news. Police violence peaked at a time when the traditional media was facing the most intense forms of censorship. Some media groups have had their license suspended and or fined by the Nigerian Broadcasting Commission (NBC) for reporting commentary critical of political leaders and state institutions. In June 2018, NBC suspended the broadcast licenses of two subsidiaries of DAAR Communications—African Independent Television (AIT) and Raypower Radio Station—for what it described as the use of 'hate speech, divisive, inciting comments and media propaganda' in the discussion of national issues. The precautions often taken to avoid official sanctions informed how the media reported 'sensitive' news in order not to 'embarrass' the government or flout NBC's directives. The social media stepped in to fill this gap in news reporting and analysis.

- The emergence of new actors and digitally-coordinated revolts further reflect the shared aspirations of citizens to keep the civic space free from obstructions, and ensure all duty-bearers are held accountable. These shifts also reaffirm that activism is no longer the exclusive preserve of the civil society, trade unions, human rights organizations or the media, but a wider group of private actors and movements campaigning extensively online and offline against various social issues, injustices and other forms of governmental restrictions.

- In September 2020, Nigeria's President Buhari signed the new Nigeria Police Force Establishment Bill into law, repealing the colonial Police Act (Cap. P19. Laws of the Federation) 2004 that vested excessive powers on the police without adequate checks and balances. The new Police Act of 2020 represents a bold step towards reversing the historical ills of the Nigeria Police Force by providing a new legal framework for driving comprehensive and far-reaching police reforms. Among other things, the new law obligates officers effecting an arrest to inform the suspect of his rights to remain silent or avoid answering any question until after consultation with a legal practitioner or any other person of his own choice. It further prohibits police officers from arresting any person in place of a suspect or in respect of mere civil wrongs and breach of contract.

## 4. KEY ASKS

### TO THE FEDERAL GOVERNMENT:

- Erring officers must be held accountable. In particular, we urge the National Human Rights Commission and Enugu State Judicial Panel of Inquiry to commit to bringing the officers and politicians named and identified by victims in this report to justice for their various roles in perpetrating and aiding police brutality. They include Ugochukwu Ozuode (Ugo SARS), late Jude Agbanijelu, Mr. Afam Nnaji (Okiti), and Honorable Nnoli Nnaji. Others include Okponton, Pele, Too-Much-Money etc.

- Investigate the alleged black-market trade of bodies murdered by SARS operatives to university teaching hospitals as cadavers for the teaching and practice of medicine in Nigeria's tertiary institutions.
- A strict and conscious implementation of the provisions of the Police Act, 2020, to ensure security agencies operate with civility, responsibility, professionalism and restraint. The capacity of oversight bodies—like the Complaints Response Unit (CRU) recognized and codified in the new Police Act, Police Service Commission (PSC), Ministry of Police Affairs (MOPA) and the National Human Rights Commission—to enforce discipline in the police institution, needs strengthening. Presently domiciled at Abuja, adequately-equipped and properly-funded units of the CRU and the PSC should be dispersed across states and local government areas in the country to receive and process public complaints effectively.
- Build confidence by ensuring that the outcomes of the judicial panels and public inquiries are made public and their recommendations for justice, redress, accountability, and reform are fully implemented.

### **TO THE STATE GOVERNMENTS:**

- Amid growing concerns that the judicial panels are not always independent of the government, states must grant full independence of the judicial panels of inquiry to enable them meet fair trial standards. Members of the panels must act with firmness and fairness when carrying out their quasi-judicial duties.
- Review all cases involving the disbanded SARS, IRT, STS, and all other police units and audit all the funds and properties they confiscated either as exhibits or illegally converted. Such funds and properties must be retrieved and returned to their owners.
- Support and grant full access to civil society groups and watchdogs independently collecting evidence of violations, providing legal representation to victims, monitoring and documenting the proceedings.

### **TO THE NIGERIAN POLICE FORCE:**

- Place a ban on indiscriminate profiling, including random stop and frisk activities of the police. Police authorities should develop guidelines containing enforceable protections against arbitrary profiling of citizens based on their looks, dressing, hairstyle, quality of their gadgets, etc.
- Review police recruitment procedures to minimize room for political interference and the absorption of misfits and criminals into the force.
- Limiting the use of force and developing an appropriate law enforcement response to civil demonstrations is imperative. State and regulatory authorities must develop standards that limit the use of harmful weapons during peaceful protests.

### **RECOMMENDATIONS FOR CIVIL SOCIETY**

- A joint team comprising the civil society, the National Human Rights Commission and the Police Service Commission should be constituted to review the Forces' Standard Operating Procedure, SOP, to regulate the conduct and operations of police officers, especially during public assemblies.
- Conduct training and retraining of police officers on the various laws, policies, human rights treaties that uphold civil liberties, improve police conduct and operational effectiveness. Legal instruments designed to professional efficiency include the Antitorture Act 2017, Force Order 237 and the UN Code of Conduct for Law Enforcement Officials as well as the Guidelines for Law Enforcement Agencies on COVID-19 Enforcement, among others.
- Intensify collaboration with the media, trade and labor unions to consistently flag issues of closing spaces and place them at the front burner of public consciousness.
- Leverage on national, regional and international recourse mechanisms to hold duty bearers accountable for targeted attacks on civic actors.

**THE POLICE  
IS ROBBING US**

**#ENDSARS  
NOW**

**AN NIGERIAN  
ETHER WE CAN**



*...AGFCs...*

**ACTION GROUP ON FREE CIVIC SPACE**