

Experiences, Learning and Recommendations Report on Peaceful Protests

CASE STUDY: ENDSARS Protests



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Table of Contents

Acknowledgements	i
Table of Contents	ii
Introduction	1
Methodology and Limitation	3
Protests in a democratic society	4
The ENDSARS Protest: An Overview	6
Best Practices	13
What the ENDSARS Protests Taught us	17
Recommendations	19

Introduction

One of the pillars of a modern participatory democracy is the respect for freedom of expression and assembly --- a key indicator of a government's respect for human rights and fundamental principles. To exercise their freedom of expression and assembly, Nigerians (mostly young people) in October 2020 took to the streets to express their grievances against police brutality, claiming their rights on an issue that has raged for years. These protests swept across the country and the globe.

What occurred over the course of 14 days (11 to 25 October) resulted in the loss of lives, vandalization of public assets and private properties, huge economic losses, mass arrests and disruption of normal activities of government and businesses. These disturbances had a profound impact not only on the citizens of Nigeria but on public confidence in political leaders, agencies of government, business, and the police as well. In many cases as will be analysed in this report, political leaders, security forces, businesses and civil society responded in a manner that profoundly undermines fundamental human rights in ways that led to escalations in violence through unwarranted, inappropriate, or disproportionate uses of force.

The organising around the protests were massive. Although the protests were largely peaceful in its early days, we saw organised violent attacks, protesters with opposing views, organic fundraising, spontaneous leaderless movement, promoted and managed through social media. Unlike in the past when large-scale protests and demonstrations were planned by labour and civil right groups, the demonstrations against police brutality with theme ENDSARS (Soro Soke) saw "organised civil society" playing a cheer leader or no role at all. Protesters were unwilling to talk or dialogue with the police or authorities in government—complicating the efforts of political leaders in maintaining public safety and officer (police) safety while protecting demonstrators' constitutional rights to free speech and assembly.

In addition to attracting large followings offline and online, the gatherings also attracted small groups of individuals whose intent is to commit criminal acts during peaceful protests with the aim of sparking widespread disorder. Citizens including law enforcement officers (police and others) lost their lives.

Lagos State in particular lost its innocence owing to the Lekki Toll Gate shootings with many questions yet to be answered ranging from who ordered the shootings? Were lives lost? If yes how many? No doubt citizens and the international community were disappointed in the turn of events. The disorder that occurred and the ensuing response from security agencies and political leaders certainly came as a rude shock to many. As a result, the public expressed a loss of trust in the government and the police themselves went into apathy. Suddenly we realise yet again that we are not immune as a country to mass protests and violence and not removed from the use of force or extraordinary tactics by the Police to keep the peace.

In preparing this report we conducted a systematic review of news reports, articles, statements by political leaders on their social media pages, government press releases, speeches and documents that have already been written on the ENDSARS protests along with many reports prepared by citizens journalists. The intention of this report is to provide insight into events and generate lessons with recommendations to strengthen and promote trust in the police and policing.

This report documents the promising practices and lessons that were identified during the protests. Broadly speaking, the topics covered by the report included strategies for communicating with demonstrators, response planning and preparation, officer training, tactics for minimizing use of force, maintaining officer wellness, maintaining transparency and accountability.

This report is not about condemnation. It is about learning, moving forward, and using the lessons learned to improve the policing of protests or in managing assemblies. We hope that our analysis and recommendations are received by political leaders, security agencies and the public in this light. This systemic review has driven home President Muhammadu Buhari's commitment to civic space within the Open Government Partnerships commitments and the need for civil society organisations to work with government to ensure that citizens rights can be exercised in a positive and meaningful way.

Methodology and Limitation

Data for this report was based on an extensive desk research conducted by the NNNGO team from November 2020 to January 2021 using several evidence-based sources ranging from news articles published by reputable news organisations, governments social media handles and that of citizens organisations. Primarily based on information sources directly from public statements made on government websites, social media handles and news articles from reputable organisations, this data or information have not been independently verified by NNNGO as this is practically impossible.

A systematic review of data gathered was benchmarked against the joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and association and the Special Rapporteur on extrajudicial, summary, or arbitrary executions on the proper management of assemblies. Several full text articles and publications were read to identify lessons, best practices and recommendations that merit our research criteria and that were of sufficient quality.

Our analysis was conducted with the understanding that there are claims and counter claims on the validity of some events and that some of the data sources do not document the entire scope of events but provides insight into happenings and potential turn out of events. The absence of systematic reporting requirement for happenings in Lekki for instance makes it likely there is an underestimation of the prevalence of deaths and injuries throughout the protests. The report has just one goal to learn and improve policing of protests.

Protests In A Democratic Society

Protests have a long history in Nigeria and in many cases led “definite change in the system to further sparked a bigger chain of reactions” [1]. Protests by citizens to express criticism or support for government, public officials, specific policies or actions using verbal or non-verbal forms is vital for democratic, economic, social and personal development. The ability of citizens to publicly voice their concerns and critique is important in Nigeria and key component of functional political system.

In Nigeria (a democracy) protests have not always being peaceful as it has resulted in the use of force by government through security operatives with mass arrests and deaths recorded. Throughout Nigerian history, protests have taken many forms starting as peaceful demonstrations and ending in violent clashes and deaths, polite and rude petitions offline and online, the creation of new political organisations and political parties, strike actions in workplaces—industrial actions, picketing and student protests.

For example, between 1925-1930, women in the Eastern region of colonial Nigeria stood their grounds and kicked against the intolerable tax levy imposed by the colonial government. Prior to this time, protest of this kind was unheard of. As a result, many women were assaulted, beaten, and arrested. More worrisome was that scores of women were killed at the Opobo riverbank, a stone’s throw from Ikot-Abasi, in today’s Akwa Ibom State. More recently the Occupy Nigeria protests of 2012 also claimed lives [2]. Protests in Nigeria have been largely non-peaceful.

Guaranteed as a right in the 1999 Constitution, protests within the context of freedom of expression, association and assembly allows citizens to express themselves openly and politically, share ideas, learn about other people’s opinion and ideas while supporting the development of individuals in an open society. The right to protest and demonstrate, and the right to peaceful assembly, are widely considered fundamental to democratic practice and the epitome of collective political expression in a democracy.

The proper management of protests (assemblies) requires the protection and enjoyment of a broad range of rights by all parties involved. Those who take part in the protests have a number of protected rights including the rights to: freedom of assembly, expression, association, belief, participation in the conduct of public affairs, bodily integrity, which includes right to security, to be free from cruel, inhuman or degrading treatment or punishment and to life, dignity, privacy and an effective remedy for all human rights violations [3].

1-<https://guardian.ng/life/history-of-protests-in-nigeria-reactions-and-consequences-2/>

2-https://en.wikipedia.org/wiki/Occupy_Nigeria#:~:text=Occupy%20Nigeria%20was%20a%20socio,on%20Sunday%2C%201%20January%202012.&text=Through%202012%2C%20Occupy%20Nigeria%20continued,organized%20meetings%2C%20events%20and%20actions.

3-<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/018/13/PDF/G1601813.pdf?OpenElement>

The ENDSARS Protest: An Overview

The ENDSARS protests set out in this timeline are taken from news website and articles, they are but a fraction of the number of events that took place on Nigerian streets across different states.

Social media protests began on the 4th of October 2020 following a viral message broadcast on 3rd October via Twitter and Facebook suggesting men of the Special Anti-Robbery Squad (SARS) had gunned down a Nigerian youth, snatched his car and sped off with it. Nigeria's Minister of State for Labour, Festus Keyamo dispelled the rumour of the young man's death and provided picture evidence of him with head wounds recuperating at a hospital [4]. In the same vein the Nigeria Police Force through Inspector General of Police announced the ban of SARS members and other tactical squads from carrying out routine patrols and other conventional low-risk duties, stop and search duties, checkpoints, mounting of roadblocks, traffic checks, etc with immediate effect. Vice President, Yemi Osinbajo disclosed that President Muhammadu Buhari wants to see reforms in the Nigerian Police Force." We reviewed several of these issues. The President and I have had discussions on this, he is very concerned about it. He wants to see reforms."

Messages and information issued appeared not have doused the tension. On Wednesday 7 October, youths were seen marching peacefully to the Force Headquarters in Ikeja, carrying placards with various inscriptions such as "Protect, not exploit", "Nigeria police stop killing us," amongst other printed messages marking the start of the 14 days protest. The Speaker of the House of of Reps, Femi Gbajabiamila says that the House will draft new legislation to establish a system of accountability for the Nigerian police in 30days [5]. As tensions mount and the protest continues to gather momentum, The Inspector General of Police (IGP), Mohammed Adamu, on the 8th of October warned against attacks on law enforcement officers by the ENDSARS protesters following the reported murder of one policeman, injury to another, and alleged stealing of arms and ammunition by the protesters. A tweet on the night of Friday 9th October by the President after his meeting with the Inspector General of Police "I met again with the IGP tonight. Our determination to reform the police should never be in doubt" could not pacify an already angry youth population across the country.

4-(<https://www.pmnnewsnigeria.com/2020/10/04/endsars-keyamo-clarifies-ughelli-incident-says-victim-not-dead/>)

5-<https://nairametrics.com/2020/10/07/endsars-house-of-reps-to-draft-new-police-legislation-in-30-days/>

Ogbomoso, Oyo State, 10 October 2020

Jimoh Isiaka was allegedly killed by the Nigerian Police on Saturday in Ogbomosho over the #EndSARS protests against police brutality. The Police claimed they did not shoot protesters. Isiaka was declared dead at the Bowen University Teaching Hospital, Ogbomosho. This killing fuelled the protest. Reacting the Governor of Oyo State, Seyi Makinde questioned why State Governors are called Chief Security Officers and don't have the necessary powers to control the police force [6]. By now start-ups have started raising funds to keep the protests going. For example, Other start-ups joined Flutterwave in raising funds to support the EndSARS protest and stop police brutality. The funds were also to be channelled towards treating victims of police brutality [7].

Dissolution of SARS and Lekki Gathering, 11 October

Nigeria's Inspector General of Police Mohammed Adamu announced the dissolution of SARS across all 36 states and the federal Capital with immediate effect. On this day the Lekki protest gathering started, disrupting the traffic along the 49.5-kilometer road. Iconic images of the protests start to spread across social media spurring more young Nigerians into joining the protest to show solidarity.

Week One

By Monday 12 October, the protest was already a week old leading to the development of a list of demands by the protesters:

- >> Immediate release of all arrested protesters
- >> Justice for all deceased victims of police brutality and appropriate compensation for their families Setting up an independent body to oversee the investigation and prosecution of all reports of Police misconduct (within 10days)

- >> In line with police act, psychological evaluation and retaining (to be confirmed by an independent body) of all disbanded SARS officers before they can be redeployed Increase Police salary so that they are adequately compensated for protecting lives and property of citizens [8].

At the mark of week one of the protest, Amnesty International announces the Nigerian Police Force has killed 10 persons since the anti-police brutality protests started the week before [9] ..

The President Addressed the Nation

In his first televised speech President Buhari said, "The disbanding of SARS is only the first step in our commitment to extensive police reforms in order to ensure that the primary duty of the police and other law enforcement agencies remains the protection of lives and livelihood of our people. [10]" Despite the Presidents speech the Lekki gathering continued and became the epicentre of the protest in Lagos State.

Ban on Protests in Rivers State

The Governor of Rivers State, Nyesom Wike announced that all forms of protest have been banned in the state, therefore the proposed #EndSARS protest in Port Harcourt for Tuesday 13th October 2020 should not hold. He disclosed this in a social media statement on Monday (12 October) evening, after the Lagos protests turned violent, as police allegedly attacked protesters in Surulere, Lagos [11]. Police shootings were reported around Surulere, a suburb in Lagos with one protester, 55-year-old Ikechukwu Ilohamauzo allegedly killed by the Police. Social media video also revealed a Police officer shot from an alleged friendly fire [12]. This claim was countered by the Lagos State Government saying the casualty was a bystander who was hit by hoodlums trying to free two suspects standing trial for alleged kidnapping [13].

6-<https://nairametrics.com/2020/10/11/endsars-state-governors-should-have-necessary-powers-to-control-police-force-seyi-makinde/>

7-<https://nairametrics.com/2020/10/25/endsars-protest-a-timeline-of-all-the-major-events-from-october-3rd/>

8-<https://www.vanguardngr.com/2020/10/five-demands-from-endsars-protesters/>

9-<https://nairametrics.com/2020/10/13/endsars-10-killed-by-nigerian-police-since-start-of-protests-amnesty-international/>

10-<https://nairametrics.com/2020/10/12/breaking-endsars-president-buhari-promises-extra-judicial-killings-investigations-police-reform/>

11-<https://www.premiumtimesng.com/news/top-news/420366-wike-bans-endsars-protests-in-rivers-state.html>

12-<https://guardian.ng/news/surulere-shooting-victims-boss-blames-police-commissioner-says-hoodlums-responsible/>

13-<https://nairametrics.com/2020/10/13/endsars-hoodlums-not-police-killed-bystander-lagos-state-govt/>

A possible leader emerged briefly

For a protest was leaderless, seeing celebrities [14] joining their voices to the demands of the protesters may have warmed the hearts of political leaders who wanted a face to the protest and for possible dialogue. Nigerian celebrity, David Adeleke A.K.A Davido joined the protest [15] and met with the IG of Police [16] in Abuja calling for a psychological re-evaluation of policemen. The visit was met with mixed reactions by Nigerians [17] dashing the hope of having a leader to “calm things down”.

200 Million Naira Victim Support Fund

The Lagos State Government set up a N200 million fund for residents in the states who have been victims of police brutality. This was made known by the State Governor, Babajide Sanwo-Olu on 13 October while addressing protesters in Alausa, Ikeja area of Lagos State. He requested a list of names of Lagos State residents that have been affected by police brutality [18].

Demands Accepted, SWAT Formed, Protest Continues

The Presidential Panel on Police Reforms set up by the government on October 13 accepted five demands made by the #EndSARS protesters across the country [19]. The IGP also announced the setup a new Police outfit known as Special Weapons and Tactics Team (SWAT) to take over from the dissolved Special Anti-Robbery Squad (SARS). He also ordered all personnel of the disbanded unit to report to the force headquarters in Abuja for debriefing, psychological and medical examination [20]. Despite the ban of protesting activities in Rivers State, residents of Port Harcourt defied the Governor and marched to the Government House while chanting the song “solidarity forever”. They were met by the Governor who addressed the protesters [21].

CBN, Flutterwave and Feminist Coalition

News broke across social media platforms on 13 October that the Federal Government, through the Central Bank of Nigeria (CBN) had summoned Flutterwave; a fintech firm over the handling of funds for the #EndSARS protests and also froze the accounts of ‘Feminist Coalition group’, a pro-#EndSARS women group (As of the 12th of October, over ₦25 million (\$65,000) has been raised through the Feminist Coalition donation link.)

The Chairman of Flutterwave, Mr. Tunde Lemo, has allegedly revealed that he personally directed the suspension of the fintech firm’s payment platform. According to a report from Thisday, Tunde Lemo, a former Deputy Governor of the Central Bank of Nigeria (CBN), said the decision was taken to prevent the illicit flow of funds through the payment channel. The organizers of the protest have been using donations to fund medical supplies, food, drinks, legal aids, and others to sustain the protest. Flutterwave first raised an inhouse donation of N2 million to help take care of the medical bills for the people injured at the protests. The donation has since then been opened to the members of the public who have contributed well over 12 million Naira. Flutterwave first raised an inhouse donation of N2 million to help take care of the medical bills for the people injured at the protests. The donation has since then been opened to the members of the public who have contributed well over 12 million Naira since.

This includes donations in foreign currencies. In a reaction to claims of being shut down Flutterwave stated in a tweet that the Chairman never made such a statement, and their payment platform is not shut down but is up and running efficiently [22].

14-<https://www.globalcitizen.org/en/content/artists-support-endsars-protests-in-nigeria/>

15-<https://www.pulse.ng/entertainment/celebrities/davido-joins-endsars-protest-in-abuja-secures-release-of-some-arrested-protesters/1qpsc8s>

16-<https://guardian.ng/news/endsars-i-g-hosts-davido-promises-to-investigate-all-videos-of-brutality/>

17-<https://thewhistler.ng/end-sars-he-did-the-right-thing-fans-react-after-davido-meets-igp/>

18-<https://nairametrics.com/2020/10/13/breaking-endsars-lagos-sets-up-n200-million-fund-for-victims-of-police-brutality/>

19-<https://nairametrics.com/2020/10/13/just-in-endsars-presidential-panel-okays-5-demands-of-protesters/>

20-<https://nairametrics.com/2020/10/13/just-in-inspector-general-of-police-sets-up-new-outfit-swat-to-replace-sars/>

21-<https://www.premiumtimesng.com/news/top-news/420625-endsars-wike-backtracks-addresses-port-harcourt-protesters.html>

22-<https://guardian.ng/news/flutterwave-denies-chairman-ordered-closure-of-firms-payment-platform/>

Wednesday 14th October

Nigerians took to the streets to protest the unveiling of a new police unit SWAT to replace SARS over its alleged corruption, violence, and human rights abuses [23]. Feminist Coalition, one of the leading NGOs currently campaigning against police brutality in Nigeria announced that it had raised the total sum of N37,355,149.48 in crowdfunding for the protest which is aimed at supporting protesters. FinTech advocates reveal plans to start adopting cryptocurrencies to raise funds to support protests [24]. This was in reaction to rumours that the CBN had instructed banks to stop allowing their platforms to be used to raise funds.

Jack Joins

Billionaire boss of the leading social media platform Twitter, and payments company Square, Jack Dorsey, joined the support of the #EndSARS protest.

Thursday 15th October

The Federal Capital Territory Administration (FCTA) announced that all street demonstrations have been banned. This came on the back of protesters still actively demonstrating on the streets, despite the Federal Government scrapping the SARS unit, saying the “unruly conduct of the crowd and manner of demonstrations are in complete violation of the COVID-19 safety protocols [25].

The Nigerian Governors Forum (NGF) demanded that all the police officers who participated in actions that led to injury or death of Nigerians must be brought to justice. This was disclosed by the Ekiti State Governor and NGF Chairman, Kayode Fayemi, after the governors held a meeting with the Inspector General of Police, Mohammed Adamu [26].

The popular hacking group “Anonymous” claimed via its Twitter handle, that it had breached some Nigerian government websites. This was the start of many other hackings of government social media assets. [27]

The president of the Senate, Ahmad Lawan, has said that the National Assembly will ensure that the five demands made by protesters are implemented. During a plenary session, Lawan described the demands by the protesters as “legitimate” and said the National Assembly would “prevail on the Executive arm of government to ensure expeditious implementation.” He however urged the protesters to end the street protests so that the Federal Government can have the chance to see that their demands are met.

Governor Babajide Sanwo-Olu of Lagos State revealed the identity of “erring officers” who brutalized #EndSARS protesters in the state. Officers involved have been arrested; Inspector Bagou Michael; Inspector Ekpoudom Etop; Sgt Nnamdi Majura and Sgt. Akinyemi Benson and they faced an orderly room trial immediately [28].

Prison Breaks

Edo State, October 19, 2020.

Inmates escaped as thugs attacked two prisons in Edo state, viz:

- > The Medium Security Correctional Centre in Oko
- > The Benin Correctional centre.

However, it was alleged that the jail break was stage managed as it was not possible without the collusion of insiders. A total of a total of 1,993 inmates escaped from the two facilities after the jailbreaks of which 1,818 escaped inmates were still at large, while 163 have either been recaptured or secured. Also, 10 officers sustained various degrees of injuries [29].

23-<https://www.arise.tv/from-endsars-to-endswat-nigerians-kick-against-new-police-unit/>

24-<https://nairametrics.com/2020/10/14/endsars-protest-feminist-coalition-group-raise-additional-n31-million-crowdfund-in-four-days>

25-<https://www.arise.tv/security-committee-bans-protest-in-nigerias-capital/>

26-<https://nairametrics.com/2020/10/15/endsars-police-officers-who-participated-in-abuse-of-citizens-must-be-fished-out-governors-forum/>

27-<https://twitter.com/YourAnonCentral/status/1316512528298463233?s=20>

28-<https://www.arise.tv/lagos-governor-exposes-officers-who-brutalised-endsars-protesters/>

29-<https://www.premiumtimesng.com/news/headlines/422668-exclusive-how-benin-jailbreaks-happened-prison-officials.html>

Ondo State, October 22, 2020.

No fewer than 58 prisoners serving various jail terms at the National Correctional Centre, Okitipupa, in Okitipupa Local Government Area of Ondo State escaped as hoodlums broke the center. It was gathered that the hoodlums numbering over 100 stormed the center in the afternoon and broke the doors and fence of the correctional center, thereby paving way for the inmates to escape [30].

Lagos State, October 22, 2020.

There was a failed attempt on jailbreak at the Ikoyi Prison in Lagos state with some inmates were shot in the process [31].

Delta State, October 22, 2020.

A failed jailbreak was reported as Inmates of the Warri correctional Centre on Okere road, Warri South local government area of Delta state set some buildings inside the prison on fire. However, a combined security team involving Police and other sister agencies took over security of the center [32]. It was later reported that no inmate escaped during the attempted jailbreak [33].

Ebonyi State, October 22, 2020.

Officials of the Ebonyi State Command of the Correctional Service foiled of an attempt, by hoodlums to break into the correctional service facility [34].

Lekki Toll Gate

The incidents that occurred at the Lekki Toll Gate on 20 October resulted in claims and counter claims as to whether protesters were killed or not. There appears to have been a lack of accountability on the part of political leaders on what transpired that day. The violence that occurred Tuesday evening left the State Governor scrambling to react with the states approach to crowd control changing dramatically that evening. At about 6:50 p.m., members of the Nigerian Army were reported to have opened fire on peaceful End SARS protesters at the Lekki toll gate in Lagos State, Nigeria. Amnesty International stated that at least 12 protesters were killed during the shooting, however it is said the number is definitely higher.

There have been complaints about missing persons, and a few have been confirmed to be hospitalized and in critical condition. A day after the incident, on 21 October, the governor of Lagos State, Babajide Sanwo-olu, initially denied reports of any loss of lives, but later admitted in an interview with a CNN journalist that "only two persons were killed". The Nigerian Army who were the principal actors in the shooting initially denied that the shooting ever happened, and that none of its personnel were present at the toll gate.

They reaffirmed their position that the video footages of its personnel shooting into the crowd were 'photoshopped'. A week later, however, the Nigerian Army admitted to an investigative panel in the presence of press, that it had deployed soldiers to the toll gate on the orders of the governor of Lagos State. The next day, the governor tweeted that "It is imperative to explain that no governor controls the rules of engagement of the army." His tweet was taken to mean that he had not made any such orders [35].

30-<https://www.sunnewsonline.com/mob-burns-ondo-correctional-centre-sars-office-58-inmates-escape/>

31-<https://www.premiumtimesng.com/regional/ssouth-west/422388-breaking-many-shot-as-officers-foil-attempted-jailbreak-at-ikoyi-prison.html>

32-<https://www.vanguardngr.com/2020/10/inmates-set-warri-correctional-centre-on-fire-as-army-police-take-over-security/>

33-<https://businessday.ng/news/article/no-inmate-escaped-during-attempted-jailbreak-in-delta-tonwe/>

34-<https://guardian.ng/news/ebonyi-correctional-service-foils-jailbreak-attempt/>

35- https://en.wikipedia.org/wiki/2020_Lekki_shooting

Best Practices

The best practices section of this report has been developed to reflect some of the recommendations made by the Human Rights Council based on the Joint report of the Special Rapporteur on the Special Rapporteur on extrajudicial, summary, or arbitrary executions on the proper management of assemblies. The section also benefited from the body of work done by different police formations across the world on managing protests. It seeks to flag some of the best practices we saw amidst the disappointment, distrust, pain, and fear citizens witnessed during the protest with a view to sharing learnings for the future. Every effort has been made to document these good practices in ways that shows that we are not endorsing any political leader, state, or agency of government nor apportioning blames but reinforcing good practices that must be sustained or emulated in managing assemblies.

Political leaders and other leaders should publicly recognise that there is room for difference of opinion and promote a culture of tolerance.

Many political leaders including the Inspector General of Police openly recognised [36] the right of citizens to peaceful protests as can be seen from the table below. According to the UN Human Rights Council “States shall respect and ensure all rights of persons participating in assemblies. The obligation to respect rights means that States must refrain from restricting the exercise of the rights where it is not expressly under international law. The obligation to ensure is a positive duty that requires States both to fulfil and to protect rights.

Engaging the Protesters

While it was difficult to know who the leaders of the protest were, many State Governors were on the ground to address [37] the protesters and in some instances joining them on the protest match. This soft approach legitimises the rights of citizens to peaceful protests and opens the opportunity for dialogue.

Though a bit late, the Presidents directive [38] for Ministers to meet with their constituents, the virtual town [39] hall by the Minister of Youth and the setting up of the Youth Engagement Committee [40] comprising of all the State Governors and Headed by the Vice-President remains off the chat in engaging the protesters and as many stakeholders and civic groups that can be assessed with a view to addressing the protests from becoming more worse than it had been. But for the activities of criminals in highjacked the protest things would have been a lot different.

Two viral videos one of a soldier appealing to youths not to “loot their future” and another asking a police officer not to fire tear gas at protesters in order to de-escalate tensions are examples of how protests should be managed by security officers. It should be noted that these military officers were not bearing arms and have adopted to dialogue and appeal rather than fight reinforcing the need to tailor police response to the mood and actions of the protesters or crowd especially de-escalation tactics based on communication, negotiation and engagement.

36-<https://endsars.nnngo.org/9.html>

37-<https://endsars.nnngo.org/e.html>

38-<https://www.vanguardngr.com/2020/10/endsars-protests-buhari-orders-ministers-to-meet-constituents/>

39-<https://www.thenewsnigeria.com.ng/2020/10/23/minister-holds-virtual-town-hall-meeting-with-youth-announces-help-line/>

40-<https://www.pulse.ng/news/local/endsars-fg-sets-up-youth-engagement-committee/xvzdf5h>

Communication with the public

The use of traditional media such as television, radio and newspapers as well as non-traditional means such as social media, to proactively address situations, explain measures being taken and to seek public's cooperation should be sustained.

Protecting Protesters.

Few Governors facilitated and protected assemblies in their States calling on the police to provide security for the protesters [41]. The use of Nigeria Security and Civil Defence Corps (NSCDC)—who are often non-threatening- to provide security for protesters [42] in Oyo State as against police who are targets of the protest and already loosing officers helped in deprojecting conflict and de-escalation of tension. The public call by the Inspector General of Police (IGP) warning his officers against the use of force and affirming the right of citizens to protest [43] is an important best practice in preparing for the next protest though the use of force was still witnessed in some parts of the country, it may have been widespread if the IGP had not issued the stern warning. For instance, the Governor of Lagos State disclosed that the State Government has arrested and is currently probing police officers that were involved in brutalizing protesters at the Surulere protest venue [44]. These actions support the Human Right Councils recommendation on State's obligations to "taking measures to protect those exercising their rights from violence or interference. social media, to proactively address situations, explain measures being taken and to seek public's cooperation should be sustained.

Release of protesters

While arbitrary arrests and detentions were recorded including mass arrests, dropping all charges [45] against protesters by State Governors is in line with the recommendation "No person should be held criminally, civilly or administratively liable for the mere acts of organising or participating in peaceful protests" of the Human Rights Council. The role of civil society organisations in monitoring and enforcing the order to release all protesters is another best practice that must be taken note of.

Provision of basic services

The States obligation to protesters includes the provision basic services such as traffic management, medical assistance and clean up services. While the State did not provide this, citizens and citizens organisations provided these services to protesters from security, cleaning services to ambulances through to food, music, access to religious activities and legal services [46]. The protesters cleaned up the venue of the protests each day. While the government did not necessarily provide these services as part of their responsibilities, it is instructive to note that protest organisers were not held responsible for the provision of such services nor were they required to contribute to the cost of their provision. For example, the clean-up that followed the protest in Lagos was carried out by the State [47].

Commitment to developing a guide on peaceful protests

The present administration's commitment to citizens engagement especially the development of a guide on peaceful protest as enshrined in the Second Open Government National Action Plan supports the practical recommendation by the Human Rights Council to "develop, enact and update a national action plan to guide..... management of assemblies.

41- <https://endsars.nnngo.org/f.html>

42-<https://punchng.com/endsars-makinde-asks-police-to-stay-away-from-protesters-in-oyo/>

43-<https://www.premiumtimesng.com/news/top-news/421062-ig-warns-police-against-use-of-force-on-endsars-protesters.html>

44-<https://nairametrics.com/2020/10/15/breaking-endsars-lagos-arrests-lists-4-police-officers-that-brutalised-surulere-protesters/>

45-<https://endsars.nnngo.org/a.html>

46-<https://www.weforum.org/agenda/2020/12/nigeria-endsars-police-brutality-protest/>

47-https://web.facebook.com/1259683647498871/posts/lawma-begins-cleanup-of-lagos-after-endsars-proteststhe-lagos-waste-management-a/2041109159356312/?_rdc=1&_rdi

Open Internet

The capacity to use communication technologies securely and privately is vital to the organisation and conduct of assemblies. Despite using the internet and social media platforms to mobilise for action and plan the protests online restrictions or internet shutdowns were not experienced though there were speculations [48] that this may happen in an effort to douse the tensions and quell the protests. While the Minister of Information, Lai Mohammed hinted on social media regulation [49] access to information was largely open throughout the protests.

Adequate and prompt remedy through the judicial panel and National Human Rights Commission

It is the obligation of the State to provide to those whose rights have been violated in the contest of an assembly an adequate, effective, and prompt remedy determined by a competent authority having the power to enforce remedies. While the judicial panels [50] set up by at least 26 State governments may have had operational challenges or differing legal opinion on their set up, they serve as avenue for seeking remedy as recommended by the Human Rights Council. While the judicial panels are time bound, the National Human Rights Commission an independent permanent structure and grade A Commission according to the Paris Declaration is available to continue to take forward citizens need to seek remedy.

48-<https://technext.ng/2020/10/15/endsars-4-ways-you-can-remain-online-during-an-internet-shutdown/>

49-<https://hairametrics.com/2020/11/28/endsars-protest-hijack-was-catalysed-by-fake-news-lai-mohammed/>

50-<https://cleen.org/details-of-endsars-state-judicial-panels-of-inquiry-in-nigeria/>

What The ENDSARS Protest Taught Us

1. The national upheaval in policing since 2016 is not only about issues of police brutality but also the level of trust by community members in their police formations at the state headquarters, divisions, units and stations across the country. The police cannot do a good job if they do not have a high level of trust from the people or communities they serve.
2. The distrust in the police and the criminal justice system is legitimate.
3. As can be seen from the ENDSARS protests, the nature of mass demonstrations in Nigeria is changing unlike in the past when protests are planned by established organisations or labour movements, demonstrations are now more likely to happen spontaneously and spreading quickly across multiple communities while being planned and promoted through social media.
4. The leaderless nature of the ENDSARS protests shows that political leaders and the police can no longer assume that they will be able to identify and communicate with protest leaders once a protest has started. Owing to the growing level of mistrust, protesters will continue to be less willing to speak with government, civil society or private sector leaders or actors.
5. The diversity of our society, citizens diverging viewpoint on issues, religious lining, ethnicity, social status, political bias among others has meant that the police will have to manage multiple groups of protesters with diverse and sometimes opposing viewpoints. These factors further complicate the mission of the police in maintaining public safety and in protecting the rights and fundamental principles associated with expression and assembly.
6. The issues that citizens protest on are no longer social and economic. It now includes those against injustice and police brutality with individuals interested in those issues finding each other on social media and can use mobile phones to send live video coverage of demonstrations to viewers across the globe.
7. The police cannot expect to react to protests without proper planning hence they need to anticipate, be adaptive and thoughtful in managing protest. The police command needs to be aware to how certain actions by their officers can trigger confrontations, likely response by demonstrators and the type of equipment's they use in keeping the protests peaceful and in ensuring the safety of protesters and officers themselves.
8. Events at the Lekki Toll Gate has brought home the fact that response by the police to managing assemblies ought to be proportional to the mood and actions of the protesters while ensuring that the police do not unintentionally escalate tensions during demonstrations. Force should not be used unless it is strictly unavoidable, and if applied it must be done in accordance with international human rights law.
9. In protests, the safety of police officers is also key, and they equally have rights to be protected. As with incidences of deaths experienced by the police in the hands of hoodlums, there is the need for adequate plan around policing protests in ways that ensures prompt response to protect public safety and that of officers if and when demonstrations shift towards violence or serious criminal activities.

10. Political leaders and the police hierarchy must stop thinking that when orders are given, they are being carried out and that when they are sitting in their offices, they will always get information that is not the reality relayed to them. Leaders must create a channel for knowing what is going on in the streets real time. They must listen to news channels that are unbiased and take every opposing view serious, this way instead of relying on ranking officers saying what “we have it all covered”, leaders can see and hear what the streets is saying.
11. The apathy on the part of the police following the ENDSARS protests points to the need for political leaders and policy agencies to carefully attend to the physical and emotional well-being of police officers. A low morale as we have seen will continue to escalate the physical and mental fatigue an average policeman deals with on a daily basis and affect their ability to perform effective policing especially when their actions are the subject of protests.
12. Whatever led to the protest is not just about the police alone. It reflects the frustrations with the system as a whole. The country and her citizens are faced with a fractured criminal justice system in which many feel it is often better to be rich and guilty than poor and innocent. The police play just one part of the process however it bears the brunt of perceived injustice and inequalities across communities.
13. All of the issues are not entirely about policing and police brutality but those relating to governance. It will be unrealistic to expect the police to do it all alone. There is the need for a reallocation of the resources of government to funding the entire operations of the police, social services, poverty issues, family services, education issues etc.
14. During the protests we saw threat and actual killing of officers. There was verbal abuse. We had officers who flee their houses because protesters showed up at their houses, threatening and scaring their families. Mental health issues associated with this behind-the-scenes harassments is real on the part of the officers and their families.
15. Protests attracts the attention of traditional and non-traditional media, it is the right of every person to observe, monitor and record assemblies (protests).
16. Not all protesters are violent and confrontational

Recommendations

- Because you can never dismiss anyone's negative experience with the police, what they have gone through or what their loved ones have experienced in the hands of the police. Wherever they come from or their social status should not matter. Times such as this can be used by political leaders, police hierarchy and other leaders to show citizens what progress is being made and what positive steps the police is taking.
- In getting to the root cause of the policing and the issues the police are dealing with, the police must sit down with young people to have a discussion and to build community trust.
- Police officers must be supported in their actions and also made accountable to those actions. Police authorities must be accountable to the action's officers take in communities across the country. Bad eggs must be pushed out no matter how difficult it is by the Police Service Commission. The right thing must be done when officers not appropriate for policing duties are found.
- Police recruitment must reflect the diversity in our communities.
- The use of force mindset by the police should be shifted to one of protection and guardian. Performance and evaluation systems must be strengthened to include not only number of arrests or summons generated but also number of problems solved without use of force, number of community relationships built, a neighbourhood perception of their activities etc.
- Barbers, hairdressers, dry cleaners, corner shop owners, small businesses, mom and pop stores, and landlord resident associations are the engine room of community information and engagement. These group of stakeholders know what is needed and can always help the police in bridging the gap. The police should create a permanent structure for engaging them as Nigeria advances towards community policing.
- The capacity of police chiefs to understand organisational and human resources dynamics and how to implement 21st century changes to lead small and large police formations is missing, this gap has to be bridged.
- Political leaders must ensure that before police take action to make arrests when curfews are set to quell violent protests, enough time is allowed for protesters to comply with the directive, loud and clear warnings are given over public announcement systems that can easily be heard by all who attend the protest before any arrests are made.
- Protests are a right. Political leaders and the police have a role in guaranteeing this right by providing effective policing services to protesters. The police should make greater effort to communicate policing plans to protest groups at an early stage of planning. This will build better relations.
- Political leaders should develop a communication strategy for protest groups that are reluctant to communicate or respond to appeals. Such attempt by political leaders would go a long way to build trust.
- Political leaders should work with the police to review and revise specific training regarding the policing of protests and applicable police powers. This training should be implemented in police colleges and as part of general continuing education of police officers.
- Training should include a clear understanding of parameters of a legal protest and the rights of protesters. Practical training to equip officers must include skills to facilitate peaceful protest as the primary role of the police including de-escalating potentially violent situations and communicating effectively in challenging situations.

About NNNGO

The Nigeria Network of NGOs (NNNGO) is the first generic membership body for civil society organisations in Nigeria that facilitates effective advocacy on issues of poverty and other developmental issues. Established in 1992, NNNGO represents over 2800 organizations ranging from small groups working at the local level, to larger networks working at the national level.

Nigeria Network of NGOs
15, Ramat Crescent,
Ogudu GRA, Lagos,
Nigeria.

Tel: +234 090 6946 0107

Email: nnngo@nnngo.org

website: <https://nnngo.org/>

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