

Forum: Social, Humanitarian and Cultural Committee (GA3)

Issue: Human Rights violations by policing organs in Nigeria

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Position: Chair

INTRODUCTION

Nigeria is a nation located in the Western African region, a region hardly hit by waves and waves of violence, however, in the case of Nigeria, these waves have not only been caused by the rampant terrorist organizations in the area such as Boko Haram but also by the sole governmental organizations sworn to protect their own citizens from these terrorist groups.

In the case of Nigeria, the body accused of committing human rights violations the most is the SARS (Special Anti-Robbery Squad) sub-body of the Nigerian Police Force. From its creation in 1992 to its disbandment in October of 2020, uncertainty in the Nigerian Youth constantly burdened by the SARS force still remains, with talks over the creation of new sub bodies to replace SARS. The issue in Nigeria, and more specifically the rampant human rights violations, which include invasion of privacy, extortion through demanding bribes, murder, and sexual assault will not be simply solved with disbanding SARS.

The issue at hand clearly revolves around the distribution of justice and the application of the rule of law. Moreover, it is of utmost importance, that Nigeria's history is first understood as a whole, as it gives an insight into how a Sub-Body created to protect Nigerian citizens against robbers, kidnappers, and bandits, turned out to turn against the people they were supposed to protect under all circumstances.



Figure 1: A map of Nigeria and its 34 states, of which it consists of¹

DEFINITION OF KEY-TERMS

Policing Organs

Policing organs are the police bodies and sub bodies in a nation, however, there are 3 different levels and types of policing. The first being local policing, the second one being state policing and the third one being federal policing.

Human Rights²

¹ "Administrative Map of Nigeria - Nations Online Project, www.nationsonline.org/oneworld/map/nigeria-administrative-map.htm.

² "Human Rights in the Care and Support Sector." National Care Forum, 23 Jan. 2020, www.nationalcareforum.org.uk/blog/81231/.

“Human rights are rights we have simply because we exist as human beings. These universal rights are inherent to us all, regardless of nationality, sex, national or ethnic origin, color,



religion, language, or any other status. Some basic human rights include the right to life, the rights to food, education, work, health, and liberty.” Violations of these rights occur when the state fail to ensure these rights for their people. The aforementioned human rights are protected by the 1998 Human Rights Act.

Figure 2: The 16 Human Rights protected by the Human Rights Act³

Rule of Law⁴

The rule of law is a concept and crucial part of democracy and human rights protection which advocates that everyone is equal under the reach of the law, which includes both citizens and in the case of Nigeria also police officers. In addition to this the rule of law also advocates the immediate and easy access to justice for people of all social backgrounds, but also access to the laws of a nation.

³ "BIHR Explainer: Lockdown and Human Rights." *British Institute of Human Rights*, www.bihhr.org.uk/explainer-lockdown-and-rights.

⁴ "Shaping a Just Future." Investis CMS, staticcontents.investis.com/html/r/relx/rule-of-law/index.html.



Figure 3: The Concept of the Rule of law, which consists of 4 main aspects⁵

Police Brutality

Police brutality can be characterized as the use of excessive and unnecessary force, false arrests, intimidation and forcing false confessions, corruption, and discrimination through racially profiling. Police brutality is not scarce and is a problem many nations are faced with, from LEDC's to MEDC's, police brutality is a common trait of dysfunctional democracies.

Corruption⁶

"Corruption is a form of dishonesty or criminal offense undertaken by a person or organization entrusted with a position of authority and power, to acquire illicit benefit or abuse power for one's private gain". Corruption can occur in multiple sectors, with an example being political and systemic corruption. In the case of Nigeria systemic corruption rates are very high with bribery being a common occurrence among government officials.

⁵ "Shaping a Just Future." stories.relx.com/rule-of-law/index.html.

⁶ documents1.worldbank.org/curated/en/175291468765621959/pdf/multi-page.pdf.

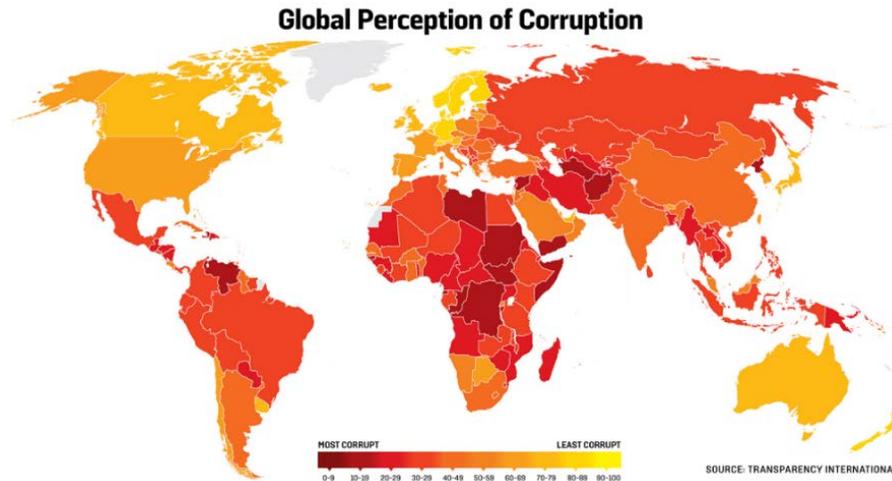


Figure 4: A map of global corruption rates, as it can be clearly seen in Nigeria a very high corruption rate can be noticed⁷

Political Instability

Political Instability can be defined as the collapse or the dysfunction of a government due to constant competition, oppression, or rampant conflicts in a nation. Political Instability in a nation detrimentally affects the well-running of its governmental organizations such as the police force. In the case of Nigeria, rampant terrorist groups such as Boko Haram put great pressure on governments, thus the political stability of Nigeria is often doubted.

Abuse of Power

Abuse of power or authority is directly tied to corruption, simply put in the case of Nigeria high ranking officials through corruption exploit their authority and power that comes with their position for their own benefit. In the case of a police officer abuse of power comes in the form of intimidation and forcing false confessions. Abuse of power and authority by police officers can be also categorized as a form of police brutality.

⁷ The Washington Post, WP Company, www.washingtonpost.com/gdpr

consent/?next_url=https%3A%2F%2Fwww.washingtonpost.com%2Fgraphics%2Fworld%2Fnigeria-boko-haram%2F.

BACKGROUND INFORMATION

Special Anti-Robbery Squad (SARS)

The Special Anti-Robbery Squad came into existence in 1992 under the Criminal Investigations Department (CID), due to the rampant kidnappings and burglaries in the nation. The SARS police force was formed aiming at protecting all Nigerian citizens from bandits and kidnappers. Despite that, in the following years to come, the SARS squad has evolved into the most feared police squad and is notorious for its tremendous record of human rights violations and allegations. However, before SARS's human rights violations are further understood, its history shall be taken into further consideration as it gives hindsight into how a body that served for the protection of its people, turned against it.

Brief History of SARS

Before its establishment in 1992, an early predecessor to the SARS body existed, however, this time its existence was solely for the protection and not extortion of the people. Under the guidance and governance of police officer Danladi Midenda in the 1990s, SARS evolved into an undercover police unit that helped infiltrate crime rings of kidnappers and robbers. Its success in combatting these crimes resulted in the SARS police unit at the time, which only operated in Lagos.

As a direct result of its actions in Lagos, the unit received praise from the inspector general of police, and thus only a few years later SARS was created and in 2002 it spread its operations from strictly in cities like Lagos, to every single of the 36 states of Nigeria. However, at that point SARS started to change and that was not for the best interest of the general population. With the expansion of the Special Anti-Robbery Squad (SARS) soon enough SARS operatives began extorting citizens through setting up roadblocks.

At this point what also needs to be taken into consideration, is the fact that SARS operatives went from being unarmed and in plain clothes, to carrying weapons and still wearing plain clothes. In addition to this SARS had a substantial addition to its mandate, which included arresting and prosecuting of suspected criminals. It is safe to say that SARS operatives did not use their new-found powers for the good will of the public safety rather than that, SARS operatives went to commit hideous human rights violations. An example of these violations includes false accusations, under

which SARS officer have tortured and allegedly even murdered people who have not even been proven guilty of a crime. An example being that Special Anti-Robbery Squad officers would accuse people owning phones and laptops of cyber-crime arrest them with no legal evidence and torture in order to extort tremendous amounts of money.

Human Rights Violations in Nigeria

If it were to describe the human rights the Special Anti-Robbery Squad (SARS) has been accused of violating, words would simply put not be enough. It is of the utmost importance to understand that the SARS or also known as FSARS (Federal Special Anti-Robbery Squad was one of the measures introduced in 2018 which aimed at increasing SARS's public accountability) is a police unit gone rogue. With the rapid expansion it had experienced at the beginning of the millennium, suddenly a very small police body was rapidly expanded, thus more officers were needed as well. The direct result of this was the quick recruiting of the SARS operatives, who received zero training and were most of the time not in line with this body's goals. The expansion was detrimental, and with operatives being now armed, they were able to terrorize citizens extort them, force them into fake confessions, torture them and sometimes even murder them. SARS has violated some people rights to life. Many things except the sudden expansion can be blamed for the enormous wave of police violence that flooded Nigeria.

Terrorism

Nigeria has faced a long-lasting and deadly battle with terrorism in the last years, the opponent they have faced is the terrorist organization Boko Haram or commonly known as the Islamic State in West Africa. Boko Haram having claimed over more than 37.500 people, its actions tend from bombings and kidnappings, Boko Haram has put the whole Nigerian Police and all its sub bodies including the SARS faction on edge. The whole conflict has enabled operatives from the Special Anti-Robbery Squad to falsely arrest and torture people under the accusation of them being terrorists. Conflicts and other external shocks in a nation especially in the case of Nigeria cause detrimental effects on the civil rest but also on the use of excessive force and police brutality.

The conflicts in Nigeria, give motive to police officers and soldiers, but also to SARS operatives to torture and violate the rights of people, just because they think they are terrorists. In this situation, the human rights violations are not limited to SARS. What has been proven is that soldiers especially close to the areas where Boko Haram is active, Nigerian soldiers have executed suspected terrorists, instead of bringing them before court. Simply put, with Boko Haram being active in Nigeria tearing the nation apart, members from many policing organs are now able with

their extended mandate to arrest and further extort citizens under usually the fake allegation of them being terrorists.

In addition to this, with multiple active terrorist organizations all over the nation in the past years, a need has arisen for more and more policing, which overall is only prosperous to the human rights violations.

What needs to be understood in this section is that especially in hard-hit areas by Boko Haram, it further gives motive to policing Organs to violate the rights of the Nigerian public. Many things cause human rights violations by policing organs in Nigeria; however, terrorism and civil unrest only add fuel to the fire that was started years ago.

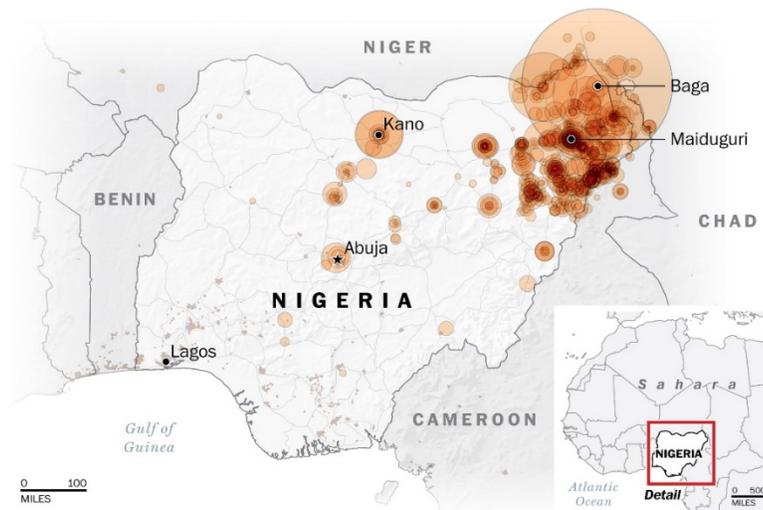


Figure 5: A map of the areas in Nigeria, where the organization Boko Haram is the most active in⁸

⁸ The Washington Post, WP Company, [www.washingtonpost.com/gdpr-](https://www.washingtonpost.com/gdpr-consent/?next_url=https%3A%2F%2Fwww.washingtonpost.com%2Fgraphics%2Fworld%2Fnigeria-boko-haram%2F)

[consent/?next_url=https%3A%2F%2Fwww.washingtonpost.com%2Fgraphics%2Fworld%2Fnigeria-boko-haram%2F](https://www.washingtonpost.com/gdpr-consent/?next_url=https%3A%2F%2Fwww.washingtonpost.com%2Fgraphics%2Fworld%2Fnigeria-boko-haram%2F).

Lack of Reformation and No Accountability

In the past especially after the “End SARS” campaign which started in 2017, promises of reform have been made, and the Nigerian youth fighting for their rights have seen some reforms, which have had no result whatsoever. The lack of reform is the direct result of many things, but mostly political corruption and the overall conflict of interest which can be seen in the NPF (Nigerian Police Force), a prime example being the case of Yusuf Kolo. Yusuf Kolo was the Commander of the Federal Special Anti-Robbery Squad, however, what is quite intriguing about the case of Yusuf Colo is that Yusuf Kolo a commander of the FSARS and currently the STS has been accused of torturing a man to death. Currently, Yusuf Kolo is on the road to getting a new promotion however, this time he will not just be in charge of SARS or STS, he will be in charge of the Nigerian Police Force (NPF). The Nigerian Government gave zero attention to the alleged crimes Yusuf Kolo has committed. It is quite understandable that when in a nation people accused of torture get promoted it mostly acts as a motive for other officers to continue doing so.

Yusuf Kolo’s infamy comes from the Hassan Alfa case, in this particular case Hassan Alfa, was tortured by SARS, and as a result, Alfa gave in to his injuries, dying at 24 years of age. In the aftermath after examinations of Alfa’s injuries were made, the conclusions by many experts were that the man died due to the police beating and that the injuries he carried were barbaric and inhumane. In yet again no legal accountability has been ever held.

In addition to this, reforms proposed by the governments add no measures which can keep these forces in check or tackle corruption, rather promise after promise they introduce measures which on paper solve the issue, that the government does not even bother to. In layman’s terms, these measures are introduced but yet to be ever implemented. Officers accused of crimes are never being investigated, and even though when evidence exists of police torture leading to death, no legal accountability is held, which provides even more oxygen to the fire in the Nigerian Policing System.

Multiple witnesses and former SARS operatives claiming that in almost every SARS station, there are rooms equipped with shock wires and bats for the police officers to torture detainees, a claim which was never investigated by the NPF. Simply put the situation inside of a SARS station is dire, and the human rights violated which multiple times includes the right to life, has never been legally addressed and there has never been accountability. Former SARS operatives brought to justice for torture have only been handed 3-month sentences for the horrendous human rights violations which have taken place inside of these stations.

Political & Police Corruption

Bribery is an often occurrence in the Nigerian Police Force, amongst not only the low-ranking police officers but also the highest-ranking ones. Through extortion and violence, police officers terrorize citizens, yet the mechanism ensuring the well running of the NPF, completely disregard these occurrences. This is where political corruption comes into play. Politicians and high-ranking officers, who multiple times themselves order for the use of excessive force, get promoted and are enabled to be in charge of even bigger police forces.

Officers committing crimes get promoted and the Nigerian government very willingly does not act, a clear sign of corruption. One could say that Nigerian Police Bodies have gone rogue. Moreover, what needs to be taken into consideration, is that in every police force the position of the commander of that force comes with great political influence and it is very common to see high ranking officers suddenly come under huge sums of wealth, this can only lead us to the conclusion that political corruption runs deep in the veins of the Nigerian Police Force (NPF). Corruption in a police body only makes it more unreliable and fosters the ones who profit, which ranges from low-ranking officers to even politicians.

Politicians, avoid directly addressing the issue, and through continuing employing people like Yusuf Kolo, and promoting other officers who commit similar crimes, only shows corruption, not only in terms of just accepting bribes but also in terms of being completely averted to the whole situation. The aforementioned play a tremendous role in the current situation Nigeria is in, and only continue to tear the national police force apart.



Figure 6: A Nigerian Police officer accepting a bribe from a driver, into order to get past a toll gate⁹

⁹ Nigerian Police Officers Caught on Camera Taking Bribe." *Premium Times Nigeria*, 13 May 2018, www.premiumtimesng.com/news/top-news/268282-photos-nigerian-police-officers-caught-on-camera-taking-bribe.html.

Rogue Police Bodies

In the nation of Nigeria, every time a police body is dismantled a new one is created, and the officers working in the now dismantled body will just be added to a new one, the same case goes for SARS and its replacements SWAT and STS, these new bodies serve no role and only prosper high ranking police officers, who suddenly come under huge sums of wealth.

At this point what shall be kept in mind is the fact that the justice system has never battled the torturing of detainees, and the sole measures taken by the Nigerian Government are vague reforms and the dismembering of bodies, only for the laws to only apply on paper and new bodies to be created, in order to re-employ the officers from the other bodies. These bodies serve no role whatsoever in Nigerian society and only exist for the economic fostering of the ones behind it. Even in the case of SARS (or FSARS), what directly followed after its dismantling, was the creation of new bodies like SWAT and STS, which just overtook SARS's role. In Nigeria, the amount of police bodies is exceedingly high, with multiple bodies serving similar purposes, thus the amount of police officers in those bodies is as well overwhelmingly high.

The result is that police officer are not properly trained and many times not even background checked. In addition to this, the wage they receive is minimal, thus they abuse their authority and power in order to extort bribes. In the case that citizens refuse to pay these bribes, then they either get arrested for a supposed crime they did not commit or like in the case of a bus driver in Lagos Nigeria, who was shot dead by a police officer shortly after refusing to pay a bribe. Likewise, to the other cases of police killing innocent people, the police officer has not even identified and no legal whatsoever has been taken. Police officers from multiple bodies in Nigeria have gone rogue, and no accountability has either been held nor has the Nigerian Government done anything to tackle that.

Lack of an Overseeing Body

Police forces in Nigeria on paper are overseen by internal mechanisms which ensure that in the case of misconduct, officers will be held accountable, however, the following mechanism is highly politically influenced and has at this point no authority over the multiple Nigerian Policing bodies gone rogue. Simply put with so many police forces which many times share similar goals, police forces start to overwhelmingly surpass their actual demand. Hence the fact that corruption and bribery is a common occurrence amongst the thousands of police officers comes as no surprise since there is no actual overseeing body. It goes without saying that corruption is deeply implemented and rooted in the policing system of the nation.

In 2015 a new overseeing body was created under the name Complaint Response Unit (CRU), however this unit in the last 6 years of its existence, has never taken legal

action against any officer or body for the crime of torture and murder. In the reports of some citizens, it has been even reported that the human rights desks set up at police stations, as well as the CRU, is more than often not even available. In simple terms, the citizens of Nigeria have no access to justice when it comes to police brutality, which is an even further violation of their rights.

Lastly, one more body was created by the Nigerian Government, namely the Police Service Commission (PSC) for the same purpose of disciplining officers, however in the case of PSC, firstly it cannot legally prosecute officers accused of misconduct, it can only report its findings back to the police body in question, so simply put, the only way that an officer could be charged for torture through the PSC, it would be basically through a Police Body, legally prosecuting themselves. Rabbit holes like the aforementioned, can be found in all of these bodies, simply put on paper they exist, but not in reality.

False Promises, and Lack of Implementation

Reformations and papers introduced have been many in Nigeria's history, however, the same governments, which introduce these reformations do implement them. After seeing a succession of reformations with zero to no result, regarding the human rights violations. The sole time the Nigerian government at the time, truly acted against these bodies like SARS, was in the year 2018 when the immediate reorganizing of SARS was ordered, however, this only came to be after the tremendous public outcry and protests, and with the help of the End-SARS campaign gaining international attention, the Nigerian had no other choice.

Even though SARS has been disbanded, Nigerian Governments one after another added fuel to the fire through their ignorance and misjudgment, which has played a dramatic role in this issue as a whole. In Nigeria reformations only came to be after a serious outcry, and usually most of the time they could be characterized as ineffective with a prime example being the Anti-Torture act of 2017 and the SARS 2018 reform, even though these will be analyzed at a later point, these examples are crucial in order to comprehend the fact that under false promises for a better police force, political leaders lied to their citizens and voters. These reforms did not affect SARS at all, despite the fact that laws were introduced, there was no one to implement them allowing the commanders of each force to do as they wish.

It shall be noted that even though the Anti-Torture Act was passed by the Nigerian Government in 2017, which aimed at battling police brutality and Torture, however, no police officer has been ever charged under the legal framework proposed by the Anti-Torture Act.

A very simple pattern can be noticed, every time protests take place, and the human right violations start to draw attention, governments introduce measures through the help of commissions such as the NHRC. However as always, recommended

reforms were ignored, the ones that were eventually introduced were the insignificant ones, the ones which would allow the same people to control these forces and the same officers to extort bribes and torture citizens.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Nigeria

Nigeria has direct involvement in everything that is happening in its own police force, and in multiple ways it has condoned the human rights violations committed by organizations such as SARS, through the passing of underwhelmingly effective reforms and legislations. Nigeria shares a tremendous part of the blame for the human rights violated, through ignorance and mishandling. Nigerian governments one after another made false promises of change and reforms, however, they only continued adding fuel to fire. Nigeria's ignorance shall not be undermined. Nigeria has recently dismantled SARS, however, in its place it created the SWAT police force. Nigeria simply put, will not accept to actually dismantle a police unit, rather it will keep creating new ones, to replace the old ones. Nigeria has ignored advice and recommendations given out by human rights organizations and has always avoided prosecuting officers for their involvement in human rights violations, and instead, they allow people like Yusuf Kolo to remain in office as commanders of police forces, which at the end of the day are not controlled by the government rather by themselves.

United Kingdom

Even though from an outside perspective, one could not really see, how the United Kingdom is involved in the issue, while its involvement has been proven crucial. The United Kingdom is accountable for funding and providing the Nigerian Police Force with arms and training. The UK provided the NPF and SARS with tactical assistance from 2016 to 2020. Simply put the United Kingdom by those actions it only fueled the SARS operatives to continue extorting bribes, thus it is quite understandable that the public outrage in regard to these actions was tremendous. The United Kingdom's involvement in the issue is undeniable, and the impact their licensed weapons and funding have had on Nigerian citizens is severe.

United States of America

Similarly, to the United Kingdom, the US has had some major involvement with the Nigerian Police Force, namely it has contributed to training and funding the NPF, but also sub-bodies like SARS, thus greatly contributing to the human rights abuses carried out by those police units, which were greatly fostered by the UK's and USA's actions. Both nations try to

avoid the issue publicly, and it only makes things worse, that the men extorting bribes and torturing people, were trained by US and UK officials.

National Human Rights Commission (NHRC)

The National Human Rights Commission is an organization in Nigeria, acting as an advocate for the preservation of human rights and has been involved with the Nigerian Government in recommendations and suggestions in regard to reformations in Nigeria's Police Force. The NHRC also advocates for the application of the rule of law in the nations and it tries to hold those who violate human rights in the NPF accountable for their crimes. The NHRC also tries to compensate Nigerian citizens, through the creation of hotlines and other platforms in order for people to be able to report possible human rights violations. Its establishment came to be after the National Human Rights Commission Rights 1995, which was created by the United Nations General Assembly, in order for the preservation and protection of human rights in nations. The NHRC is active in all 36 Nigerian states, through their research and reports they give us an insight into the actual situation inside of Nigeria policing bodies. The National Human Rights Commission, which was greatly involved with 2018 reforms, introduced multiple reforms, which would have held multiple officers and SARS accountable for torture and inhumane treatment, however, they were never implemented.



Figure 7: Meeting between a representative of the NHRC and the president of the NBA in regard of SARS victims¹⁰

Amnesty International

Amnesty International is a Non-Governmental Organization, which in collaboration with the UN gives insight into the situation in Nigeria, and it is mostly involved with Intelligence gathering and has conducted multiple reports on the Nigerian Government and the Nigerian Police Force. Through their intel, people in Nigeria are able to have their voices globally heard.

¹⁰ "NHRC." JA Company, 9 May 2021, www.nigeriarights.gov.ng/nhrc-media/news-and-events.html.

Amnesty International has submitted multiple reports to the United Nations Human Rights Committee, regarding not only human rights violations by police, but also human rights violations in accordance with the freedom of speech and expression.

Human Rights Watch

Even though the Human Rights Watch is not a part of the United Nations, its field includes reporting and informing the members of the General Assembly, the Human Rights Council, the Security Council, and the Office of the High Commissioner for Human Rights (OHCHR). The Human Rights Watch proceeds with annual reports on nations and their preservation of human rights.

The HRW in comparison to other NGO's is the largest provider of data, since its mandate and reach is bigger, yet they are only limited to gathering intel and cannot take any action whatsoever in Nigeria. Regarding the human rights violations by policing organs in Nigeria, mainly the organizations involved have only the mandate to conduct research and create reports, thus they are only limited to the gathering of intel and the informing of some United Nations sub-bodies and commissions like the ones previously mentioned. This directly limits all efforts towards easing and hindering any human rights violations. This has to be understood when taking the situation in Nigeria into consideration, NGOs are only limited to information, and cannot really propose nor enforce reformations in a nation.

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
1776	The US declaration of independence proclaims that "all men are created equal"
1930	The Nigerian Police Force (NPF) is created.
1945	The United Nations is created to affirm the dignity and worth of every human.
9 December 1975	The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is adopted.
17 December 1979	The Code of the Conduct for Law Enforcement is proclaimed by the United Nation's General Assembly.

1992	The Special Anti-Robbery Squad was created, due to the rising kidnappings and robberies in Lagos.
October 2005	A SARS operative murders a bus driver for failing to pay a bribe.
2009	Efforts were made by the Nigerian minister of justice and attorney general of the Nigerian federation at the time, created a National Ad hoc committee on Torture
October 2010	196 million dollars are allocated to the reformation of Nigerian police by the Nigerian President Goodluck Jonathan.
November 2015	The Complaints Response Unit (CRU) is created.
2016	An Amnesty International report showed detainees in SARS stations, being held in overcrowded cells, tortured through starvation, shootings, beatings, and mock executions.
December 2017	The End SARS campaign begun with protests in multiple Nigerian cities against police brutality.
2017	The Nigerian Anti-Torture Act was introduced, which creates guidelines and laws preventing police brutality and torture, however it is completely ineffective.
August 2018	Nigerian Vice president Yemi Osinbajo, ordered the reformation of the Special Anti-Robbery Squad.
10 August 2019	Four SARS operatives were charged with murder, for shooting to death two suspected

	phone thieves.
October 2020	End SARS campaign was revived after a SARS officer shot and killed a young man in the Delta State of Nigeria
11 October 2020	Inspector General of Police announces the disbandment of SARS,

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Being introduced in December of 1975, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment often referred to as UNCAT (United Nations Convention against Torture), it consists of 170 parties and prohibits all forms of torture. The articles included in this Convention, ban all forms of torture or extraditing people to places in the case that is believed that someone will be most likely tortured. In addition to this, the convention bans any sorts of inhuman and degrading treatment of detainees, which does not amount to torture.

The convention set international standards and plays a crucial role in fighting against torturing and degrading criminals. More recently in 2014, an NGO under this convention was created, namely the Convention against Torture Initiative (CTI2024), which tries to implement the aforementioned measures introduced by UNCAT. The implementation of the convention standards and guidelines has been assigned to the Committee against Torture (CAT)



Figure 8: A world map of nations which have signed the convention, proving that Nigeria has both signed and ratified the UNCAT¹¹

The Code of the Conduct for Law Enforcement

The Code of Conduct for Law Enforcement was introduced in a similar time frame as the UNCAT, being introduced just 4 years later in 1979. This particular code does only promote the application of the rule of law on police officers but is also set some standards for how detainees shall be treated on an international scale. The code tackled discrimination within police bodies, and it was the first UN response to police brutality and discrimination. Apart from that, the following event set the foundation for modern policing, which even though is not perfect, it is a big improvement from the 1970s. The case with both of these UN-related events is that their existence does not stop Nigerian SARS operatives but members of other police bodies as well, to execute and torture people.

¹¹ "United Nations Convention against Torture." Wikipedia, Wikimedia Foundation, 17 Feb. 2021,

en.wikipedia.org/wiki/United_Nations_Convention_against_Torture.

United Nations Code of Conduct

Article 2: In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.



FIGURE 9: AN IMAGE SHOWING THE 2ND ARTICLE OF THE UNITED NATIONS CODE OF CONDUCT FOR LAW ENFORCEMENT¹²

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Nigerian Anti-Torture Act

The Nigerian Anti-Torture Act is a prime example of the multiple failed reformation attempts, carried out by the Nigerian government. Introduced in 2017, after multiple protests and pressure being put on the Nigerian government, the Anti-Torture Act was introduced as means of tackling the notorious Special Anti-Robbery Squad's actions, which included different forms of torture.

However, what needs to be understood is that the Anti-Torture Act acted more as a response to ease the pressure rather than an actual reformation. Its introduction and implementation as a law was something that only applied on paper, it did not apply anywhere else, not in the SARS stations where detainees were tortured and starved, nor in the battlefields where soldiers would execute suspected terrorists without giving them a chance of legal representation.

To conclude, the Anti-Torture Act was nothing more than a poor attempt to put the blame elsewhere. The Anti-Torture Act failed for one simple reason; it was never implemented. In addition to this, in the following years even more unnecessary and vague measures have been introduced, which serve the sole purpose of silencing any possible allegations of the government not acting. The reformations introduced were "plastic" and so is the Nigerian Anti-Torture Act.

¹² "Lesson Plan 2.1 Police Ethics." SlideShare, www.slideshare.net/JoyOrdonez/lesson-plan-21-police-ethics.

The #EndSARS Campaign

SARS was disbanded in October of 2020, however, what directly led to this was the #End-SARS campaign. The End-SARS campaign was fueled by public outrage and protests in cities like Lagos. The first wave of the End-SARS campaign was mostly in an online platform, through attention being raised in social media, with the hashtag End-SARS. The first wave of the SARS campaign, directly led to the at the time Nigerian government, introducing new reforms such as the Anti-Torture Act. These reforms were completely ineffective as usual and in the public's eye the reforms seemed like they would achieve something, but the government introducing them failed to implement them.

The second wave of the #End-SARS campaign actually managed to achieve some level of reforms in the nation, was revitalized started in October 2020 after a video of a Nigerian SARS operative shooting a young man, outside of a hotel in Lagos went viral. The video was followed by many mass demonstrations and many more accusations of torture and murder, the mass demonstrations however were still subject to massive police brutality and use of excessive force. One of those instances was the Lekki Toll Gate massacre on the 20th of October, where men of the Nigerian Army suddenly opened fire on unarmed protesters and injured over 50 people.



Figure 10: #End-SARS protests in London¹³

Following this instance, more shootings were to follow, and protests turned into battle fields, with protesters burning buildings and soldiers opening fire at unarmed and peaceful protesters. The situation in Nigeria was dire, which caused for the issue to gain international

¹³ “‘End SARS’ Activists Gather At LA City Hall for Vigil to Speak Out for Police Brutality Victims in Nigeria.” Feeds Agregator, 22 Oct. 2020, en.1001rss.com/endsars protest-sars-nigeria-police-brutality/2020/10/22/.

attention, and protests being carried out in Germany, Canada, and the United Kingdom. The overall death toll of the second wave of #End-SARS campaign, resulted in 51 civilian deaths, 11 policemen and 7 soldiers.

On October 11th, the Inspector General of Nigerian Police Force Mohammed Adamu, announced the immediate dissolution and banning of the Special Anti-Robbery Squad. However, what was not mentioned is that SARS police officers would not be terminated rather they would be reassigned to other policing bodies, like the newly created SWAT. The decision sparked further outrage with protests continuing to take place for over 10 days, the reasoning behind those protests, were that the ban on SARS would not be implemented and that the newly founded SWAT force, would just replace SARS.

Due to the distrust of the Nigerian citizens towards their own government, protests would continue and promises whether true or false, could just not be believed by the Nigerian public, which had been at this point lied so many times.

POSSIBLE SOLUTIONS

Reform

Nigeria as a nation has attempted multiple reforms, however, none of them was actually ever implemented. An actual reformation and reorganization of the Nigerian Police Force and its sub-bodies would be tremendous towards ensuring a safer environment for the Nigerian public to live in.

Through collaborations with organizations such as the Human Rights Watch, Nigerian National Human Rights Commission or even the Committee Against Torture, recommendations can be made, and actual reformations can be introduced. Reforms could ensure that police bodies won't just go rogue, like in the case of SARS. A Reformation is vital for the well running of the heavily impacted by the situation Nigerian society, a reformed police force that does not extort bribes out of its people, can re-establish the trust between Nigerian and their government.

A reformation however is not sustainable, without holding the officers who committed heinous crimes, accountable. Police officers previously in the SARS police force shall be investigated, and in case they have participated in torturing or abusing the rights of people, they shall be terminated and brought before a court. Introducing a possible police reform shall however be just limited to paper, it shall be transcended into reality, which can only be achieved through some form of global oversight and cooperation.

Rule of Law

According to the rule of law concept, everyone is equal under the law, which includes both police officers and normal citizens. The aforementioned concept however is something not applied in Nigeria, since police officers are not only above the law, but above the constitution and government itself, which have both failed to stop them.

Applying the rule of law, ensures that accountability is held and prevents police officers from abusing their powers, however, its application is not simple. The rule of law can be implemented under specific circumstances. For a society to implement the before stated concept, justice needs to be accessed by everyone, which in the case of Nigeria it's not. Citizens are being tortured, extorted, or abused by SARS, yet these people are unable to take any legal action, whatsoever or even receive some sort of compensation. SARS officers and other members of the NPF need to hold accountable and Nigerian citizens which fell victim to the actions of SARS, need to get justice. Through the application of the rule of law and expanding overall access to justice, accountability can be achieved. The aforementioned moreover need to be also applied for the multiple murders committed by SARS officers, for which even today the people behind them have not been sentenced.

Access to justice is of utmost importance and a vital element in a democracy. Moreover, in order for the rule of law to be applied, laws have to be accessible by everyone and everyone needs to be aware of the law. Rule of law is crucial in order for accountability to be held and prevent the rogue of police bodies, from committing further violations of human rights. Prosecutions under the Anti Torture Act are essential. By not prosecuting officers who commit misconduct, actions such as the ones committed by SARS operatives are just encouraged.

Improved Training & Regulation

Even though through 2016 NPF officers from multiple bodies were subject to training by US and UK forces, discipline needs to become a top priority amongst Nigerian police forces. Through an improvement of police training, disciplining of officers and by also ensuring that regulating mechanisms inside of the police forces are well-running, standards amongst officers will be raised. New police officers need to be background checked and their legibility has to be ensured. Regulation plays a key role in this issue. By regulating police bodies, police misconduct can be effectively battled, and undisciplined officers can be hence terminated.

Moreover, police officers are not the only ones who shall come under scrutiny, that should apply to higher-ranking officers as well. A prime example being Yusuf Kolo, who even though is a commander of a police force, has been accused of torturing a man to death. By regulating higher ranking officers as well, corruption in police forces can be hindered, and legibility and trust can be established.

The human rights violations by policing Organs in Nigeria is a story of distrust and betrayal not only by the police organs sworn to protect but also by the Nigerian Government who became an observer in its own state.

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