



Call for inputs for the preparation of the 2024 report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 47/21 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality”

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Introduction

International Communities Organisation (ICO), in special consultative status with ECOSOC since 2021, believes communities can come together and achieve peace, based not on one group's views prevailing over another, but by constructing a shared vision for a better future. We are independent, neutral, dedicated to the protection of human rights and giving a voice to those who need it.

In 2023, ICO held its inaugural General Assembly on minority rights – a landmark event in our drive to promote human rights and empower minority communities. Representatives from 18 countries attended the event, including representatives from Nigeria, Zimbabwe, Cameroon and Guinea Bissau. Since the event, these representatives have worked closely with ICO to provide Key Informant Interviews on *the promotion of human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality*. Additionally, these ICO General Assembly representatives have disseminated ICO surveys on this topic to a number of key expert civil society organisations and stakeholders on the topics of human rights, racial justice and law.

This report therefore comprises 4 separate sections: Cameroon, Nigeria, Zimbabwe and Guinea Bissau. Each section is broken down into 6 key sections: 1, Introduction; 2, Relationship between local law enforcement and the community; 3, Minorities being at greater risk of Human Rights violations by law enforcement; 4, Law enforcement violating Human Rights and breaching international law; 5, Institutional change being required to tackle racial discrimination within Law Enforcement; and finally 6, Recommendations.

Executive Summary

ICO research surveys and Key Informant Interviews have highlighted a number of concerns regarding human rights violations by law enforcement in Cameroon, Nigeria, Zimbabwe and Guinea Bissau. Cases of these violations occur frequently and often go unreported due to a lack of trust between local law enforcement and communities, which demonstrates the urgent need for rapprochement. Research has shown that intersectional discrimination within law enforcement is a common theme across each of these locations, and leads to minority groups being particularly vulnerable. These incidents of human rights violations by law enforcement are often in breach of both domestic and international law and include, but are not limited to: physical attacks, arbitrary or politically motivated arrests, unlawful detention, sexual violence and rape. The vast majority of survey survey participants strongly felt that institutional change is required in order to tackle discrimination within law enforcement in their countries. Recommendations to address these issues vary per country, however human rights civilian awareness raising campaigns and training programmes for law enforcement, state collaboration with CSOs and International NGOs to monitor and report on human rights, the facilitation of civil-law enforcement mutual dialogue and trust building activities and United Nations support for security sector reforms were all common themes.

Cameroon

The security context in the North West and South West of Cameroon as an active conflict area remains volatile. KIIs show that CSOs often feel isolated, under physical threat and have difficulty operating in a restrictive legal environment. ICO research has found that law enforcement in Cameroon frequently breach international law due to persistent issues with delineation between NSAGs and civilian persons. The minority Anglophone population are perceived as complicit, or even supportive of the active conflict

for independence and/ or self-governance in the North West and South West of the country, which positions them as particularly vulnerable to severe cases of violence by law enforcement such as the burning of villages, destruction of property and sexual assault. Intersectional discrimination leaves women and young people in positions of severe vulnerability to human rights abuses. ICO recommends that civil-military dialogues and cultural activities are used to build trust between communities and law enforcement bodies. ICO also advises that the High Commissioner works to support CSOs operating in Anglophone Cameroon are better supported through sustainable funding and capacity building to fulfil their mandates in protecting the minority Anglophone community from abuses by law enforcement, or their role in providing care, justice and community support when human rights violations are suffered. ICO further calls on the High Commissioner to support the Cameroonian state to ratify the Rome Statute and the Optional Protocol of the Convention Against Torture.

Nigeria

The security issues being faced in Nigeria are multifaceted and sit amongst a complex political context, with a number of security threats across the country including: Islamist insurgents, banditry, herder-farmer violence and criminal gangs, creating an environment where human rights violations and excessive use of force by law enforcement are so frequent that they have become normalised. Key Informants from ICOs research have stated that poverty and economic disparity exacerbates these issues and deepens the already long standing mistrust between law enforcement and the community. Intersectional inequality and discrimination is a particularly common cause of concern in Nigeria, with the Special Anti-Robbery Squad (SARS) being a particular source of abuse. ICO advises that the International Community continue its support of the State, whilst also making a number of recommendations to the High Commissioner when advocating for human rights with the State of Nigeria - including implementing a reparations programme to victims of police brutality; trust building programmes between communities and law enforcement; ensuring the proper payment of law enforcement officers to mitigate corruption; and capacity building programmes for law enforcement authorities.

Zimbabwe

ICO research has found that within the current socio-political context in Zimbabwe, civilians face profound challenges in their interactions with law enforcement. Key informants expressed a lack of trust in local law enforcement, finding the relationship hostile and disrespectful. Minority groups, especially LGBTQIA+ individuals face frequent violations of their human rights, including targeted violence, arbitrary arrests, and structural discrimination. One of a number of ICO recommendations is that the High Commissioner advocates for comprehensive security sector reformation within the state of Zimbabwe, with a focus on addressing intersectional discrimination. This may be achieved via increased state collaboration with the United Nations and its associated bodies, International NGOs and CSOs in Zimbabwe.

Guinea Bissau

Guinea Bissau currently faces institutional instability, low-literacy rates and a series of human rights challenges. ICO collaborated with the Defence and Promotion of Human Rights - Associação Juvenil Para Promoção e defesa dos Direitos Humanos (AJPDH) for a comprehensive and detailed key informant interview, based on the same ICO survey used throughout this report to illuminate a number of human

rights issues within law enforcement in the country. The level of trust between communities and law enforcement is low, as a result of recent bans on public demonstrations and political bias within the national guard. AJPDH have strongly emphasised that issues of gender-based-violence(GBV), particularly in rural communities, are prevalent. ICO research indicates how GBV is enabled by societal and cultural values within the country, which are then reflected within human rights violations by law enforcement. Bissau-Guinean women and girls are often unable to safely report crimes of GBV, leading to issues of underreporting. ICO makes a number of recommendations to the High Commissioner, including the need for mutual dialogue between state law enforcement and local government to achieve rapprochement within the communities.

Methodology:

The purpose of the ICO survey was to collect data on systemic racism and violations of international human rights law against Africans and people of African descent by law enforcement agencies. Data was collected via Key Informant Interviews (KII) and the dissemination of this survey to key stakeholders on the ground. This allowed CSOs and stakeholders the opportunity to provide crucial insights and perspectives from the ground. All key participants of the survey represent well informed human rights based organisations in each country.

ICO ensured the anonymity of participants throughout the data collection process to safeguard their identity and facilitate candid responses. Anonymity was paramount to fostering trust and encouraging participants to share their experiences without fear of repercussions. By guaranteeing confidentiality, ICO created a safe space for individuals to express their views openly and honestly, thereby enhancing the validity and reliability of the data collected. This approach aimed to capture a comprehensive spectrum of perspectives and experiences, thereby enriching the depth and breadth of the findings. Through these methodological considerations, the ICO endeavoured to conduct a robust and inclusive research process that would yield meaningful insights into the promotion and protection of human rights in Africa.

Key Informant Interviews

Individuals who participated in this KII research were drawn from various strategic institutions that deal with human rights institutions in each of their countries, these include human rights organisations, church institutions, government officials as well as student leaders.

In Cameroon, 11 CSOs took part in key informant interviews on the security challenges faced by CSOs and the ways in which both individual and collective human rights and fundamental freedoms are undermined by excessive use of force by Law Enforcement actors in Anglophone Cameroon. The research for the Cameroon section of this paper was originally conducted for a separate UN advocacy report conducted by ICO on [Empowering Catalysts for Change: Civil Society's Recommendations in Anglophone Cameroon Conflict Resolution]. Further details can be found in **Annex 2**.

In Nigeria, 2 key informant interviews were conducted with representatives from human rights based CSOs, both with particular experience in advocating for Nigerian minority groups.

In Zimbabwe, 1 key informant interview was conducted with a human rights expert with experience in representing and advocating for Zimbabwean minority groups.

In Guinea Bissau, ICO collaborated with the Youth Association for the Defence and Promotion of Human Rights, Associação Juvenil Para Promoção e defesa dos Direitos Humanos (AJPDH) in an interview,

based on the same ICO survey, to gather comprehensive and detailed information from this single source. AJPDH have consented to the information and data collected in our interviews and research to be published in this report.

Surveys

In order to obtain comprehensive insights into the prevailing human rights challenges faced by civilians and minority groups in particular and the relationship between law enforcement agencies and the community, ICO deployed a precisely designed research methodology. The research utilised a free-form survey, strategically crafted to solicit various perspectives and experiences from key stakeholders on the ground. The survey was structured to allow respondents to rank various statements on a scale of 1 to 10, with 1 representing the most negative sentiment and 10 representing the most positive. This approach facilitated the quantification of sentiments and perceptions, enabling a systematic analysis of the prevailing dynamics between law enforcement authorities and the community. Moreover, the survey incorporated open-ended questions to encourage respondents to provide qualitative responses, thus enriching the data with contextual insights and personal narratives. A full explanation of the scale can be found in **Annex 1**.

All respondents were given more than a week to answer the survey and no one was forced or paid to participate in this research.

In Cameroon, 11 CSOs took part in a range of quantitative surveys which illustrates the ways in which both individual and collective human rights and fundamental freedoms are undermined by excessive use of force by Law Enforcement actors in Anglophone Cameroon. The survey for Cameroon was different to the others deployed for the purposes of this report, please refer to **Annex 2**.

In Nigeria 19 key stakeholders and CSOs submitted their completed surveys to ICO for the purpose of this report.

In Zimbabwe 5 key stakeholders and CSOs submitted their completed surveys to ICO.

In Guinea Bissau 1 key stakeholder submitted their completed surveys to ICO.

Abbreviations:

ASR: Anonymised Survey Response

AJPDH: Associação Juvenil Para Promoção e defesa dos Direitos Humanos

CSO: Civil Society Organisations

GBV: Gender Based Violence

ICO: International Communities Organisation

KII: Key Informant Interview

LGBTQIA: Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, or Asexual

NSAG: Non-State Armed Group

Cameroon

1. Introduction

1.1. The security context of North West and South West Cameroon - entering its seventh year as an active conflict area - remains volatile. The Anglophone region has experienced tremendous loss of human life, displacement and destruction of critical assets, limiting access to health, education, and food security. Access to essential services is severely curtailed, with 1.7 million people in need of humanitarian assistance and more than 600,000 Internally Displaced People.

1.2. The following section illuminates insights from 11 Key Informants representing CSOs in Anglophone Cameroon North-West and South-West Regions. Through a range of quantitative surveys and Key Informant Interviews, ICO presents the results of the security challenges faced by the Anglophone Cameroonian population, which illustrates the ways in which both individual and collective human rights and fundamental freedoms are undermined by excessive use of force by law enforcement actors in Anglophone Cameroon. Several Key Informants partnered with ICO to provide insights for the below submission, nearly all have opted to remain anonymous, those who have given consent to be mentioned are: Human is Right.

1.3. ICO's contribution to this call centres on the experience of CSOs working in the Anglophone Region. These stakeholders have been chosen because they play an integral role in protecting the human rights of the Anglophone population from the threats posed by law enforcement. Thus, threats to the exercise of human rights and fundamental freedoms of those individuals engaged with civil society work should be understood as cyclically reinforcing to the wider state of rights for the Anglophone population. CSOs further form an invaluable part of a network of actors which ensure the protection of rights for communities most vulnerable to excessive use of force and other human rights violations.

2. Relationship between local law enforcement and the community

2.1. Law Enforcement actors are not always able to adequately discern between CSO actors and Non-State Armed Groups (NSAGs), not only resulting in them treating CSOs activities with high suspicion, but often resulting in them working to actively disrupt and undermine CSO operations, directly obstructing the free exercise of Freedom of Assembly and Association; Freedom of Opinion and Expression and Right to Peaceful Assembly. This is exacerbated by wider trends of criminality in Anglophone Cameroon - with the rise of "Fake Ambas," armed criminals who carry out abductions and extort money from civilians in the name of "supporting the struggle."¹ The civilian response has been the creation of self defence groups to defend civilians from predatory NSAGs, further blurring lines of civilian and combatant and thereby increasing the likelihood of CSOs and civilians being mistakenly perceived as NSAGs, and therefore falsely targeted by law enforcement.

2.2. Key Informants express the security imperative of programing in 'non-politicised' areas, focusing on public-service provision, community-building, or physical/ psycho-social care to populations as opposed to direct advocacy or lobbying work.

2.3. Key Informants further highlight that the restrictive legal environment in which they operate is often more constraining in practice. CSOs anticipate retaliatory action by law enforcement actors by obtaining 'authorisation' for programme delivery from these actors - such authorisation is not a legal

¹Beseng et al. 2023

obligation, but a formality CSOs undertake in self-protection. The process of ‘authorisation’ is informal, not protected by standardisation, and can be arbitrarily withdrawn.

2.4. Key Informants additionally draw attention to cultures of behaviour where they operate in isolation, or in small collaborative groups, as large coalition-building across multiple organisations is perceived with suspicion. This offers a further example of how CSOs self-regulate due to the threats posed to their physical security and rights.

3. Minorities being at greater risk of Human Rights violations by Law Enforcement

3.1. The Anglophone minority group is mostly affected because of their intersectional vulnerability; their comparative financial and political weakness, rate of illiteracy or low education level; and traditional/ religious settings which entrench gender inequality.

3.2. CSOs who conduct work with minority beneficiary communities who are perceived as affiliated with NSAGs are at particular risk to these threats. Examples include organisations which work to deliver health and social care rehabilitation for women and girls who have been in consensual or abusive relationships with NSAG actors. These communities, and the children born of these relationships, are at particular risks of excessive and retaliatory use of force by law enforcement actors - and by extension the CSOs who are endangered by association. A further example includes organisations delivering reintegration programmes whereby affiliation with individuals who used to be engaged in armed conflict against state actors and law enforcement actors, increases the threats to the rights of individuals delivering CSO assistance.

3.3. ICO notes these actions are facilitated by (1) the legal environment of operation - Cameroon is yet to ratify the Rome Statue, and the Cameroon Criminal Code contains no mention of war crimes, crimes against humanity or genocide. The Optional Protocol of the Convention Against Torture additionally remains unratified by the Cameroonian state. (2) The lack of awareness within minority populations of the legal and institutional framework which protect their rights. (3) The lack of support or protection from the elites in their communities. (4) The fear of retaliatory action. (5) The weakness of some administrative structures like the courts which lead to an absence of the rule of law in these localities.

4. Law enforcement violating Human Rights and breaching International law

4.1. Law enforcement violations of human rights and breaches of international law include but are not limited to: targeted physical attacks; arbitrary arrests; unlawful detention on ‘national security’ related charges; threats made of cruel, inhuman or degrading treatment for non-compliance; burning of villages; destruction of property; extortion; harassment at checkpoints; sexual violence and rape.

4.2. Civil society actors and beneficiary communities are not always able to accurately predict retaliatory action, and this undermines the effectiveness and safety of their work.

4.3. Of the 11 Key Informants surveyed and interviewed:

- 80% of respondents stated the security context in Anglophone Cameroon has worsened since 2016
- 70% of respondents stated the environment for civil society organisations has become more restrictive since 2016

- 70 of respondents stated relations between civil society organisations and the Cameroon state have worsened since 2016

5. Institutional change being required to tackle racial discrimination within Law Enforcement

5.1. Civil military dialogues and cultural activities may be used as a tool to build trust and confidence between communities and law enforcement bodies. Effective examples of such initiatives include the 2022 Civil Military Cultural Fair which was organised in a small locality called Menji between the Cameroon Rapid Intervention Battalion (military special forces fighting against armed separatists). Outcomes of the Fair led to constructive dialogue between groups, willingness to engage in joint cultural activities; and image improvement of Law Enforcement stakeholders.

5.3. The Cameroonian state should work to ensure all law enforcement officers acting in official capacities act with greater discretion between Anglophone citizens and NSAG combatants, particularly recognising the human rights obligations they are bound to respect for civilian persons.

6. Recommendations

6.1. International NGOs operating in Anglophone Cameroon should pay heed to the extensive security challenges CSOs navigate at the grassroots level across the North West and South West, and ensure their collaboration, partnership or aid to CSOs is sensitive to these threats to rights and fundamental freedoms.

6.2. International donors and grant-awarding bodies should reorientate funding agendas to facilitate sustained economic investment to Anglophone civil society actors - which would improve the resources CSOs may acquire to more effectively navigate security challenges and overcome issues; expertise without reliable funding sources creates blockages in capacity building. Examples of how this funding could be used includes: standardised rights education, advocacy work to improve access and knowledge to justice mechanisms; support funds for victims of human rights abuses.

6.6. The United Nations and its associated bodies should recognise CSOs call for greater involvement and access to dialogue and negotiations about the future of peace in the North West and South West region, with reference to the mechanisms of justice for human rights abuses and violations by both law enforcement and NSAGs which have occurred during conflict.

6.7. The High Commissioner is advised to recommend to The Cameroon state to ratify the Rome Statute and the Optional Protocol of the Convention Against Torture.

6.8. The High Commissioner is advised to recommend to The Cameroon state to better ensure the thorough legal protection of rights to freedom of assembly and association within the state, and the International Community should acknowledge that the current infringements on civic space severely impede Cameroonian CSOs ability to freely exercise these rights without fear of repercussion.

6.9. The High Commissioner is advised to recommend to The Cameroon state to ensure that state law enforcement bodies receive adequate and sufficient training on the importance of civilian protection.

6.9. The High Commissioner is advised to recommend to The Cameroon state to ensure adequate public service delivery in its North and South West regions - in particular reference to local courts - whose

current absence undermines communities ability to seek redress for violations of human rights from law enforcement.

6.10. The High Commissioner is advised to recommend to The Cameroon state to facilitate civil-military dialogues and cultural activities to support trust building between communities and law enforcement bodies

6.11. The United Nations and its Member States should recognise the direct link from international attention on the Anglophone crisis and the extent to which the Cameroonian state can be held accountable for obstructions or violations of human rights, and thus their responsibility to maintain global attention and pressure for change.

Nigeria

1. Introduction

1.1. Nigeria faces a multifaceted and complex political and security landscape - governmental volatility; authoritarianism; economic crises; and ongoing security threats in the North East Islamist insurgents from ‘Boko Haram and the Islamic State West Africa Province’; in the North West and North Central zones banditry and herder-farmer violence, in the South East Biafran separatists; and in the Niger Delta the proliferation of criminal gangs combine to create an environment where human rights violations and excessive use of force by law enforcement are not only prevalent, but normalised².

1.2. Nigeria operates both on penal code and criminal code. “The penal code is used in all the Northern states, whilst the criminal code is used in other parts of the country, making it difficult to govern.” (ASR 20) Rights protection is dependent upon the region or cultures and religion that are involved.

1.2. The following section illuminates insights from 19 key informants. Through a range of quantitative and qualitative survey questions, ICO presents the results of the threats to human rights and fundamental freedoms that are undermined by excessive use of force by law enforcement in Nigeria.

2. Relationship between local law enforcement and the community

2.1. Key Informants indicate long standing and deep running mistrust between law enforcement presence and the community, characterised by suspicion; wrongful arrest and unlawful punishment. Law enforcement officers are perceived as contributors and drivers of human rights abuses, not upholders of rights.

2.2. Key Informants articulate the frustration and disillusionment of individuals and groups; when reports of human rights violations by law enforcement are documented they remain unacted. Under-reporting is common, with reportees fearing repercussions and reprisal from authorities. Reporting perpetrators within law enforcement to other individuals within law enforcement creates significant issues for accountability. Tendencies to protect institutional reputation over upholding individual human rights is pervasive.

2.3. Key Informants express a correlation between both economic wealth and the likelihood of human rights protection, with lower socio-economic groups facing significant barriers to consistent protection of their rights. Similarly, there exists a correlation between economic wealth and human rights impunity, underscored by cultures of bribery and corruption

2.4. Key Informants highlight how the distinction between government officers and law enforcement officers is unclear due to the militarised nature of many institutions within the Nigerian state, leading to “paramilitary agencies of government.”

2.5. Key Informants indicate that victims rarely gain legal or financial compensation for violations of their rights, often bearing the costs of medical treatment themselves.

² International Crisis Group 2024

2.6. The strains on violations of human rights by Law Enforcement are observed across the country, non-specific to regions or localities. However, the regions most affected by the active conflict between “Boko Haram, ISWAP, and the Nigerian military” (ASR 18) have led to even greater violations of rights of the civilian communities in these areas, affecting “over 8.3 million people, with approximately 80% being women and children.” (ASR 18)

2.7. Of the 19 respondents surveyed:

- 95% of respondents rated the relationship between local law enforcement and the community as negative
- Only 5% (1 participant) of respondents rated the relationship between local law enforcement and the community as positive

3. Minorities being at greater risk of Human Rights violations by Law Enforcement

3.1. Key Informants suggest that communities, particularly minorities, are not always aware of their rights, and therefore do not consistently know when they have legal grounds for redress.

3.2. Key Informants draw particular attention to the demographic divides surrounding religion (i.e. Christian, Muslim and Traditional communities) and ethnicity (i.e. Ogoni People) and language (with 525 native languages), where religious and ethnic communities are at particular risk of human right violations from excessive force - “although it might not be deliberate or pre-determined, already perceived stereotyping of people influences the violations” (ASR 14) increasing “frequency and severity” (ASR 18) as a result of systemic bias.

3.3. Key Informants point to the intersectionality of inequalities faced by minority communities, wherein religious minority groups often experience socio-economic deprivation, and thus poverty bars them from participating in practices of bribery and corruption described above (often a prerequisite for accessing justice).

3.4. Key Informants point to the fact that individuals identifying with the LGBTQIA+ community are disproportionately at risk of excessive use of force by law enforcement. ICO notes this facilitated by the Nigerian legal environment, wherein homosexuality remains criminalised.

3.5. Key Informants speak to the fact that when abuses against minority groups are reported in local, regional or national media, that such reports “do not convey minority groups as victims.” (ASR 9) As such, prejudices affect not only the enactment of the violation, but the perceived legitimacy or justness of the violation thereafter.

3.6. Of the 19 respondents surveyed:

- 63% of respondents rated the risk of human right violations by local law enforcement for minorities as 7-10, showing that the majority feel that minorities are at greater risk, with 15% of participants rating the highest severity level (10), signifying extreme risk.

4. Law enforcement violating Human Rights and breaching International law

4.1. Key Informants illustrate that not all law enforcement bodies are equally culpable of human rights violations. In Nigeria the Special Anti-Robbery Squad (SARS) is mentioned as particularly implicated in “numerous cases of extrajudicial killings, arbitrary arrests, torture, and extortion.” (ASR 21)

4.2. Violations of human rights law are particularly acute when citizens seek to exercise their rights to freedom of assembly, freedom of expression and freedom of association. Even peaceful protests, rallies and demonstrations are met with excessive force, for example “October 2020 during the EndSARS [Special Anti-Robbery Squad] protest in the country” (ASR 3) these protests became part of a wider demonstration and in 2021 “several youth were killed by security agencies by the order of Government at the Lekki Toll gate.” (ASR 17)

4.3. Freedom of assembly, freedom of expression and freedom of association are further inhibited by the Nigerian detention system, “there have been reports of unlawful arrests, prolonged detentions without trial, and poor conditions in detention facilities. Some detainees face torture, extortion, and other forms of ill-treatment while in custody.” (ASR 21)

4.3. Key Informants directly implicate the Nigerian government in the abuses of human rights committed by its own security and Law Enforcement officers. A further example of excessive use of force includes “the incident in Tudun Biri, Kaduna State, where at least 85 civilians were killed and dozens severely injured” (ASR 18) via air strikes - this draws attention to how the methods of excessive force are also diverse, and increasingly remote.

4.4. Key Informants articulate that gender identities play a significant role in the determining power dynamics between individuals and law enforcement: women, girls and young boys are at risk of sexual harassment, abuse and rape by law enforcement officers. Key Informants also illustrate cyclically reinforcing cycles of inequality wherein girls may face forced child marriage, below the globally legal age of consent, in order to better protect them from GBV by community actors, including Law Enforcement.

4.5. Of the 19 respondents surveyed:

- 47% of respondents rated the frequency of human rights violations and breaches of international law by law enforcement to be frequent (ratings 7-10).
- Only 10% of respondents felt that law enforcement officers kept within international law and never violated human rights of community members.

5. Institutional change being required to tackle racial discrimination within Law Enforcement

5.1. Key Informants suggest all Law Enforcement officers “should be professionally trained and be taught the Civil-Military engagement code” (ASR 3) perceiving the current training as inadequate and ineffective. Such training should enshrine and set expectations for “cultures of fairness, equity...and transparency” (ASR 3) and include specific learning on human rights protection.

5.2. Key Informants articulate the issues with recruitment of Law Enforcement should be drawn from a more selective pool, as opposed to individuals seeing to “escaping the labour market” (ASR 3) and those with “criminal” backgrounds and histories, thus “integrity [and] verification of a person's character, background, sources of income” (ASR 3) should be obtained, prior to their approval for enlistment. Such measures would also prevent persons being appointed out of political favour and as a reward for personal loyalty.

5.3. The Nigerian state could move towards a model of community policing where recruitment is conducted “from the local community to enhance familiarity, cultural understanding, and trust between law enforcement and residents.” (ASR 18) This could be supported by community forums whereby “Law enforcement officers and community members can openly discuss concerns, build relationships, and address issues affecting the community.” (ASR 18)

- 5.4. Of the 19 respondents surveyed:
- 100% of respondents agreed that institutional change is required to tackle discrimination within law enforcement, with all respondents ranking the need at 7-10.
 - 53% of respondents strongly felt that institutional change is required, with 10 out of 19 participants ranking the need at the highest severity level (10).

6. Recommendations

6.1. The International Community should support the Nigerian state in ensuring punishment for violations of human rights are consistent and in line with global best practice, allowing for decisions about what constitutes a violation to be made with neutrality and impartiality.

6.2. The Nigerian state and local government bodies should ensure victims of excessive use of force by Law Enforcement have adequate access to psycho-social support and/or medical services, these services ought to be supported by sustainable funding.

6.3. The International Community should support CSOs in their work to ensure that populations, particularly minority groups, better understand their legal, political, social, and economic rights via advocacy, education, sensitisation, and established feedback/ consultation mechanisms.

6.4. The High Commissioner is advised to recommend to the Nigerian state to learn from positive examples of justice such as “Lagos State Judicial Panel awarding reparations to victims of police brutality” (ASR 18) which should be integrated into trust building programmes between communities and law enforcement.

6.5. The High Commissioner is advised to recommend to the Nigerian state to be aware that the strength of deterrents for this behaviour amongst Law Enforcement bodies, is directly tied to the strength of the justice and oversight mechanism. As such, reporting mechanisms for violations should be better published, understood and should be delineated from the Law Enforcement authorities - for example capacity building for the existing Nigeria Police Force’s Complaint Response Unit.

6.6. The High Commissioner is advised to recommend to the Nigerian state to ensure all officers under its purview and employment are adequately paid, so practices of extortion by officers, and acceptance of bribes are less likely.

6.7. National and international media actors should continue in their coverage of human rights abuses, recognising their significant contributions to “raising public awareness and understanding of rights violations, empowering civilians to report such abuses.” (ASR 18)

6.8. The International Community is called upon to maintain pressure on the Nigerian government to implement significant reforms to better protect human rights and prevent excessive use of force within its territory.

6.9. The United Nations and its associated bodies “should take proactive measures in educating and sensitising citizens” (ASR 19) on best practice between civilians and law enforcement agencies working in tandem with CSOs and activists conducting such work at the grassroots level.

Zimbabwe

1.1. Introduction

1.1. In fulfilment of Human Rights Council resolution 47/21, International Communities Organisation (ICO) embarked on a comprehensive research endeavour focused on the pervasive human rights violations perpetrated by law enforcement agencies in Zimbabwe. With a specific emphasis on promoting and safeguarding the human rights and fundamental freedoms of Zimbabweans against excessive use of force and other violations. Zimbabwe's law enforcement sector of the Zimbabwe Republic Police works cooperatively with other security sectors agencies which includes the army and the secret services. Through careful data collection methods including Key Informant Interviews (KII) and a detailed survey distributed among stakeholders, ICO aimed to gather valuable insights and perspectives from individuals deeply engaged with human rights issues in the country.

1.2. The findings of our research shed light on the profound challenges faced by Zimbabweans in their interactions with law enforcement authorities. A significant majority of participants expressed deep concerns about the deteriorating relationship between local law enforcement and the community. Part of the research revealed negative trends regarding the heightened vulnerability of minority groups to human rights violations by law enforcement officers. Major findings of the research underscore the need for targeted interventions to address the root causes of systemic discrimination and ensure the protection of the rights of all citizens, regardless of their race, ethnicity, or background.

1.3. Individuals who participated in this research were drawn from various strategic institutions that deal with human rights institutions in Zimbabwe, these include human rights organisations, church institutions, government officials as well as student leaders. Participants were given more than a week to answer the survey and no one was forced or paid to participate in this research.

2. Relationship between local law enforcement and the community

2.1. 80% of Key Informants expressed a lack of trust in local law enforcement forces. Moreover, informants characterised the relationship between the community and local law enforcement as hostile and disrespectful, with 60% of respondents assessing the relationship to be 1-3.

2.3. Key informants note that “high levels of censorship, limited access to legal resources, or fear of reprisals...[and] illiteracy” (ASR - Z4) within the Zimbabwean population underscore the fundamentally hierarchical nature of the relationship between law enforcement and the community, with the latter group unable to act in parity due to the structural inequality they face.

3. Minorities being at greater risk of Human Rights violations by Law Enforcement

3.1. 80% of key informants believe that minorities are at a greater risk of human rights violations by law enforcement officers. Furthermore, all respondents ranked the frequency of human rights violations and breaches of international law by local police forces as 8 or higher on a scale of 1-10, indicating regular occurrences.

3.2. Examples of such intersectional prejudice affecting minority groups include the persecution of LGBTQIA+ individuals who navigate discrimination based on their sexual orientation and gender identity. The frequent and normalised harassment and intimidation of LGBTQIA+ activists by law

enforcement agencies, are indicative of policing cultures which have failed to address the pervasive violence and structural discrimination experienced by this marginalised group.

4. Law enforcement violating Human Rights and breaching International law

4.1. Law enforcement officers in Zimbabwe have been consistently been accused of human rights violations, including arbitrary arrests, torture, and intimidation of opposition figures and activists. These actions have eroded public trust in the police force and contributed to a sense of fear and apprehension among citizens. High-profile cases, such as the crackdown on opposition political leaders like Job Sikhala and Jacob Ngarivhume, who were arbitrarily detained without trial for an extended period, have garnered widespread condemnation both domestically and internationally³.

4.2. Incidents of harassment and discrimination based on factors such as race, ethnicity, gender, and sexual orientation have further contributed to the deteriorating relationship between the community and law enforcement. Minority groups, including the LGBTQIA+ community and ethnic minorities, have reported instances of targeted violence, arbitrary arrests, and discrimination by police forces. These experiences have reinforced the perception that law enforcement agencies disproportionately target marginalised communities, further deepening distrust and hostility towards the police.

5. Institutional change being required to tackle racial discrimination within Law Enforcement

5.1. Respondents ranked the frequency of law enforcement violating human rights and breaching international law to be highly likely (8-10), implying that there is a consistent and regular issue of rights violations by law enforcement.

5.2. Key Informants call for institutional change in law enforcement systems so as to tackle racial discrimination. 80% of respondents asserted a pervasive lack of awareness among civilians regarding their rights was exacerbated by a pervasive fear of reprisals from law enforcement authorities. This fear stems from a history of arbitrary arrests, harassment, and intimidation by security forces, which have created a climate of fear and impunity. Even in instances where individuals and groups are aware of rights violations, many opt to remain silent rather than risk facing retaliation from law enforcement officers.

6. Recommendations

6.1. Human rights awareness and education campaigns should be implemented across Zimbabwe in order to promote understanding of rights, fundamental freedoms and mechanisms for redress amongst the population. These campaigns should run parallel to rapprochement and trust building exercises between local communities and law enforcement, and be sensitive to cultural norms and practices, integrating these values into campaigns, education or training wherever possible.

6.2. The High Commissioner is advised to recommend to the Zimbabwe state to undertake comprehensive security sector reform, with the aim of enhancing the impartiality of security personnel and setting expectations to refrain from engaging in political activities. This will greatly contribute in improving political participation and Freedom of Assembly amongst Zimbabwean citizens.

³ Amnesty International 2023

6.3. The Zimbabwe security service sector, especially Zimbabwe Republic Police and Zimbabwe National Army, should better delineate the duties of security personnel, emphasising neutrality and respect for human rights in order to address racial discrimination and promote accountability.

6.4. The United Nations and its associated bodies should provide support for security sector reform initiatives and advocate for the protection of human rights within Zimbabwe. Diplomatic pressure and engagement with the Zimbabwe state can facilitate dialogue; promote positive change; and improve the rule of law within the country.

6.5. The High Commissioner is advised to support the Government of Zimbabwe in collaborating with local CSOs and international NGOs to monitor and report on human rights in Zimbabwe, with the aim of ensuring proper conduct of law enforcement, in line with internationally recognised legal standards.

Guinea Bissau

1. Introduction

1.1. ICO's Guinea Bissau contribution has been conducted with the partnership of Youth Association for the Defence and Promotion of Human Rights - Associação Juvenil Para Promoção e defesa dos Direitos Humanos (AJPDH). AJPDH are a legal private legal entity, with administrative and financial autonomy, a non-profit organisation, whose objectives is to promote and defend human rights in all its manifestations in Guinea-Bissau.

1.2. Over the past few decades, citizens within Guinea-Bissau have faced a series of human rights issues, attributable to the country's institutional instability, low-general literacy rates, and involvement with various types of trafficking. The country's most recent Universal Periodic Review (UPR) dated January 2020, revealed an urgent need for reform to ensure its adherence to internationally recognised human rights standards and principles. The report highlighted shortfalls in implementation of international human rights obligations, in compliance with international humanitarian law, under 4 different sub-headings. It was noted in the review outcomes that the State response concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcomes by the plenary to questions or issues were not sufficiently addressed during the interactive dialogue held in the Working Group.

1.3. Guinea-Bissau is a tropical country on West Africa's Atlantic coast with a population of just over 2 million. Its political system has been dominated by the socialist African Independence Party of Guinea and Cape Verde and the Party for Social Renewal. Its judiciary is independent of the executive and the legislature but despite the democratic constitutional framework, the military has exercised substantial powers. Since the country's independence in 1974, only one president successfully completed his five-year term.

1.4. The research methodology of this section consisted of a number of detailed Key Informant Interviews with AJPDH, using the same ICO survey questions used in previous 3 sections of this report as a foundation for the interviews. This section is therefore based on a single source and a range of quantitative statistics is not available here.

2. Relationship between local law enforcement and the community

2.1. Through ICO surveys and KIIs, AJPDH have suggested the relationship between local communities and the law enforcement is characterised by hostility, disrespect and lack of trust .

2.2. Distrust between communities and law enforcement are unscored by the 2021 ban on public demonstrations. This ban was enacted by the Guinea Bissau state in response to protests by the National Union of Workers, Cassaka-64, National Association for the Defence of Domestic Workers, youngsters in the Hafía Neighbourhood and some other military neighbourhoods, including students regarding the appointment of their new school director. The protests were forcibly dispersed with tear gas, beatings, and arrests by law enforcement actors, directly undermining communities rights to freedom of assembly.

2.3. Such is the extent of threats to personal and organisational security when reporting issues, that women and girls as well as CSOs such as AJPDH, often resort to using social media platforms to make complaints or just to spread information about incidents, which can give rise to further tensions between local communities and law enforcement. This platform is particularly utilised in relation to reporting and documenting GBV.

3. Minorities being at greater risk of Human Rights violation by Law Enforcement

3.1. ICO research and reports from AJPDH strongly indicate that intersectional discrimination often leaves women and girls at a greater risk of GBV and discrimination by law enforcement agencies.

3.2. Women and girls in Guinea Bissau are more vulnerable to human rights violations by police officers due to cultural and societal gender values. It has been reported that women and girls in Guinea Bissau often suffer from GBV from actors within their own communities.

3.3. AJPDH states that ‘many women are not aware of their human rights and local law enforcement take advantage of their vulnerability.’

3.4. Reports of forced marriages and domestic violence are particularly prolific in the regions of Gabú and Bafatá. Issues of unequal access to state services and resources are pervasive in the Bolama and Tombali regions. Cacheu, Oio and Biombo predominate with social issues and conflicts arising out of land grabbing and theft.

3.5. AJPDH report that women and girls often encounter difficulties reporting crimes to the national guard and local law enforcement agents: ‘complaints made by women about sexual harassment, abuse or domestic violence are not taken seriously’. This is particularly observed when women and girls attempt to report GBV abuses that take place within their marriages. Unresponsiveness and ineffectiveness of justice mechanisms, feeds disillusionment of women and girls in local communities, further exacerbating under-reporting and instead supporting cultures of impunity for those committing human rights violations.

3.6. Rural communities and tribes suffer particularly from a general lack of awareness with respect to individual rights but, “it varies from place to place and from family to family,” resulting in discrimination against ill-informed individuals who often end up being imprisoned. AJPDH’s reports show that “People who live in *tabancas* are victimised 3 times more often than those in the city.” Those who do not have financial or class influence, or cannot afford legal representations face greater risk.

4. Law enforcement violating human rights and breaching international law.

4.1. AJPDH reports document cases of police misconduct, injustice and intersectional discrimination against women and girls when attempting to report crimes of GBV to local law enforcement. This includes cases wherein women have even been punished by law enforcement officers by committing similar acts of violence against the women to the acts that they were attempting to report. This is said to be done as a punishment against women for trying to report gender based crimes. In order to combat this issue it is recommended that a national standard be created against police abuse of civilians and the application of justice in all cases without exception.

4.2. AJPDH has informed ICO of an incident of particular concern, where ‘a girl was raped whilst being held in custody in the police station.’ It is currently unclear whether this crime was committed by

police officers or by a male also being held in police custody, which may have happened because local police stations often are unable to separate men and women in custody due to lack of space or facilities. This case also speaks to the need for law enforcement to provide adequate protection for all individuals in their custody, specifically women and girls, in recognition of legal obligations concerning duty of care.

4.3. AJPDH have documented a number of incidents where unlawful arrests have occurred using excessive force during democratic political activism and protests.

4.4. AJPDH reports document numerous unlawful political arrests of civilians in Guinea Bissau. In March 2024, 12 citizens and political leaders of the group MADEM-G15 were unlawfully arrested with excessive force, in violation of domestic and international laws as well as the fundamental rights of civilians and democratic rule of law. The Guinea Bissau state should ensure that its law enforcement agents remain politically impartial and refrain from making politically motivated arrests.

4.5. AJPDH reports outline disproportionate acts of force by the police force in the sector of Mansoa in Northern Guinea-Bissau, against the students of Queme Mané Liceu during political protests in January 2024. This example of law enforcement officers arresting and violently interacting with students during political protests that AJPDH reports forms part of wider trends of excessive use of force occurring in Guinea Bissau. The Guinea Bissau state should ensure that students face no threats to their personal security when exercising their right to protest.

5. Institutional change being required in LA to tackle racial discrimination

5.1. Current internal disciplinary processes in place to tackle complaints of discrimination and wrong doings, remain ineffective, and an insufficient deterrent. Unaddressed violations of human rights increase the likelihood of individuals and communities isolating themselves from the State apparatus, losing out on judicial remedies. Thus, a fundamental overhaul of service provision, which centres trust-building, and provides avenues for accountability and retribution would significantly improve the human rights protection for minority communities in Guinea Bissau.

5.2. The Guinea Bissau state should support the existing work of CSOs in conducting awareness raising campaigns of women's rights, intersectional discrimination and prevention

5.3. The Guinea Bissau state should undertake comprehensive training of all local law enforcement officers acting in state capacities in women's rights and GBV education.

6. Recommendations

6.1. The High Commissioner is advised to recommend to the Guinea Bissau state to facilitate mutual dialogue between state law enforcement and local government to achieve rapprochement with communities. Such dialogue would encourage the accommodation of dissident voices to counter the growing miscommunication, misunderstanding - which underlie the positions of those critical of the state.

6.2. The High Commissioner is advised to recommend to the Guinea Bissau state to accept the presence of and collaborate with international NGOs, as neutral and impartial reporters and monitors of human rights issues in-country.

6.3. International NGOs should work with national or local CSOs within Guinea Bissau to monitor and report on the extent of human rights protection on the ground, with specific focus on reporting

violations of human rights against vulnerable communities who do not possess the means, knowledge or resources for self-advocacy.

6.4. The High Commissioner is advised to recommend to the Guinea Bissau state to work with local CSOs and international NGOs to ensure the conduct of local law enforcement officers towards women and girls is monitored and in adherence within its a national code of conduct, that reflects international standards on GBV.

6.5. The High Commissioner is advised to recommend to the Guinea Bissau state to ensure that there are adequate and effective mechanisms for reporting human rights violations which do not endanger personal or organisational security. Such reporting mechanisms should run in tandem to accountability mechanisms for law enforcement officers which are identified as committing human rights abuses.

6.6. CSOs within Guinea Bissau should be supported in their existing work to conduct publicity campaigns at state level to inform the public of their rights and obligations in social and domestic settings, as well other welfare rights, racial equality, gender biases, freedom of speech, freedom of assembly and rights protest and complaint. Such awareness-raising campaigns should seek the active participation of communities in rural areas.

6.7. The High Commissioner is advised to recommend to the Guinea Bissau state to create and implement training for law enforcement which includes punitive measures for police abuse of civilians and enshrines the application of justice in all cases, in line with the Universal Declaration of Human Rights.

6.8. The UN and its associated bodies are called upon to maintain international monitoring and engagement through existing UN processes and procedures, with a specific view to supporting efforts in eliminating any racial, ethnic, linguistic or gender discrimination.

6.9. The High Commissioner is advised to recommend to the Guinea Bissau state to ensure that its law enforcement agents remain politically impartial and refrain from making politically motivated arrests. The state should be supported in ensuring citizens' protection, and their right to safe protest.

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Annex

Annex 1: Survey Scales

Scale 1: ‘Describe the relationship between the community and the police force in your local area’, uses 1 to represent a hostile and disrespectful relationship and 10 to represent a cooperative and respectful relationship

Scale 2: ‘Are minorities at greater risk of human rights violations by law enforcement officers?’ uses 1 to represent no risk at all and 10 to represent minorities being at far greater risk.

Scale 3: ‘How often do local police forces violate human rights and breach international law?’, uses 1 to represent not at all and 10 to represent regular violations.

Scale 4: ‘Do you feel that institutional change is required to tackle existing issues of racial discrimination within law enforcement?’, uses 1 to represent not at all and 10 to represent complete change being required.

Annex 2: Cameroon research

The research for the Cameroon section of this paper was originally conducted for a separate UN advocacy report conducted by ICO on [Empowering Catalysts for Change: Civil Society’s Recommendations in Anglophone Cameroon Conflict Resolution]. Therefore, ICO’s contribution to this call centres the experience of civil society organisations working in Anglophone Cameroon. These stakeholders have been chosen because they play an integral role in protecting the human rights of the Anglophone population from the threats posed by Law Enforcement. Thus, threats to the exercise of human rights and fundamental freedoms of those individuals engaged with civil society work should be understood as cyclically reinforcing to the wider state of rights for the Anglophone Cameroonian population.

The full Cameroon report may be accessed here:

<https://drive.google.com/drive/folders/1SJ4GcZbZAouIhGg4BsCFh06tnKwFr2JF?usp=sharing>