**NATIONAL HUMAN RIGHTS COMMISSION, NIGERIA**

**Response of the National Human Rights Commission to the Call by the United Nations High Commissioner for Human Rights for Inputs inviting relevant National Human Rights Institutions to send written contributions for a report of the International Independent Expert Mechanism to advance racial justice and equality in the context of law enforcement, pursuant to Human Rights Council Resolution 47/21**

**Introduction**

The promotion and protection of human rights and fundamental freedoms of Africans and people of African descent in Nigeria, in Africa and around the world has always been of concern for the National Human Rights Commission (NHRC). NHRC condemns the continued racial discrimination, inequality and marginalization of Africans and people of African descent around the world.

Over the years, concerns have been raised about the “over-policing” of Africans, persons of African descent and Black communities leading raising cases of unlawful arrests, incarceration, and police brutality in contra distinction to other racial or ethnic groups leading to the violation of human rights. These acts or omission have eroded confidence of people in the efficiency of law enforcement officials to ensure justice for the suspect, the victim and the society as a whole. This has also led civil unrest. The resultant effect is that the situations will frustrate effective prosecution of cases and detach the law enforcement officials being a part of the people they are supported to protect.

Accordingly, we join the rest of the world to express concern over the predicament of Africans and peoples of African descent regarding excessive use of force as it affects law enforcement which is displayed by patterns of systemic racism, discrimination, and injustice. We also join in the call for accountability, transparency, and structural changes within law enforcement agencies to be in line with international human rights norms and tenets.

**Initiatives and good practice**

In the light of the forgoing that the NHRC suggests the following initiatives and our experience in ensuring accountability of the police for human rights violations:

1. Civil/Community Engagement with Law Enforcement Agencies:

Establishing a meaningful dialogue and collaboration between police and other Law Enforcement Agencies (LEAs) and communities, including regular town hall meetings and community policing initiatives will go a long way to strengthen relationship between LEAs and the communities. In this regard, both the LEAs and the members of the community will be able to identify areas of concern and jointly bring about change.

1. Strengthening police oversight agencies

In Nigeria, the NHRC together with Civil Society Organizations (CSOs) have strengthened the forum on Police oversight Agencies to galvanize efforts to ensure an effective policing that is based on the principles of legality, accountability, transparency, protection of human rights and partnership with other agencies. Specifically, this initiative has been able to encourage timely response to complaints of misconduct, abuse of power, corruption, and other infractions by the police and policing agencies. It also ensure that officers adhere to professional standards and respect human rights. This has significantly helped in building trust between the police and policing agencies and the citizenry.

Another significance of the forum on police oversight agencies is that it enhanced participation of the citizenry on issues that related to law enforcement and human right violations.

1. Ensuring accountability and redress

Accountability plays a key role in preventing excessive use of force as well as other human rights violations by the police or Law Enforcement Officials. This is because, by holding individuals and institutions accountable for their actions, it helps to create a culture of respect for human rights and a greater sense of responsibility.

Such accountability leads to increased transparency and a better understanding of the root causes of violence and how to prevent it from occurring.

It is in light of the above that the NHRC, pursuant to its mandate under the National Human Rights Commission (Amendment) Act 2010, set up the Independent Investigative Panel which indicted 72 police personnel and paid compensation to victims of brutality and other Human Rights Violations by the defunct Special Anti-Robbery Squad of the Nigeria Police Force (SARS). The compensation serves as civil remedies that were ordered by the Independent Investigation Panel on Human Rights Violations by the defunct Special Anti-Robbery Squad of the Nigeria Police Force. The Panel was established by the Commission on the directives of the Federal Government of Nigeria as a result of the #END SARS protest in 2020.

It is instructive to mention that before this panel, the NHRC in 2006 to 2008 partnered with a CSO- the Network of Police Reforms in Nigeria (NOPRIN) and carried out public hearing on extrajudicial killings and other acts of impunity by the Nigeria Police. Again in 2016 to 2017, following increasing incidents of SARS and Police Brutality, the NHRC, in collaboration with other CSOs; the CLEEN Foundation, the Nigerian Bar Association where they organized public hearings on SARS and Police brutality. These public hearings on extrajudicial killings and police brutality raised awareness atrocities perpetrated by officers of SARS of the Nigeria Police Force.

Consequently, a Presidential Panel on SARS Reforms was inaugurated and comprised representatives of the NHRC, the Nigeria Bar Association, the Police Service Commission, the Public Complaints Commission, CSOs, the Academia and the Police. The NHRC submitted its report to the President on 3rd June 2019. Upon submission of the Report, the Federal Government was interested in ensuring that SARS and indeed the Nigerian Police remains a responsible, responsive and human rights compliant institution without disregard to the difficult task and dangers that police officers confront in the line of duty. The disbandment of SARS was the key recommendation of the report and this has already been implemented.

Other achievements include the enactment of the Police Act 2020 as well as commencement of disciplinary actions against erring police officers. It is significant to mention that section 4 of the Police Act 2020 empowers the Police Force to, among others, **“…protect the rights and freedoms of every person in Nigeria as provided in the Constitution, the African Charter on Human and Peoples’ Rights and any other law.”**

**Conclusion**

The Commission reiterates its commitment to promoting and protecting the rights of all Nigerians, Africans and people of African descent and calls on all citizens to reject racism in all its forms and manifestations.