

Weekly Updates on the **#EndSARS Judicial Panels of Inquiry – No. 13**



8th February - 14th February, 2021

The Judicial Panels of Inquiry set up across Nigeria to investigate the excesses of the Nigeria Police Force and other security agencies have continued sittings in the FCT and these 16 states in the week under review - Abia, Akwa Ibom, Bauchi, Bayelsa, Benue, Ekiti, Gombe, Imo, Kaduna, Lagos, Ogun, Ondo, Osun, Oyo, Plateau and Taraba.

In 17 states, the Judicial Panels of Inquiry have closed submission of petitions and Panels in Adamawa, Niger, Katsina, Kwara and Rivers States have concluded sittings/hearings and their recommendations are to be submitted to the government for implementation.

The ongoing Judicial Panels of Inquiry provide an opportunity for the Nigerian government at the Federal and State levels to meet major yearnings of Nigerians, which is justice for all victims and survivors of police brutality and implementation of the eventual recommendations of the Judicial Panels.

On 12 February 2021, Rinu Oduala, one of the organisers of the #EndSARS protests, resigned from the Lagos Judicial Panel on Police Brutality and Human Rights Abuse. Oduala was one of the youth representatives on the Panel. Her resignation followed a majority decision by members of the Panel on Saturday, February 6th to approve the request by the Lekki Concession Company (LCC) to repossess the Lekki Toll Gate (the scene of the alleged shooting on 20 October, 2020).

The decision to return the Toll Gate, which is a Lagos State asset received swift condemnation because it was out of the remit of the Panel and citizens believed it was premature. This led to the immediate call for a protest at the Toll Gate on Saturday, February 13th with the message that until the victims of police brutality had received justice, the Toll Gate should not be open. There was also a lawsuit filed by EiE Nigeria on behalf of a victim to compel the court to stop LCC.

On February 13th 2021, some protesters who convened at the Toll Gate were arrested in connection with the #OccupyLekkiProtest by the Lagos State Rapid Response Squad (RRS) of the Nigeria Police Force. The Nation newspaper confirmed that comedian Debo Adebayo, popularly known as Mr Macaroni, and 39 other arrested protesters were charged, but granted bail in the evening of the same day. The Toll Gate had been shut since October 2020.

Ebun-Olu Adegboruwa, SAN, representing civil society on the Lagos State Judicial Panel of Inquiry, issued a statement following the arrest, detention and dehumanization of protesters at the Lekki Toll Gate on 13th February 2021. According to the statement, 'it becomes worrisome that the security agencies have not learnt any positive lesson from those occurrences. I commend the protesters for their peaceful conduct. I cannot in good conscience continue to sit at any Panel of Inquiry to heal wounds and end police brutality

when fresh assaults are being perpetrated with impunity. Consequently, I am presently consulting with my constituency within the civil society, as to my continued participation in the EndSARS Judicial Panel.'

The Commissioner of Police, Lagos State, Hakeem Odumosu, in his response on 14th February 2021 stated he was "piqued by this unprofessional and inhuman act" adding that, "while the command is resolute in enforcing all laws in the state, it will not deviate from the Standard Operating Procedure of the Nigeria Police Force and provisions of the law in discharging its duties", noting that the command will fish out those responsible for the molestation and ensure they are punished for their unprofessional conduct.

Similarly, on 14th February 2021, five members of the Anambra State Judicial Panel of Inquiry resigned. The members of the Panel, who are the youth representatives, accused the state government of lip service and indifference to the cause. The members are Mr Chijioke Ifediora, Mr Henry Ugwu, Mr. Osonwa Chukwuka, Mr Ebelechukwu Ngini and Mr Chibuike Obiwuzie.

Yiaga Africa and Enough is Enough Nigeria (EiE)'s observation of the Panels of Inquiry will continue to provide information to promote transparency and accountability and build citizens' confidence in the process.

Findings from the period under review include:

1 7 States yet to Constitute Judicial Panels of Inquiry, 2 States yet to resume sittings:

Yiaga Africa and EiE Nigeria further note the consistent refusal by 7 States who are yet to constitute Judicial Panels of Inquiry. These states are **Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe, and Zamfara**. While the seven states were part of the collective NEC decision, their actions reinforce the notion that the need to engage in meaningful security sector reform is not a national concern. In **Anambra State**, the panel is yet to resume sitting from the Christmas and New Year break. The youth representatives on the panel accused the state government of failing to provide the panel with the necessary logistics and support it needed to function effectively. In a statement conveying their displeasure, five members of the Anambra State Judicial Panel of Inquiry resigned their appointment as members of the panel. In **Kogi State**, the panel is yet to hold an inaugural sitting despite the constitution of the panel.

2 Media and Independent Observers' Presence at Panel Sittings:

Yiaga Africa and EiE Nigeria commend the continued presence of independent observers and media houses at the Panel sittings. Data from our observers shows that media houses have recorded 85.8% attendance since the commencement of Panel sittings across the states, while independent observers have a 68.9% attendance. We particularly commend the increased media presence at the Panel sittings from coverage in fifteen (15) states in November 2020 to twenty-eight (28) states in February 2021. Although traditional media in Nigeria were initially accused of not providing adequate coverage to the #EndSARS Protests in October 2020, the protests grew in magnitude, getting the attention of international media. Thus, it became impossible for conventional and online media platforms to ignore the story, regardless of ownership. Our findings show that the media remains instrumental in providing updates from the various panels and balanced reporting of stories shapes public opinion on the efforts to deliver justice for victims of police brutality and other human rights abuses.

3 Petitions Submitted across the Country and Conclusion of Sittings:

Data from the panels show the following number of petitions submitted across the states and the FCT, while observer reports indicate that Judicial Panels of Inquiry have closed submission of petitions in 17 states. In Adamawa, Niger, Katsina, Kwara and Rivers States, the panels have concluded sittings/hearings and the recommendations of the panel are to be submitted to the government for implementation.

State	No. Of Petitions of Submitted	End Date for Submission of Petitions	End Date for Panel Sittings/Hearings
Abia State	87	December 9, 2020	May 10, 2021
Adamawa State	14	December 11, 2020	January 27, 2021
Akwa Ibom	159	Ongoing	Undecided
Anambra State	310	November 26, 2020	Undecided
Bauchi State	19	Ongoing	Undecided
Bayelsa State	41	Ongoing	April, 2021
Benue State	51	Ongoing	Undecided
Cross River State	75	December 22, 2020	Undecided
Delta State	85	November 26, 2020	Undecided
Ebonyi State	53	Ongoing	May, 2021
Edo State	167	November 27, 2020	March 8, 2021
Ekiti State	85	November 30, 2020	Undecided
Enugu State	75	Ongoing	Undecided
FCT Abuja	250	Ongoing	Undecided
Gombe State	15	Ongoing	Undecided
Imo State	144	December 14, 2020	Undecided
Kaduna State	49	Ongoing	Undecided
Katsina State	61	December 2020	January 6, 2021
Kwara State	24	December 1, 2020	January 27, 2021
Lagos State	230	December 22, 2020	Undecided
Nasarawa State	47	December 31, 2020	Undecided
Niger State	18	December, 2020	December 22, 2020
Ondo	70	February 8, 2021	Undecided

Ogun State	105	November 30, 2020	Undecided
Osun State	34	Ongoing	Undecided
Oyo State	50	Ongoing	Undecided
Plateau State	63	November 26, 2020	April, 2021
Rivers State	188	January 13, 2021	January 26, 2021
Taraba State	31	February 28, 2021	March 29, 2021

Yiaga Africa and EiE Nigeria note and recommend the following:

1. Constitutional Right to Freedom of Assembly and Peaceful Protest:

Yiaga Africa and EiE Nigeria note that under Section 40 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), every person is entitled to assemble freely and associate with other persons. The arrest, detention and dehumanization of protesters at the Lekki Toll Gate on 13th February, 2021 stands in violation of the rights of citizens to freely assemble and peacefully protest. The government has continued to demonstrate that it's more interested in clamping down on fundamental rights, rather than addressing the critical issues of citizen engagement and police reform, which undermines the Judicial Panels. This does not endear the government to the citizens and should stop.

2. Citizen Engagement and Advocacy Towards Implementation of Panel Recommendations:

The resignation of the youth representatives in the Lagos and Anambra State Judicial Panels of Inquiry respectively indicates a lack of confidence in the Judicial Panels of Inquiry to deliver justice especially for young citizens who peacefully protested and made a demand on the Federal Government of Nigeria to investigate complaints of police brutality and extra-judicial killings as well as deliver justice to all victims of the dissolved Special Anti-Robbery Squad (SARS) and other police and security units. Yiaga Africa and EiE Nigeria recommend that the Lagos and Anambra State Judicial Panels of Inquiry respond immediately and take appropriate action towards addressing the issues raised by the youth representatives in order to restore citizens' confidence in the Panels to deliver justice.

3. Support and Welfare for Judicial Panels of Inquiry:

We call on both the Federal and State governments to provide adequate support and resources needed to ensure that the Panels function optimally and safely during the sittings especially as Nigeria experiences the second wave of COVID-19. The lack of support and welfare for members of the Panel prevents the Panels from functioning optimally within the allocated time for the hearing of petitions in line with their terms of reference.

Signed

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