



## Human Rights and the Use of Force: Examining the Nigerian Government's Response to the #EndSARS Protest

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**Abstract.** The current study investigates the human rights violations and use of force by Nigerian government in response to #ENDSARS protest which was a nationwide protest on police brutality (mainly through Special Anti-Robbery Squad or popularly called SARS) across the nation. The analysis explores the legal setting pertaining to force used by law enforcement, allegations of human rights abuses and the place of security agencies at the events of October 20, 2020 incident at Lekki Toll Gate. Building on comparative research into international standards, such as the United Nations Basic Principles on the Use of Force and Firearms by Peacekeepers or the African Charter on Human and Peoples' Rights; the research assesses Nigerian compliance with international norms on human rights. It pinpoints the shortcomings of accountability frameworks, chastising the inadequacy of Nigeria legal as well policy making in order to protect rights of protesters. The policy recommendations proposed in the study include, but are not limited to; legal reforms; better accountability mechanisms and human rights trainings for security forces to reduce the next time bias. Recommendations to incorporate oversight mechanisms and the enforcement of recommendations from Judicial Panel of Inquiry are vital for true justice and institutional accountability. Nigeria can promote a rights-based approach to protest management, by programming and aligning domestic laws with international best practice which would serve citizens better with more human protection and restore trust in law enforcement agencies in relation to public.

**Keywords:** Human Rights, Use of Force, ENDSARS protest, police brutality

### 1. Introduction

A core component of democratic governance and the essential outlet for citizens to air their grievances, seek accountability or effect change through peaceful protest. The #EndSARS movement in Nigeria, which became a worldwide issue in October 2020. It was one of the most visible civil protests against police brutality in any country on Earth. It focused on police brutality especially that which particularly conducted by the disbanded Special Anti-Robbery Squad (SARS) (Aidonojie, 2023; Aidonojie et al., 2022). The protest, which was initially launched through social media started to transform into one of the mass demonstrations on memory of Nigeria ruled by all sectors, youths, civil society organization and even international human rights body globally. It was a call for monumental change to the police force in Nigeria, justice for victims of extrajudicial killings and cessation of the human rights abuses perpetrated by security agencies (Antai and Aidonojie, 2024). While the reaction to this was neither constructive dialogue, the Nigerian government (among others) adopted extreme violence and a high-profile example thereof was the shooting at Lekki Toll gate by security forces on October 20, 2020 as they allegedly killed unarmed protesters.

The use of force by state actors, especially against civil protests is problematic as it concerns fundamental rights such as the right to life, freedom of expression,

peaceful assembly and association (Antai et al, 2024). Although having the responsibility of governing and maintaining public order, the Nigerian government must observe international human rights standards on the use of force limiting its application on grounds of necessity, prescription and responsibility used by police. The #EndSARS protest exposed deep fractures in our system of human rights protection, erosion of democratic institutions by the state and a culture where security agencies are often left unpunished for abuses (Mohammed and Lenshie, 2024). The response of the government to the protests also included mass repression—arbitrary arrests and detentions, repression of activists and on-line suppression against social media accounts, and financial platforms used to support the movement. The interventions triggered huge international and local condemnation serious engagement, in forums hosted by local government, Carnegie and SWANH but also others interstate bodies — on the capture of state security services at the interface between public order and national security. The analysis carried out in this research investigates the legal and policy norms on use of force by law enforcement in Nigeria against background of how each fit into international human rights standards and how this affects state building/repression. It will interrogate the reasons advanced by government for deployment of force, how well accountability institutions such as the panels of inquiry work and then read together with protests in a bigger picture to the governance & human rights observance issues in Nigeria (Anani et al., 2023; Zaman et al., 2024). Drawing on a comparative approach with international models of protest management, the research intends to offer a fine-grained assessment of the difficulties encountered in human rights protection in Nigeria and submit reforms that will lead to legal and institutional solutions addressing accountability or state capture, safeguarding of civil liberties preventing new abuses perpetrated by security agencies (Jufri et al., 2024; Haruna et al., 2024).

This research holds importance in that it adds to the policy literature on police reform, human rights compliance by governments and state institutions in crisis management. The relevance of this research to policy makers, human rights groups, scholars as well as international organisations interested in democratic governance and human rights protection in Africa goes without saying see the increasing international spotlight on police brutality/state repression of protests (Aidonojie et al., 2025). A critical examination of the response of government to #EndSARS movement in Nigeria suggests a rights-based approach for protest management, and the empowerment of judicial oversight mechanisms

through enshrining checks within the security apparatus (Antai et al, 2024). The study ultimately hopes to identify routes to more accountable, open and rights respecting police in Nigeria.

## 2. Conceptual and Theoretical Framework

To understand the study of human rights and use of force in the Nigerian context especially as embodied by how it was responded to during #EndSARS protest, one must have a clear idea of pertinent concepts and theoretical frameworks. Human rights, as defined by the international authoritative documents are principles of self-evident value that all humans hold simply because we are human. Those rights like the right to life, the freedom of speech and assembly are contained in global instruments such as the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), African Charter on Human and Peoples' Rights (Agboti et al, 2024). The protection of human rights is closely linked to governance in democratic societies where rights ensure that state power be used only within the limits of law and human dignity. Yet the assertion of state power, especially by law enforcement actors inevitably raises questions regarding how much physical force may be used by a country to preserve the status quo and national security (Chinweze et al, 2024).

Force by state actors, namely security agencies refer to the use of physical compulsion to compel, confine and render harmless perceived threats. The tolerance of such force comes at least within the context of a legal framework for police practice (or not), coupled with due regard for the principles of necessity and proportionality and measured against international human rights standards (Ogu et al, 2024). Although international legal instruments acknowledge the role of the state to up-hold law and order they are also highly restrictive on the use of force, identifying three core preconditions for it to remain within the bounds of legality; that is that it has must are be a proportionate necessity. The use of force by the Nigerian government on protesters as in #EndSARS protests, particularly the shooting of unarmed protesters by army at Lekki Toll Bridge calls to task the basic legality and ethics of how far state force can be legitimately flexed in protesting (Aidonojie et al, 2025).

Protests and civil disobedience are urgent part of democratic discourse through which citizens can communicate their dissatisfaction against governmental actions or with regards to policies. As unpicked protests can happen through demonstrations,

acts of civil disobedience such as sit-ins and marches, they are categorized internationally within the realm of human rights law. Civil disobedience (the wilful violation of some laws in a given society in order to force change to social ills) has been a long-time tactic in progress of social change. Protests being what they are — generally considered legitimate acts of expression, yet states tend to follow up with attempts at suppression that are usually pretty massive. The #EndSARS protest epitomizes the civil society counter-balancing of state repression in Africa, with young Nigerians tired of years of police atrocities venting their frustrations on the streets demanding change (Antai et al, 2024). With a government response involving the deployment of lethal force, mass arrests and digital repression, it reflects the dichotomy faced by the state and individual dissent in Nigeria's transition to democracy.

This study applies theory from Just War Theory, Social Contract Theory and the Law Enforcement Doctrine of Proportionality. Aside from that, Just War Theory (and by extension its two prongs Jus Ad Bellum and Lex in Bello) provide a portion in which the legality and restrictions surrounding state use of force can effectively be investigated. Commonly traced to the context of war, these doctrines are still considerably applicable to questioning if the use by Nigerian government against protesters was legitimate and if it did comport with international norms under law enforcement conduct. Whether the use of force was legal under Jus ad Bellum and justified under Jus in Bello that force was in fact necessary, and proportional with regard to minimum harm to civilians. Allegations of extrajudicial killing and cases of excessive use of force during #EndSars protest put these principles into a framework from which to ascertain legality and ethics in state action.

Social Contract Theory like that of philosophers such as Thomas Hobbes, John Locke and Jean-Jaques Rousseau is necessary to comprehend the law enforcement relationship between the state and its populace. It holds that peoples consent to be ruled in return for the protection of rights which keep them safe. However, when the state, by its security services punishes those who makes this fact and commits an act against social contract with its citizens, the flagellation of peaceful #EndSARS protesters, censorship of real-world dissent and the absence of government accountability to those whose rights have been violated through police brutality could be envisioned contraventions of this contract thus challenging the bona fide of state power (Umo et al, 2024). The protests themselves are taken as a kind of statement on behalf of the public's ability to assert itself and push for

accountability and reparation when state overstepped its obligations.

The fundamental principle under Doctrine of Proportionality in Law Enforcement means whether it is limited to the use of force of private security agencies. Any force used by law enforcement must be reasonably necessary, proportional to the threat, and the force that is least intrusive to achieve a lawful objective. All international human rights instruments and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are clear that in final resort, lethal force should only be used when there is an immediate threat to life (Aidonjio et al, 2024). The #EndSARS protest, especially after the Lekki toll road shootings have raised concerns over whether this principle was followed within in Nigerian governance. Interior Ministry reports from human rights NGOs indicate that protesters did not carry weapons and were unarmed and thus not a direct threat to police, calling into question claims of lethal force.

These conceptual and theoretical perspectives are a whole tool that can analyse the response of Nigerian government on #EndSARS protest. They cast the spotlight on the demand for legal and ethical appraisal of force as well as the state's responsibility in terms of human rights safeguarding as well as the wider consequences of repressive against protests on a democratic action. Through the application of these frameworks, this study seeks to contribute a critical examination of the intersection between police, law and state liabilities in Nigeria.

### 3. Literature Review

Human rights, use of force in the context of state responses to civil unrest has been the subject to considerable scholarly analysis. A lot of researches have been done in terms of statutes state using force and its laws of necessity/proportionality in general implications to democracy governance, human rights protection etc. Scholars like Donnelly (2014) highlight that human rights are universal and inalienable providing the core of contemporary democratic states. He claims any infringement, especially that performed in name of a state authority undermines the legitimacy of government power. Likewise, Dworkin (2013) studies the convergence of state security norms and individual liberty, stating that while governments are duty bound to protect the law, excessive force must be guarded politically, otherwise it can be weaponized for other ulterior purposes. His writings constitute an important starting point for the examination of state actions in response to protests, especially in situations where there are claims for excessive use of force.

In Nigeria, in the African context, scholars like Chukwu et al (2020) have extensively interrogated the history of police brutality and human rights abuse. He outlines the roots of Special Anti-Robbery Squad (SARS) and impunity culture, where law enforcement institutions have long been engaged in extrajudicial killings, arbitrary arrests, etc which constitute human rights violations. His research stresses the dysfunctional features in Nigeria policing such as a lack of accountability and judicial institutions at whim when it comes policing civilian violence, as further argued by Asogwa et al (2021) against police reform in Nigeria —where systemic corruption, weak oversight mechanisms and political interference has thwarted any real hope for police accountability. Etim et al (2023) also observes the difficulties of police reform in Nigeria which adds that systemic corruption structural challenges and political manipulation has impeded efforts to make sure that law enforcement bodies operate above the law as well. His results indicate that until we undertake transformative reforms, state violence against civilians will be reproduced and rule of law, democratic governance undermined.

Some studies look into protests and state accountability/civil rights advocacy as well. Tilly (2004) asserts that protests and civil disobedience are imperative strategies for the transformation, especially in authoritarian semi-democracies where there are weak institutional capacity and mechanisms for helping a diffuse society resolve its various complaints. Central to his work was the vital role of peaceful protest in consolidating democratic government, showing that state crackdowns on protests often mark a fall in governance and a breach of international obligations by states under human rights law. Ajayi (2021) doing a case study #EndSARS movement in Nigerian context as an expression of youth-driven activism against state repression. He notes the digital mobilization was critical in keeping the issue centralised and globalizing police brutality in Nigeria. His research helps us understand how the internet is rearranging the terrain of civil society, and how social movements online can upset state power directly. He mentions in passing some of the legal and institutional responses but not at length the role of judicial commissions and state led initiatives to address the strident to which the protesters have brought.

Extreme force by the state actors has also become a central focus in legal literature. International legal norms in the area of use of force, for example Risse et al (1999) contend that international norms help states

to be bound by the International Legal Instruments that govern Law Enforcement. This is as the UN Basic Principles on the Use of force and Firearms by Law Enforcement Officers, for example lays down exemplary guidance as to when and how force should be used. Adeyemi (2023) analyse these legal benchmarks in an African context, suggesting, for instance that multiple governments determine too much in the realm of African states particularly Nigeria is not truly targeting domestic law enforcement with international human rights standards. Their study shows some difficulties of implementing international legal norms at the national level, especially for states with deficient judicial systems and a wide net of impunity for security forces.

There is a lot of research on human rights, police brutality and state reprisals on protests but some voids are still present in several areas. For start, police brutality in Nigeria has been studied quite extensively though the #EndSARS protests ground and government response has not been much scholarly dissected. The vast majority of the literature located to date has predominantly examined police brutality as a broader phenomenon and has not delved deeply into the legal and policy implications of what took place in October 2020. Second, although a few scholars have written about digital activism in the #EndSARS movement, there are almost none looking at how the government response (financial and digital repression) influenced its path, and lasting effect of the movement. Lastly, the body of literature on how international legal norms governing the use of force are interpreted and implemented in the Nigerian context, especially during protest, is miniscule. Equally missing is a critical analysis of the efficacy of national judicial panels of inquiry established after similar protests, if they have adequately compensated victims of state violence. Lastly, studies focused on how other countries have responded to similarly protests may also provide useful comparisons for lessons learned in the US as far as best practices and disparate approaches to law enforcement during civil unrest. Pinning these down will be critical to a holistic conception of human rights and the use of force in Nigeria since the #EndSARS movement.

#### 4. Overview of the #EndSARS Protest

The #EndSARS movement was a reaction to years of police brutality, extortion and extrajudicial killings by the Special Anti-Robbery Squad (SARS), a controversial arm within Nigerian Police Force. The beginnings of the movement go back to some unpredictable online activism in 2017, when Nigerians harassed, tortured and detained countless people with

SARS Operatives on social media platforms. The hashtag #EndSARS eventually got normalized as a call to war with these oppressive unit and nationwide outrage was an effect. Even with many multiple promises by the Nigerian government on how to reform the police and if citizens had their concerns addressed, almost nothing happened as far as curtailing SARS officers excess professions. In October 2020, the pressure became too much when a video began circulating online purporting to show SARS officers gunning down a young man in Delta State. The incident reignited nationwide protests, with thousands of young people taking to the streets calling for instant and complete end to SARS, as well as wider police reforms (Antai et al, 2024).

Protests, which were originally both distributed and peaceful, soon grew as more Nigerians showed up to show their solidarity. Youths from the big cities of Lagos, Abuja, Port Harcourt and Enugu organized sit ins, roadblocks vigils and used social media to capture incidents on police brutality and raise fund for protesters. Uniqueness of the movement was its organization, no high chief leading the resistance and working as one, through hundreds of affiliated social media pages. Protesters articulated five major demands; disbandment of SARS institution, justice for victims of police brutality, establishment of an independent body to oversee the conduct of police, psychiatric test for ex-officers deployed from various parts of the country and increase on police officers' salaries to wean them from corrupt (Wakilii et al, 2024). Initially, the Nigerian government responded to protests with disdain but President Muhammadu Buhari stated on October 11th that SARS would be disbanded as a result of intensifying protests. Yet scepticism remained high, given that similar statements had been made numerous times before for barely any substantive changes and protesters decided to stay out.

Security forces started cracking down with excessive use of force to displace protesters. With reports of police brutality, arrests and attacks on protesters rising daily a meat market for collective rage. The situation got to a climax when military were deployed to Lekki Toll gate, Lagos on the 20th of October, 2020 to disband a peaceful batch of protesters who were gathered there. Information from witnesses and the video that were shared online showed that soldiers opened fire on peaceful protesters, eventually killing multiple others. The Nigerian government initially lied that nobody died until independent investigations by bodies such as Amnesty International confirmed Nigerian security forces opened fire on protesters, resulting in deaths and injuries. The Lekki Toll Gate shooting became emblematic of police repression and

was widely denounced within Nigeria and abroad. It subsequently heightened the level of violence in the country, rioting and property damage as well as attacks on government buildings began flooding reports from several states.

Civil society organizations supported his movement and spoke for what they will achieve. Not for profit human rights groups like Amnesty International, Socio-Economic Rights and Accountability Project (SERAP) and the Feminist Coalition provided legal aid, medical help and fund for protesting people (Antai et al, 2024). The Nigerian Bar Association likewise expressed grave concern on the use of force against protesters and demanded that an independent probe be performed into alleged police misconduct. The #EndSARS protests gained international recognition with global names in the social curve (Hillary Clinton, Jack Dorsey – former CEO of Twitter (now X) and other international organisations like Amnesty International stating that Nigerian government should grant respect human rights while US demanding justice for victims). The protests also led to international rumblings, with marches of solidarity held in major cities worldwide - London, New York, Toronto amongst others by members of the Nigerian diaspora. In statements, the UN, European Union and several Western Governments urged the authorities in Nigeria to uphold democratic processes and defeat police brutality against protestors.

With SARS cruelly disbanded during the protests, it is more critical than ever for police reform, accountability at the state level and human rights protection in Nigeria after the aftermath of the protests. The Nigerian government set up judicial commission of inquiry in different states to probe cases of police brutality and offer compensation to the victims. Yet doubts persist regarding the enforcement of these propositions as many activists say that the panels lack teeth to prosecute any person under any circumstance (Okpong and Antai, 2024). In addition, the movement drove home the importance of youth activism and digital mobilization in forcing governments to answer for their actions in Africa – not to mention Nigeria — as perhaps one of its most historical events. Yet, government response — arrests, asset confiscation and civic space suppressing responses — signalled that for human rights defenders and activists in Nigeria, there still are vigorous challenges. #EndSARS movement, in no way, only revealed the decay of Nigeria police agencies that are structured through law; but it also reignited discussions on governance and accountability along civil society check (Antai et al, 2024).

#### 4.1 The Nigerian Government's Response to the #EndSARS Protest

The response to the #EndSARS protest by the Nigerian government started with forceful repression and legal back-ups, followed also by post-protest administrative measures geared towards meeting protesters' demand and preserving state power. Almost right from the get go, the government's position was ambiguous as they first recognized the protesters grievances and stated that SARS would be disbanded, but also called in the security agencies for a pre-established dispersals of protesters via force. This response led to the Lekki violence (senseless killing) of 20 October 2020, where armed military personnel opened fire on unarmed protesters, allegations of human rights abuses including extrajudicial killings, torture and suppression of assembly. Numerous cases of excessive use of force, arbitrary arrest and harassment of human rights activists by security forces were documented by Amnesty International and Human Rights Watch, among other civil society organizations, casting serious doubts on the way that the government in Nigeria abided by international human rights obligations. While, there was a great international and domestic condemnation, the government largely refused to accept any level of fault in the violence with officials offering conflicting stories on what happened at Lekki, including denying that live rounds were fired (Aidonjoje et al, 2024).

Security forces use of force during the protests was seen in context of the complete legal background for use of force in Nigeria such as the 1999 Constitution of Nigeria, the Police Act, 2020 and international human rights treaties. Nigeria is also a signatory to treaties such as the International Covenant on Civil and Political Rights (ICCPR) or the African Charter on Human and Peoples' Rights which form an overall basis on the principles of proportionate use of force in police operations. The Right to Life provided for in Section 33 of the Nigerian constitution allows for use of force only in some cases, self-defence, suppression of riot and lawful execution of sentence. The Police Act 2020 set out the duties and obligations of police forces, with particular focus on the necessity of using reasonable force (proportionate and mandatory) but the #EndSARS protest uncovered fissures between legal prescriptions and their daily enforcement as security agents engaged in tactics inconsistent with generally accepted human rights norms such as unlawful arrests, widespread shooting at random and intimidation of peaceful protesters. At the same time the non-observance of the legal ramification on use of force further undermined the already derelict

accountability mechanisms in Nigeria's security (Kisubi et al, 2024).

The responses to the protests were led by security agencies in Nigeria with the Nigeria Police Force (NPF), Military and Department of State Security DSS all taking the field to suppress demonstrations. The police, especially the newly configured Special Weapons and Tactics (SWAT) unit which replaced SARS were called in to disperse crowds with baton rounds, tear gas, rubber ammo and water cannons. In some instances, police resorted to the use of unnecessary/violent force resulting in injuries and loss of life. The involvement of the military, especially during the attack on Lekki Toll Gate would be one of the most contentious sectors of the government response as soldiers of 81 Division (Nigerian Army) were sent despite the fact that the protests were peacefully organised. Accounts from eyewitnesses and forensic reports concluded that live rounds, not blanks fired by army units as initially stated, were being used to suppress those on the ground. According to media reports, the DSS — Nigeria's main security/intelligence agency — also monitored activists and froze the bank accounts of leading protest supporters while threatening others with arrest or intimidations if they donated money or logistical support. The actions of these security agencies are clear signals that the government intends to ensure dissent cannot persist via oppression rather than interactive dialogue (Antai et al, 2024).

After the protests, Nigerian government took consecutive judicial and administrative steps to address civil discontent and give back public confidence to justice system. An immediate response were judicial police brutality commissions set up in several states to probe the killings and outline measures for remedial actions (Antai et al, 2024). They will hear victim testimonies and assign damages in cases caused by police misconduct through these panels which were made up of lawyers, the communities and government agents. Although the panels gave victims a voice, critics said they were rendered useless due to delayed implementation, non-compliance of recommendations and political influenced. States have also at times refused to compensate victims of human rights violations recommended by the panels leading the public trust to dwindle. Other activists and organizers stood their own punishment with travel bans, targeted asset freezes and arbitrary arrests. The government, meanwhile, tried to implement some reforms such as police force restructuring and more law enforcement training budgetary allocations, but this was largely viewed as lacking in light of the systemic nature of

impunity and lack of accountability across the security sector (Aidonojie et al, 2024).

How the Nigerian government responded to #EndSARS protest, showed the persistency of governance challenges, human rights advocacy and security sector reform in the country. Some actions were taken to mitigate the needs of protesters, but the heavy-handedness with excessive violence, lack of accountability and silencing the dissent exemplified a commitment to change (Izevbuwa et al, 2024). The days of protest highlighted the dire necessity for overall police reform, improved accountability and better human rights norms on the part of its police forces. In light of the ongoing fight Nigeria is battling with police brutality and civil liberties, #EndSARS movement will forever be a great reminder to the pursuit of justice and human rights in country.

### 5. The Analysis of Human Rights Violations

Analysis of human rights abuse during #EndSARS protest reflects on the National Systemic Repression and Human rights abuse, primarily, right to life, freedom of assembly and association, freedom of expression, free from arbitrary arrest, detention & torture. The protesters were slaughtered in most especially the right to life as stipulated in both the Nigerian Constitution and international human rights treaties was practically not constituting during their protests; especially those associated with Lekki Toll Gate shootings on 20th of October, 2020. Eyewitness accounts, independent teams of reporters, and forensic investigations have led to a great degree of credibility for the fact live ammunition was being fired upon peaceful protesters by security forces—the majority of which was perpetrated by the Nigerian Army in high numbers leaving multiple casualties. The extrajudicial killings and the early government denial of live rounds used by Nigerian security forces were indications of the unaccountable nature of Nigeria security bureaucracy. While serious calls were made by domestic and international human rights organization for accountability on excessive use of force by authorities' superior have never been punished (Majekodunmi et al, 2024).

The #EndSARS movement was fundamentally about freedom of assembly and association under Section 40, 1999 Constitution of Nigeria (and ICCPR-Article 21) in tandem with Art. 14 National Assembly] and international laws that heavily subscribed on having collective space protected amongst the nation (Aidonojie et al, 2024). They used their right to peaceful assembly and gathered peacefully through terrorizing a police brutality; demand for law-on-law

enforcement was made in every part of the country. Still, state repression was physically violent and conducted largely through serious enforcement apparatus, coupled with arbitrary interference, unlawful use of force against protesters. They were brusquely attacked using physical violence, unlawful dispersals, and at times violent provocation by state-backed actors who were inside the protest. The lack of state protection to protect protesters of being harassed by non-state actors enforce more along the lines that the government wanted to suppress movement by every possible way (Antai et al, 2024). Assembly — beyond face-to-face clash, the digital realm also was suppressed and social media platforms that led the call were increasingly monitored for surveillance or threatened to be regulated by the government as a result of suppression.

Freedom of expression including press freedom was also killed by the government crackdown on #EndSARS campaign. That journalists were harassed, beaten and in some cases detained falsely was the cover of protests. Reports of protests were punished with fines and temporary shut downs of media outlets providing the extensive coverage. Multiple TV stations were disciplined by the National Broadcasting Commission (NBC) for the way their covering of the protests, accusing them to have broken broadcasting laws. While online activism that augmented the movement was counter-mobilized by the state through its censorship projects like cyber-attacks of crowd-funding pages related to protests and threats on social media interference. What the consequences of these actions bode were an effort to quash opposition and restrict the public's right of access in an unbiased manner to the actions of state. The crackdown on press freedom and online expression were not just in conflict with constitutional provisions as stipulated in Nigeria but also fell to international human right standards under the African Charter on Human and Peoples' Rights, and ICCPR (Aidonojie et al, 2024).

The abuses during and after the protests were extreme with unwarranted arrests, detentions, torture in the context of human rights. Protesters, activists as well as others were arrested en masse for nothing, many detained incommunicado and no access to an advocate. The movement relied on arrest and detain numbers to project strength, only adding to the intimidation tactics that were being utilized by security forces. There were also reliable accounts of abusive treatment including ill-treatment, torture and forced confessions in custody of detainees. A large number of key activists in the protest movement, including lawyers and social activists were subjected to targeted purges, travel bans and asset freeze as part of the whole

organisation of protests. The acts in violation of the clear provisions under domestic and international human rights law guaranteeing liberty from arbitrary detention. The establishment of judicial commissions of inquiry to look into human rights violations was not matched with actions to make perpetrators accountable, resulting impunity for many victims (Aidonojie et al, 2024).

The way Nigeria government responded to #EndSARS protest highlights a recurring pattern of grave violations against human rights that directly broke the national and international legal norms. The heavy police brutality, suppression of free assembly, stifling press freedom and numerous arbitrary arrests and torture reflected an infra-national regime that were state repression. The failure to hold security forces liable and the systematic mass surveillance of activists, journalists all point to a deep-rooted failure in upholding human rights norms. #EndSARS movement is a watershed in Nigeria's human rights history, as it represents wonderful society resilience and endless struggles for state-liable on human rights abuses (Antai, 2024).

## 6. International Standards on Protest Management

A comparison of global guidelines on protest management sets the stage for a critical analysis of how the Nigerian state has reacted to the #EndSARS protest. The UN Basic Principles on the Use of force and Firearms by Law enforcement officers specify crucial standards for the conduct of public demonstrations based on legality, necessity and proportionality. In light of these principles, police officers shall be guided to use non-violent means first and, when all else fails, duly restrained in their exercise of any force, with the least level of lethal where necessary. Lethal force can only be used in self-defence situations and all use of force must be underpinned by mechanisms for accountability in the unlawful use of force by law enforcement agencies. The extraordinarily brutal response of Nigerian security forces to the #EndSARSProtest, especially during incidents at Lekki Toll Gate on 20th October, 2020 that raised eyebrows as there was the use of live ammunition against unarmed civilian protesters.

The African Charter on Human and Peoples' Rights (ACHPR) serves also as a critical shield for protesters, with guarantees to the right to peaceful assembly, freedom of speech and prohibition of arbitrary violence perpetrated by the state against protesters according to international protections under this charter. The ACHPR mandates all of the above rights

in Nigeria and other African states, requiring that the manner conducted during protests must be in line with international human rights norm when law enforcement conducts their operations (Antai, 2024). Even so, the #EndSARS response by the Nigerian government was an abdication to these commitments where security bodies resorted to excessive use of force, mass arrest and interference of freedom of expression — mainly via media intimidation and digital surveillance.

Case study comparative in other countries reveals how different governments control protests as international law allows. It is worth noting that in protest instances elsewhere, the response by the targeted governments was within bounds of international law (though outside the temperance many), as with BLM (Black Lives Matter) protests in the United States after George Floyd was killed and tear gas, rubber bullets, and lethal force used by police during riots. Outside of Nigeria though, accountability mechanisms were not as weak as they were for U.S officers which several cops had charged or discipline for misconduct. In late 2018 and early 2019 civil unrest in France known as the Yellow Vest movement were met by police who threw rubber bullets and used batons with human rights organizations lambasting those actions. Still though the French government enabled at a higher level of mediation even though it was more visible media and judicial oversight settled for some cases of excessive use of force. The Lekki Toll Gate shootings have parallels to a massacre in South Africa at Marikana, 2012, when police killed 34 mining strikers while firing on workers during a legal but unprotected strike. The South African government eventually established a commission of inquiry and made some reparation to the families of victims, whereas in some way the post EndSARS accountability efforts in Nigeria have been more underwhelming without high-profile prosecutions of those responsible for human rights violations.

A comparative method, underlines the shortcomings of protest management in Nigeria and signals a critical time for legal and institutional reforms that would require bringing the country in line with international human rights standards. While accountability is increasingly being demanded of the public and by courts in other countries, Nigeria has shown no sign of holding accountable anybody for the #EndSARS protest or ending the impunity, impunity due process and repression. Solid accountability mechanisms build and enforce law enforcement agencies to take steps that would be needed to prevent future human rights violations during the demonstration (Edet et al, 2024).

## 7. The Legal and Policy Implications of Nigerian Laws on Protest Management and Use of Force

There are myriad legal and policy considerations of the Nigerian response to the #EndSARS protests with reference to whether existing laws on protest management/protest policing are effective in terms of laws against violence, accountability still remains an issue even with established channels such as Judicial Panels of Inquiry and the role of international human rights mechanisms in this regard (Antai et al, 2024).

Nigeria has statutes dealing with protest management and policing, drawn from the Public Order Act and Nigeria Police Force Order 237, amongst others. The Public Order Act compels anybody or section of a public to obtain written permits from police before they even undertake these acts (and has been harshly criticized as giving police authorities too much discretionary power which runs counter to the spirit of our constitution which is the right to peaceful assembly for anyone).

There is also the Nigeria Police Force Order 237 (Use of Firearms). Another problematic aspect of this order is that the broad language in it can sometimes be used to interpret police officers use of deadly force even in places they should not. It has, however, caused the worry on how its implementation would be abused and lead to violation of life of citizens (Antai et al, 2024).

Empirical evidence of how these laws were enforced evidenced by the #EndSARS protests revealed that the security agencies abuse of force for no reason. Like Lagos State Judicial Panel of Inquiry declared that there were 48 casualties mostly confirmed deaths from the 2020 Lekki Toll Gate incident on October 20, 2020 which includes 9 confirmed dead and 24 others wounded. The panel called this an assassination and underscored its finding that the lethal use of force on unarmed protesters was both excessive, as well as arbitrary and abusive. Taken on its own, this incident is indicative to the cesspool that the current legal framework is of non-action taken by law enforcement agencies and jeopardising civilians right during public demonstration (Kisubi et al, 2024).

Following the #EndSARS protests, lots of states in Nigeria chartered Judicial Panels of Inquiry (JPIs) to investigate police brutality and human rights abuses allegations. For example, the Lagos State panel received 235 complaints and amongst its various conclusions was the finding that security agencies misused force, pointing at the implicated officers committing the abuses. The panel also submitted

recommendations including the arrest and prosecution of the indicted officers as well as compensation for victims.

Unfortunately, recommendations have not been implemented in a uniform and swift manner. Some victims have received compensation but prosecutions of implicated security personnel wanted for their abuses are few. The discrepancy between the observations of the panels and subsequent action undertaken leads one to question the efficacy of current accountability mechanisms in policing systemic abuses perpetrated by police departments and delivering retribution to victims.

Significant response to the situation that led to #EndSARS protests was also brought by international human rights bodies. The United Nations (UN) and African Union (AU) declared that armed forces in Nigeria were overreacting and there must be thorough investigation on what happened. ECOWAS was equally disturbed and urged the Nigerian government to fulfil human rights obligations. International bodies have the ability to monitor and also raise concerns on human rights violations, provide technical support for reforms, and enforce through diplomatic pressure enforcement of international human rights obligations. But the influence these mechanisms have often rests on the Nigerian government's commitment to take unto its hands the recommended reforms and the relisting of perpetrators. Despite the lack of prosecutions for those allegedly responsible for abuses during the #EndSARS protests, it shows a recalcitrant international engagement and support is needed in order to bolster Nigeria's already-stalled accountability reform process (Aidonjio et al, 2024).

The #EndSARS protests have, however brought into sharp focus some major gaps of the legal and policy framework around protest & use of force in Nigeria by the Nigerian government. Current laws have not been effective at curbing abuses and accountability mechanisms have mostly falter to provide justice properly. While international human rights norms have played a crucial role of oversight and advocacy, they only work when the domestic political will to reform exists. Resolution of such challenges demand both broad based legal reforms, successful implementation of accountability mechanisms and continued interaction with the international human rights bodies to protect citizen rights during public engagements (Anifowose et al, 2024).

## 8. Conclusion and Recommendations

In the analysis of human rights and the force on which the #EndSARS protest was met with by the Nigerian government, it becomes apparent that serious breaches have been committed, sinister characteristics of our law enforcement and realize how crucial reforms in legal policy are so desperately needed. These protests were provoked by a citizen driven movement against police brutality created by the said (now defunct) Special Anti-Robbery Squad) but instead armed civilians received live fire, arbitrary arrests in detention and suppression of press freedom, the study concludes involved. The Lekki toll gate massacres on October 20th 2020, as an absolute example of these violations, are by credible reports, extrajudicial killings and injuries committed by security forces. These findings also reveal the deficiencies in Nigeria's legal structure for controlling the use of force and securing rights in relation to protest, as well missing accountability mechanisms that enables human rights violations to continue with impunity (Ekpenisi et al, 2024).

Walls need to be built to correct all that will require broad based human rights compliant policies and laws for law enforcement effectively comport with human rights standards. The obvious is requiring the repeal of laws (Public Order Act, Nigeria Police Force Order 237 to the fore among many) from around, that keep pace with the international standards so the fundamental right to peaceful assembly is clearly safeguarded and any use of force well regulated. Furthermore, an independent external regulatory mechanism can be created to check that security agencies respect human rights and any violation are subject to prompt spate and transparent investigations leading to repercussions. Another component for improving accountability mechanisms, and this time with respect not only to the actions of Judicial Panels of Inquiry, is to ensure that there is the full and unqualified implementation of their recommendations. This should involve prosecuting police officers who directly used excessive force and compensate victims of police brutality fully, with appropriate rehabilitation (Antai, 2024).

Human rights education and law enforcement training is also required to change the impunity culture among security forces. By integrating human rights principles; de-escalation tactics and non-violent civil resistance training into police and military schools, one would be able to teach officers with the capacity on how they are expected to respond without turning to disproportionate use of force. One other priority needs to be a public awareness campaign about citizens' rights, law enforcement role and redress

mechanisms to build accountability and citizen engagement (Akpanke et al, 2022).

Conclusively, the #EndSARS response animates a reform in how Nigeria is doing policing and protecting human rights. With legal reforms into place, oversight mechanisms strengthened and human rights education provided to both security personnel and the population at large the Nigerian government is taking steps in the right direction to ensure incidences of excessive force against civilians are things of the past. This is important not only for reinforcing democratic values but also to restore confidence by the public in law enforcement agencies and for shaping a society where human rights are complied, obeyed and protected.

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