CONFERENCE REPORT

PREPARED BY

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Police Accountability in Africa: Achieving Effective, Legitimate and Sustainable Security Sector Reforms

Figure 1: Group Photo of the Participants.

3-4 July 2019, Nairobi, Kenya.

TABLE OF CONTENTS.

List of Abbreviations

AJJD	Afro-Asian Association for Justice Development
APCOF	Africa Policing Civilian Oversight Forum
ARIS	Anonymous Reporting Information System.
AU	African Union
CDC	Congress for Democratic Change
CLEEN Foundation	
CPDM	Cameroon People's Democratic Movement party
CRU	Complaints Response Unit
DCI	Directorate of Criminal Investigations
EAC	East African Community
ECOWAS	Economic Community of West African States
EU	European Union
GDNS	General Delegation for National Security
IAU	Internal Affairs Unit
ICJ Kenya	Kenyan Section of the International Commission of Jurists
IGP	Inspector General of Police
IJM	International Justice Mission
IMLU	Independent Medico-Legal Unit
IPOA	Independent Police Oversight Authority
KEPSA	Kenya Private Sector Alliance
KNHRC	Kenya National Human Rights Commission
LCU	Liberia Complaints Unit
LINLEA	Liberia National Law Enforcement Association
NCAJ	National Commission on the Administration of Justice
NCHRF	The National Commission on Human Rights and Freedoms
NGOs	National Government Organisation
NHRI	National Human Rights Initiative
NPS	National Police Service
NPSC	National Police Service Commission
ODPP	Office of the Director of the Public Prosecutions
OHCHR	Office of the High Commissioner for Human Rights
OPROGEM	Office for the Protection of Gender, Children and Morals
PANAF	Pan African Programme
SSR	Security Sector Reform

SV	Sexual Violence
UN	United Nations
UNMIL	United Nations Mission in Liberia
USA	United States of America
WANEP	West Africa Network for Peacebuilding
WAPCCO	West African Police and Chiefs Committee Organisation
WISPI	World Internal Security and Police Index
WPA	Witness Protection Agency

Executive Summary

The Kenya Section of the International Commission of Jurists (ICJ Kenya) and partners; the CLEEN Foundation (Nigeria), the founding member of the Afro-Asian Association for Justice Development (AAAJD) hosted a two-day conference on Police Accountability in Africa on 3rd and 4th July 2019 at the Intercontinental Hotel, in Nairobi Kenya. The conference brought together critical stakeholders and experts from Africa to identify emerging trends, gaps and challenges in addressing police accountability in the past decade in Africa. Also present at the conference were key stakeholders from government ministries and agencies, the private sector, academia, and civil society.

The objectives of the conference were to bring together the police, its oversight institutions, civil society actors, donors' agencies and development partners to brainstorm and build confidence in one another. Specifically, the conference aimed to:

1. Build the knowledge on the significance of police oversight.
2. Provide a periodic platform for discourse on emergent policing issues in Africa.
3. Assess and evaluate the effectiveness of policing authorities in Africa.
4. Evaluate the effectiveness of various policing authorities in regards to complaints against the police
5. Find implementable solutions to policing challenges

The conference was organized along these thematic areas: Pioneering initiatives in police accountability; African regional realities on police accountability; Mapping police accountability reforms in Africa; Financial accountability; Inclusive and diversity sensitive police accountability and Support towards the realization of police accountability in Africa.

At the end of the conference several issues emerged;

1. The police forces in Africa borrowed heavily from the colonial governments and some colonial practices are still present to date.
2. Police accountability, oversight and watchdog mechanisms exist in many African countries. Despite this, police oversight and accountability remains weak due to several factors such as political challenges, structural and occupational challenges, knowledge and resource gaps for oversight agencies and low levels of citizen trust in and collaboration with law enforcement.
3. Negative traits such as corruption, incompetence and extra judicial killings, have tainted the image of the service leaving it distant from the confines of the peoples' interests.

4. Across Africa, different government agencies working on police accountability are partnering with CSOs and development partners to realize police accountability in the security sector.

5. Innovations that support Police accountability in Africa include: establishment of Anonymous Reporting Information System (**ARIS)** in Kenya, **StoptheBribe** in Nigeria, and Police Station Visitors Week in India.

6. The discourse on police accountability must move to accommodate the wider security sector reforms. For instance, in high conflict situations police accountability goes beyond the police service because other actors also engage in policing. Those actors must also be held to account.

7. Co-creation, participatory design and multi-sectoral designing can ensure higher levels of buy-in and more relevant interventions that speak to police accountability.

At the end of the conference, the participants developed a communique (annexed) that highlighted the state of police accountability in Africa and called upon all African states to make deliberate efforts at putting up mechanisms that promote police accountability. The participants recommended that African States should move away from discourse on the challenges of colonisation on policing but focus on strengthening mechanisms of accountability amongst the police; African states to support and promote financial accountability in the police, and to promote innovative initiatives that promote police accountability amongst others.

Figure 2: The technical team briefs the ODPP, The Chief Guest on the importance of having a Regional conversation around Police Accountability.

Opening Remarks

Prof Rainuka Dagar: Program Director, The Afro-Asian Association for Justice Development.

Figure 3: Prof. Rainuka giving her welcoming address

The socio-political dynamics of global developments in the economy, politics, religious and cultural formations are throwing up new security challenges. The boundary markers of Nations, identities, security institutions and governance structures are being redefined with implications for human rights, development and peace-and for the custodians of safety and security-the police force.

In this new global order, the police in democratic societies has not only to provide its citizens safety and security but has to be seen to be fair and respectful of people and their rights. To be a legitimate force it is essential to strengthen citizens' confidence in institutions of justice delivery to make democracy functional, secure for wealth generation and safe for the margins- for an inclusive, secure and sustainable society.

This is particularly important for postcolonial societies, where administrative structures and processes have been enforcement oriented, with excessive reliance on the state security forces. In fact, the postcolonial legacy-common governance and policing structures, policies and acts-, the divisive politics of colonial administration along the fault lines of racial, ethnic and religious Lines rather than on the identity of the Citizen was Institutionalised in the political legal formations of nation building. Identity-based conflicts continue to simmer and manifest in a range of violence from riots, civil disturbances, fear and ghettoization of communities. Providing safety and security becomes more complex with uneven and low levels of development, high poverty, migration flows and entrenched patriarchy.

A south-south partnership to synthesise evidence based locally generated knowledge, is in a position to provide an inclusive perspective to secure development. A shared colonial history provides a framework of alignment across countries, institutions and policies in these two

continents. This approach will help us develop, implement and dynamically evolve sustainable processes of democratic justice.

Locally entrenched organisations are sensitive to local needs, citizen expectations of State fairness while being responsive to cultural predispositions, while conversant with international human rights standards. This conference will be followed by a similar conference in Asia, post which we will be having an expert meet to identify and then populate pol accountability measures-indicators to map track and strengthen pol accountability.

Dr. Benson Olugbo: *Executive Director, CLEEN Foundation.*

Figure 4: Dr. Benson Olugbo giving his welcoming remarks.

The Police is actually the community and the community is police. The Police cannot exist without the community and the community cannot exist without the police. Across Africa there are different facets of police accountability albeit the issues of police accountability. Police are human beings and not super humans. Reality is that we are confronted with issues such as police brutality and citizen brutality of police and other issue confronting Police like, welfare. There are issues that confront policing in globally. There is progress in Africa. The police are primarily responsible for security and protection. The military is, however, in some African countries been seen doing policing job. How far have police gone in protecting civilian life is the bone of contention. The conversation must continue until there is a clear role on the work of police in our lives.

Mr. Kelvin Mogeni: The Chairperson, The Kenya Section of the International Commission of Jurists.

Figure 5:Mr. Kelvin Mogeni, Chairperson ICJ K delivering his welcoming remarks.

This conference comes at a time when efforts to build effective, accountable and inclusive Police institutions have gained momentum in the world, and specifically in Africa. In our societies, the police play a key role in providing public security within the territorial borders. Security is a cornerstone to the growth of any country, and thus, drawbacks suffered since colonial times, have hampered the healthy and steady growth of Kenya and the African continent at large. Police accountability is critical in a free, open and democratic society. The Police, while effectively engaging in crime control and maintenance of law and order, must be perceived to be fair and respectful to the people they serve and protect.

The Police sector, across the continent, has struggled to pull its weight as negative traits such as corruption, incompetence and extra judicial killings, have tainted the image of the service living it distant from the confines of the peoples' interests. The below par level of accountability and efficiency has seen African countries rank amongst the lowest globally, according to the 2018 World Internal Security and Police Index (WISPI). Burdened by a poor image, countries have struggled to reform the sector.

These deliberations on accountability are aimed at preventing the police from misusing their powers, enhancing public confidence and re-establishing police legitimacy. Accountable policing entails an honest acceptance by the police to be questioned about their decisions and actions.

While a lot still remains to be done, African countries, having embraced the concept of a service driven sector, have made substantial gains towards enhancing accountability and efficiency within their borders. In Kenya for example, the establishment of the Independent Police Oversight Authority (IPOA), the Internal Affairs Unit (IAU) and the National Police Service Commission have set the stage for a more accountable and efficient service. Involved and invested government bodies, Civil Society Organizations, intertwined with initiatives such

as community policing have sparked a recovery journey for the police sector which ensures a bright future.

The conference, grounded along the lines of accountability, will incorporate the different experiences faced by the different countries represented here, today and tomorrow. It will initiate dialogue to not only share the challenges and best practices gathered over the years, but also to cement long lasting bonds which will aid in strengthening a police sector which is yet to express and display its full capability in terms of efficiency, accountability and quality services.

ICJ Kenya is delighted to partner with the CLEEN foundation and the Afro-Asian Association for Justice Development to, identify emerging trends and issues that are likely to impact police efficiency and accountability. In conclusion, the ICJ Kenya Board acknowledged the efforts of our outgoing Executive Director, Samwel Mohochi for his stewardship and guidance to the team. Through his leadership this event grew from a concept to a reality. On behalf of the ICJ Fraternity, we wish to thank him and wish him all the best in his future endeavours.

Mr. Noordin Haji: The Director of Public Prosecutions, Kenya.

Figure 6: Director of Public Prosection delivering his key note address.

The Office of the Director of Public Prosecutions works closely with the police and recognizes the vital role they play in the administration of criminal justice system. Kenya like most African Nations, inherited the colonial architecture of policing which focused on maintaining law and order through dominance and suppression. The police force, therefore, wielded a lot of powers and imagined that they were accountable to the government of the day, giving little or no thought to the citizenry.

This culture and mind set led to several challenges in policing such as arbitrary arrests extra-judicial killings, torture, forced disappearances, corruption, gender discrimination in delivery of police services-just to mention a few. This is not peculiar to Kenya or Africa and Asia as a post architect of policing; in the USA for example, past segregation and racism can be blamed on police killing of Black Americans.

As a result, the police forces, in most African countries, were largely perceived as sources of oppression rather than protection, law and order agencies. This perception, coupled with acts of violation of human dignity and rights, undermine the rule of law and go against the tenets of democracy. It breeds situations where no one wants to report crimes, the civilians take the law into their own hands and formation of groups that feel they are a law unto themselves.

Though Kenya is plagued by a bleak past and complicated present (threats of terrorism, corruption, organized crime, political bicker ad ethnic divisions) there have been positive steps on the respect for human rights and political accountability. Kenya has made great strides towards having an efficient police service through professionalization and accountability. Kenya has a strong legal and institutional framework that includes an internal affairs Unit at the National Police Service, the National Police Service Commission, Independent Policing Authority and the KNCHR.

On the police front, these institutions deal with employment, discipline and independent investigation of police misconduct and eventual prosecution of criminal conduct. These leaps will go a long way in changing the existing culture and developing sustainable oversight that is strong in creating values and ethos that are mainstreamed in all activities within the police service.

ODPP in partnership with the Office of the High Commissioner for Human Rights in Kenya (OHCHR) commissioned a consultancy for strengthening prosecution capacity between April and June 2019. Whereby officers from IPOA, WPA, KNCHR, DCI, NPS, IJM, IMLU, Haki-Africa and Muhuri were interviewed with the objective of addressing and remedying human rights and assessing the needs, gaps and areas that require strengthening in investigation and prosecution.

The report recommended the establishment of a tri-partite Task Force on Civil and Human Rights, building capacity of prosecutors on human rights violations, tracking of cases especially on the integrated data system with IPOA, collection of Data involving police abuse among others. The DPP is currently in the process of establishing the task force and implementing the recommendations. In addition, the ODPP in collaboration with the police Reform and Justice Centre Working Groups organized community dialogues on police excesses in Nairobi, Lamu and Mombasa. These dialogues gave victims opportunity to share their experiences which were documented with a view of ensuring that victims get justice.

In May 2019, the ODPP partnered with local NGOs and held a workshop sensitizing law enforcement agencies on criminal justice accountability on extra-judicial killings and forced

disappearances. The workshop included media sensitization component to promote their efficient involvement.

Through such forums the ODPP seeks to come up with a shared vision and understanding of issues that govern the relationships between communities, security agencies, and the criminal Justice sector. The solutions thereto, will not only incrementally boost public confidence in the police but also to assist them in understanding their clientele needs.

The ODPP seeks to enhance democratic and functional policing to entrench the rule of law, boost public confidence and enhance police legitimacy and also assist in having a functional and accountable police service.

The ODPP has established a specialized civil rights division, staffed with officers with the requisite expertise in international human rights law that works closely with oversight bodies and mechanisms within the police service. The jurisprudence obtained from prosecuting these cases will influence the thinking on areas of command responsibility and broaden theories and practice of police accountability.

Similarly, the ODPP has set out to develop guidelines to guide the conduct of police when enforcing the right of citizens to assemble, demonstrate, picket, and petition as in line with art. 37 of the Constitution, Standard Operating Procedures in dealing with investigations and prosecutions of matters related to police accountability. The SOPS will streamline prosecution and investigations in these matters and enhance collaboration in collection and analysis of evidence also as to build a strong prosecution cases thus increasing the probability of securing a conviction.

The ODPP will not relent in taking action against errant police officers including those in positions of authority who abuse their power. For instance, the ODPP is reviewing the file of Baby Pendo in order to initiate prosecution of the suspects as per the inquest which took position that the principle of command responsibility ought to apply. There is still much to do in the area of police accountability. Everyone longs for a just and free society and each one should contribute to this desire to best ability. If every agency and public continue to play their part a lot can be achieved. Everyone must take advantage and relentlessly pursue any form of good will both at the national and international level.

Mr. Hilary Mutyambai, Inspector General of Police, Kenya.

Speech delivered by Mr. Charles Owino.

Figure 7: Mr. Charles Owino delivering a speech on behalf of the Inspector General of Police.

The ultimate objective of the discourse on police accountability is to have in place a professional police service that is responsive and accountable to the people. In Kenya we have in place a robust legal framework that provides for professional and accountable Police service.

The constitution of 2010 and other enabling legislations have helped the country shift towards a new paradigm where such words such as community focus, transparency, accountability and oversight are the new phrases for policing in Kenya.

The constitution goes further to define the objects and functions of the National Police Service under Article 244 where it states that the service shall:

(a) strive for the highest standards of professionalism and discipline among its members;

(b) prevent corruption and promote and practice transparency and accountability;

(c) comply with constitutional standards of human rights and fundamental freedoms;

(d) train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity; and

(e) foster and promote relationships with the broader society.

The National Police Service has made great strides in ensuring the realization of these constitutional standards. Some of the efforts include:

a) Cooperation with IPOA which is a civilian oversight body over the police;

b) Operationalization of IAU which is an internal accountability Institution within the National Police Service in ensuring professionalism, accountability and good order in the service;

c) Establishment of Complaints Directorates at every Service headquarters;

d) Tooling and Equipping of the Police Service to enhance efficiency and effectiveness;

e) Ongoing restructuring of the National Police Service Commission to deal with human resources issues of Police Officers.

f) Having a place in the National Police Service Commission to deal with human resources issues of Police Officers.

The National Police Service is cognisant of the fact that, although a lot has been achieved, there is still a long way to go before total reforms can be celebrated in Kenya. Enhancing police accountability therefore requires a cooperation and multi-sectoral approach. The conference is a milestone towards achieving police accountability. The forum which includes the civil society, academia, private sector and government agencies across Africa is a great step towards getting workable solutions to improve accountability and professionalism in the Police Service.

The deliberations of the conference should be a major boost to the overall transformation agenda. Such initiatives are a constant reminder in the NPS not to tire in exploiting all the avenues that will lead to an acceptable performance and trust by members of the public who are the clients of the police.

The National police service is committed to implementing wide-ranging reforms promised by the constitution and other enabling laws. This is indeed a new era of accountability. Everyone must continue playing a major role in the police reform process through raising awareness, advocacy and monitoring the reform initiative; while working towards a better partnership rather than negative criticisms.

In the discourse on police accountability, it is important to celebrate the great strides made in providing an enabling infrastructure in terms of modernisation of the police facilities. On police welfare, a lot has been done to improve their Terms and Conditions of Service. In Kenya the ongoing police re-organisation will equally see more effective, efficient and responsive service.

It is important that all stakeholders' mandates should be geared towards partnership and collaboration rather than sheer grandstanding. The police undertake a difficult and onerous job that is rarely appreciated. The Police in Kenya have managed to keep the country safe

and secure albeit a few surmountable challenges; thus there is need to appreciate and commend officers when they do well.

Keynote Paper

Police Accountability in Africa by Prof Etannibi Alemika[1]

Modern societies rely on several state and non-state agencies for policing. Plural, hybrid and multi-layered policing are widespread frameworks for securing the safety of persons, communities, organizations and countries. However, police services or forces have primary responsibility for law enforcement and order maintenance. Police are established as society's frontline mechanism for promoting the security, rights and freedoms of citizens.

Preservation of security of citizens is the most fundamental duty or obligation of a government. The discharge of this responsibility of the state falls heavily upon the police that are vested with responsibilities, powers and resources for crime prevention, crime control, investigation of crimes, detection and apprehension of crime suspects, and preservation of public security and safety. The police have enormous responsibilities in increasingly complex societies with heterogeneous population and divergent interests that may result in intractable conflicts. To discharge these responsibilities, police are vested with enormous and intrusive powers. They are also allocated significant resources to enable them carry out their duties.

There are high risks of abuse of powers and mismanagement of resources assigned to the police if there are no effective accountability and oversight mechanisms. To forestall these risks, institutionalization of effective police accountability and oversight mechanisms is necessary. But establishing and maintaining effective police accountability mechanisms can be daunting because of the complexity of police work and resistance by law enforcement officers and sometimes politicians. In this presentation, aimed at outlining the focus of this conference, we discuss the distinction between police and policing; functions and powers of the police; police misconduct and abuse of power; police accountability; accountability mechanisms in Africa; challenge of police accountability, and police and security sector reform.

Police and Policing

Policing and police are present everywhere in modern societies to promote peace, security and human rights. Policing refers to deliberate and concerted measures taken by groups and society to ensure peace and safety within them. Police as a term has dual meaning. First, it refers to an organization established and maintained by society to enforce laws and maintain

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[1] Prof. Entannibi Alemika's full paper is annexed.

order. Second, it refers to officials of law enforcement and order maintenance organizations vested with enormous powers to prevent and control crime. Among such powers are to stop, search, arrest and detain anyone suspected of committing a crime. Thus, police officials are employees of the state.

Policing is ubiquitous and it is everyone's business. Individuals, groups, organizations and police forces in society are involved in policing duties or efforts. For effective preservation of peace and security, policing efforts by state and non-state entities should be harnessed and coordinated. Every policing group in society should be held accountable. Policing by non-police actors can turn into vigilantism and jungle justice if effective oversight and accountability mechanisms are absent or ineffective.

Police accountability mechanisms in Africa

In 2005, Africa Policing Civilian Oversight Forum (APCOF)[2] published its Audit of Oversight Mechanism in Africa.[3] Since then, there has been encouraging developments. Laws establishing or strengthening police service commission and independent oversight agencies have been enacted. Regional police chief associations have also emerged (East, West and Southern Africa) with potential of serving as mechanism for setting professional standards (East Africa) and peer review.

The following types of police accountability, oversight and watchdog mechanisms exist in Africa.

   a. Internal professional and disciplinary department that investigate misconduct of officials.

   b. Police Council (Nigeria).

   c. Legislature and their committees – all countries.

   d. Ministry of Interior – several countries.

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[2] https://apcof.org/

The African Policing Civilian Oversight Forum (APCOF) is a Not-for-Profit Trust working on issues of police accountability and governance in Africa. APCOF promotes the values which the establishment of civilian oversight seeks to achieve; namely to assist in restoring public confidence, developing a culture of human rights, promoting integrity and transparency within the police, and nurturing good working relationships between the police and the community. While APCOF is active in the field of policing, its work is located in the broader paradigm of promoting democratic governance and the rule of law.

[3] http://apcof.org/wp-content/uploads/2016/05/Audit-of-Police-Oversight-in-Africa-1-1.pdf

e. Executive bodies – office of the Auditor-General and public procurement agencies – most countries.

f. Police service commissions with appointment, promotion and disciplinary powers (Nigeria, Kenya, Liberia, Sierra Leone, Ghana).

g. National human rights commissions with powers to investigate police (Most African countries.

h. Independent police oversight agencies (South Africa, Kenya).

i. Peer review and formation of regional police chiefs' organizations.

j. Civil society organizations, especially research based NGOs (e.g. CLEEN Foundation, APCOF, Institute for Security Studies – Pretoria) and human rights NGOs, media and law enforcement officers' associations – many countries.

k. Partner organizations, especially donors, community-based corporate and informal policing entities – many countries.

In spite of the existence of these mechanisms, police oversight and accountability remain weak due to several factors such as political challenge, structural and occupational challenge, and knowledge and resource gaps for oversight agencies.

Conclusion

Police agencies are integral part of the state and the means by which the coercive powers of government are exercised. The primary mandate of the police is to protect the life, property, dignity, rights and freedoms of citizens from violations. To discharge the mandate, police are vested with powers of surveillance, arrest, investigation, search, seizure, interrogation, detention, bail and prosecution. These are intrusive powers that pose risks to the freedom and security of citizens if abused. History indicated moments in which police powers were abused by the police, political rulers and economic power-holders with impunity. Holding police accountable is therefore imperative for democratic governance and the protection of the security, welfare, rights and freedom of citizens. Effective accountability and oversight institutions and processes are necessary for the institutionalization of democratic policing culture and practices.

Session A: Pioneering Initiatives in Police Accountability.

1.0 Policy Frameworks for Police Accountability in Africa: Innovative thinking underway?

By Prof. Elrena Van der Spuy, University of Cape Town.

There has been a fair measure of innovation over the last 21 years taking CLEEN as a point of reference. The CLEEN foundation and APCOF have been around for several years working on police accountability. CLEEN and APCOF are examples of organisations that have worked towards policy-oriented structures on police accountability issues.

Evolution in police accountability that has taken place in 8 main phases:

The first phase being the phase of conceptualization mainly exploring the concepts of police, policing and accountability. It took a long time to conceptualize the parameters of this new thing called police accountability. In the second phase, CLEEN and APCOF tried to assemble Baseline information across regions interrogating the existing structures on how they interact and how they operate. This was an important phase because unlike established democracies, there are no readily available information on the police accountability in Africa. The third very exhaustive phase was on Design and Architecture. 15 years ago, countries like South

Africa were convening conferences to talk about the architecture of police accountability. This phase led to the building of infrastructure and capacity with endless experimentation.

The third phase was about embedding the concepts, the design and architecture of police accountability in administrative practices. Organizations like CLEEN participated in the process of bureaucratizing systems and rules and conceptualizing the Standard Operating Procedures of police accountability.

The phase of Law reform revamped legal policies around police accountability in Africa. This led to trouble shooting: the areas and architectural designs of police accountability in context of war, on crime, terror, insurgency and rampant and expansive politicization of police and state capture. For instance, South Africa at present are coming to terms with brutal politicization of policing; brutal politics have captured key institutions taking the struggle of police accountability back to the drawing board.

Police accountability is not simple; It has complexity, diversity, constraints thus APCOF and CLEEN have tried to identify niche areas of engagement such as arrest and police detention: women and gender; youth and policing; civil defence groups; petty offences; policing of slums etc.

All the achievements in police accountability have been guided by the spirit of innovation. Some of these include;

1. A dictionary of concepts and ideas with specialized lexicon for police accountability that didn't exist 15 years ago such as (governance of security; horizontal and vertical axes; bottom up and top down; retrospective and reactive; security sector; justice and security sector; plurality; hybridity). It becomes more and more specialized in the postmodern society.

2. The existence of multiple descriptive and prescriptive policy frameworks which has increased the convergence of normative thinking and the desirable state of police being.

3. There has been considerable headway with tools for implementation of police accountability. E.g. standard operating procedures; performance measurement; guidelines; M & E.

4. Improved networks and stakeholders regionally, continentally, globally, for instance, ASIA – AFRICA collaboration.

5. More contextualized engagements – locally, sub nationally and regionally. The challenge is not to have the conversations in abstract but other to locate discussions contextually.

6. Drawing lessons in multiple directions: Initially Africa was looking North for inspiration but increasing South to South learning and hopefully in the near future we can have South to North.

7. Broadening policy horizons like police to justice sector; police to public sector accountability; state actors to non-state actors. The question of regulation and accountability is much bigger than the Police. There is need to take lessons learned on police accountability to wider security sector accountability

8. The recognition of fluidity and unevenness in police accountability. There is no Nirvana only slippage backwards and contestation.

Future Prospects of Police Accountability

In Mombasa, Kenya, just to the left of Fort Jesus there is the symbol of colonial conquest and contestation. A deeply colonial image that is echoed into the contemporary era of policing. There exist cultural constructions of the police that sometimes is embraced such as the police being object of fear, subject of ridicule, an object of deep desire and repulsion, a repository of power (Brutal, Subtle), a subject with resilience and a subject deserving of our compassion and empathy.

The police as caged/chained; the police are always chained to the political order, chained to time and space, chained to structural realities, chained to economic interests and fiscal constraints, chained to the cage of bureaucracy, chained to subcultural dynamics and informal rules, chained to you and me – destinies intertwined.

In terms of future innovations there is need to capitalize on achievements and deepen work in carefully select areas; expand the conceptual, policy and programmatic boundaries of our work; Deepen comparative analysis i.e. more south to south, north to south and south to south comparatives and insert debates and programmes more forcefully in structural analysis and forecasting. For example, in South Africa it is important to locate discussions about policing accountability and efficiency in that challenging contexts like Mandela Magic; Bafana Bafana; or a divided nation.

Conclusion

It is paramount that we confront future realities like rapid demographic growth. There is possibility of youth bulge by 2023 with half the citizens in Africa being around 21 years old. What then can we do with the policing institution with such a demographic bulge? The economic growth will not match what is needed. Africa's future is urban and with the tripling of slum population by 2050 political instabilities such as riots and protests will grow. Therefore, it is paramount that we locate security systems in keep with these structural dynamics and the kind of innovation that would be required to engage these realities

1.1 Accountability in Nigeria Police Force: The Role of the Complaints Response Unit by Dr. Solomon Arase (IGP, rtd.)

There are negative perceptions of police service that need to change globally. In order to change the narrative of the citizens, it is important to win their hearts. Policing is a community partnership hence citizens must be brought on board. Some of the strategies of police accountability for Nigeria in the past have confronted the issue ideas of how to engage human rights while policing the society. The Nigerian police as many African police agencies is a replica of the colonial system at the time. Recruitment of police in Africa is based on physical height, a person's physique that instils fears to the citizens but that is not what policing is about. The ideal police force should be civil without the 'us vs them' mentality. The Nigerian police Force identified thematic strategies are as follows:

a) Anti-corruption drive- this was identified as one of the key factors not only tarnishing the name of the Nigerian police force but also hindering personnel from achieving their given mandate.

b) Human Rights Driven Policy- the police were bedevilled by abuse of police powers even at levels of minor interactions with members of the public. A human rights driven policing framework was evolved that drew on UN human rights standards and Practice and also avoided custodial violence through intelligence-led investigation policing. The issue of extra-judicial killings by the misuse of firearms was also raised.

c) Community partnership- engaging and collaborating with the community at all level are essential to effective intelligence led policing frameworks. This is because intelligence led policing is a collaborative enterprise based on improved intelligence operations; community oriented policing and problem solving

d) Case diversion, Fast tracking trials and restorative justice- This encompasses a growing social movement to institutionalize peaceful approaches to problem solving and violation of legal and human rights.

e) Human capacity development- Modern policing is knowledge based. In a digitized world laced with complex crimes, the police can no longer afford to engage analogue policing models.

f) Engagements and Applications of cutting edge technology and best international practices to policing functions

There is also the issue of pre-custodial violence; if a police force does not elicit evidence before an arrest, it means that the police in such a force would be arresting people then shopping for evidence. In the process keeping people in custody for long periods and in the end leading to abuse of rights. In Nigeria there have been reported issues of accidental discharge; when police engage in extra-judicial killings and mostly this happens at road blocks and other detention centres where firearms are usually deployed legitimately. There are regulations in the law on when firearms can be legitimately deployed or when the deployment of firearms can be restricted i.e., when police have psychological issues.

The police in Nigeria has a lot of oversight mechanisms and this brings about the illusion that the police is over oversighted. The oversight bodies are the National Assembly, the Senate, the Police Service Commission, and the Nigeria Human Rights Commission. There are power wrangles between the police service commission and the office of the Inspector General on the role of oversight. Normally the National Police Service Commission exercise overarching control of the Inspector General office especially in the deployment of polices.

There has been a lot of work to build public confidence in the police. One of the things that has been done is the formation of the Complaints Response Unit (CRU) of the Nigeria Police Force. The CLEEN Foundation in collaboration with the Canadian Embassy in Nigeria had earlier on set up a platform known as 'Stop the Bribes' but it failed to take into consideration other types police misconduct.

The thematic policing strategies were engaged to measure the progress, achievements and challenges of the Nigeria Police Force (NPF). It is against this background that the Role of the Complaint Response Unit of the NPF was conceptualized and used as an assessment and monitoring tool.

The CRU become a novel platform to report cases of police misconduct. In the first 100 days the CRU platform received 1169 complaints which were disaggregated in terms of locations.

The complaints were reflective of the elites and commercial composition of the states of the Federation. The broad implementation strategies involved rewards (including awards and consideration for special promotions) for any police officer that exhibited commendable level of professional integrity and incorruptible disposition in the line of duty. From disciplinary actions was recommended for actors found culpable in corrupt practices. The disciplinary action was recommended for all parties to the transaction including the giver, taker and facilitators.

The greatest impact of the CRU was feedback mechanism to the complainant regarding the outcome of the investigation coordinated. This encouraged community partnership in the management of security.

1.2 Accountability Mechanisms in the National Police Service by Mr. Musita Anyangu, Directorate of National Police Service Reforms

In most African countries the police have been seen as the face of colonization and oppression. This has created the "we" versus "them" kind of relationship between the general population and the police. This has led to suspicion from the police towards members of the public and lack of trust in the police by members of the public. This kind of relationship cannot work in the 21st century policing environment thus the need for police reforms.

The purpose of Police Reforms is to transform the Kenya National Police Service to a; Professional, Efficient and Accountable police service that is people centered and trusted by the public. Trust is the foundation of community-police relationships, and it is what gives legitimacy to police presence and police authority. Without trust, there can be no legitimacy, authority, or community transformation. The public confers legitimacy only on those they believe are acting in procedurally just ways.

The operating environment has shifted; the general population is more informed; there is an increased demand for the rule of law and the application of procedural justice. The need for civilian oversight of the police has grown and a shift from coercive policing to collaborative policing has been witnessed. In this regard, Community policing is being embraced as a strategy while intelligence led policing is slowly taking root.

Various initiatives have been put in place to build trust and legitimacy in the Kenya police. Some of the initiatives are community policing as a policing model; development of Code of Ethics and Conduct, Anti-Corruption Strategy, communication strategy; police vetting; culture change initiatives; establishment of oversight bodies; Independent Police Oversight Authority (IPOA) and the Internal Affairs Unit (IAU).; establishment of Anonymous Reporting Information

System (**ARIS**). The current restructuring to seeks to increase efficiency and effectiveness; integration of police officers in the communities they serve; curriculum review to include value based policing, reorganization of the traffic department to be accountable to the local police command and digitizing police records and operations

There is a perception that paying bribes; giving kickbacks; or buying one's way out of incarceration is standard police operating procedure. This perception undermines public confidence in those who have taken an oath to protect and to serve. The community is complicit by participating in these corrupt transactions. One of the main challenges in realization of police accountability is the insufficient funding to realize the anti-corruption strategies

1.3 Internal Accountability Mechanisms in the National Police Service: Looking within by Mr. Charlton Mureithi, Director Internal Affairs Unit

The Kenya National Police Service is oversighted by both Internal and External oversight mechanisms. In the wake of reforms, the Internal Affairs Unit (IAU) of the National Police Service (NPS) was established under the NPS Act Sec. 87 in 2011.[4] It was thereafter operationalized with effect from 15th July 2013. IAU is an establishment within the NPS and it reports directly to the Inspector General. The Unit is expected to devolve services up to the Regional/ County level. The Unit is by law required to be housed separately from NPS premises (sec. 87 (7) NPS Act 2011) and this was achieved on 9th Nov. 2018 when the Cabinet Secretary, Ministry of Interior and Co-ordination of National government commissioned the offices.

The vision of the IAU is to promote professionalism and accountability in the National Police Service, while conducting, thorough, timely and impartial investigations of alleged police misconduct. The functions of IAU amongst others are to: receive and investigate complaints against the Police; promote uniform standards of discipline and good order in the Service; Keep a record of the facts of any complaint made to it or any investigation done by it; without prejudice to the above three functions, IAU may investigate and make appropriate recommendations against anyone found to have unprofessionally conducted himself; investigate any cases including those touching on Human Rights and Corruption in its own motion, IG's directions or referrals from IPOA and any other institutions; as an accountability measure also submit Periodic Progress reports to the IG, IPOA, National Police Service Commission among other bodies; advise the ODPP on complaints arising from improperly

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[4] The Kenya National Police Service Act, 2011 at:
http://www.kenyalaw.org/lex/actview.xql?actid=No.%2011A%20of%202011

investigated court cases by the police and any other misconduct by state counsels leading to undeserving acquittals.

Due to limited number of staff, IAU's investigative concentration so far is around the following police misconduct; Harassment, intimidation, arbitrary arrest, malicious prosecution, corruption, obstruction of justice, undue delay, partial investigation, police inaction, negligence, collusion and abuse of office.

ARIS is one of the channels for receiving complaints and compliments. It has provided a useful platform for reporting corruption cases against police officers. The system has been operational since September 2018.

Some of the challenges facing the IAU include: slow pace of getting feedback from cases referred to the field Commanders, logistics, funding, inadequate staff, data analysis/statistics because of lack of an Integrated complaints management system and enforcement mechanisms.

The availability of well trained, equipped, passionate and dedicated officers amidst the challenging working conditions and terms of service has had a positive impact thereby enticing the government to invest in internal security. The public support and appreciation has led to the strengthening of the community policing guidelines.

Conclusion

For optimum performance, the Unit needs to develop a Strategic plan; achieve optimum staffing levels for expeditious and efficient resolution of complaints; Research on the impact of unit and find ways to improve its role in professionalising the NPS. It should further focus developing and promoting uniform standards of discipline.

The Unit needs to develop a complaints finalization/disposal mechanism which also analyses the trends. There is need to undertake research to inform administrative, logistical or operational policy. As IAU becomes more established there is need to develop a Communications strategy, Reach out to the media and also build a social media presence; Increase communications channels to IAU vide – ARIS, Website. Finally, the IAU ought to Benchmark good practice on Internal Oversight Practice regionally and internationally and learn ways to prevent corruption through workable strategies informed by previous initiatives that worked or did not work

Plenary discussions

1. *How is the Complaints Response Unit of Nigeria being different from other internal mechanisms on police accountability like the Internal Affairs Unit? Since it is anonymous how have you been successful in reaching out to people in order to provide feedback?*

   Complaints Response Unit was set to win hearts of public Nigerians. Thus the issue of decentralisation was very key in the 36 states in Nigeria. Each state has a provost department of internal policing. Feedback is very important and sometimes as little as an apology to the victim serves as sufficient handling of the matter. In terms of outreach there has been the use of adverts on media at prime time to create awareness. Nigeria has a decentralised response system, good logistics and manpower to facilitate the advancement of police accountability.

2. *How does Internal Affairs Unit give feedback to citizens and what is the appeal process for a person who is aggrieved?*

   The timeline for providing feedback is 90 days for serious allegations. Feedback is given through the call centre at the ARIS centre which is encrypted. A complainant is usually given a given tracking number; in case feedback is not sufficient, IPOA has mandate to audit the cases and IPOA can take it up or other agencies like the ombudsman, Inspector General can also review- this has never happened.

3. *In Kenya, is there a witness protection Unit within the Internal Affairs Unit?*

   There is no witness protection unit at IAU but within government there is the Witness Protection Agency that can provide the help where it is needed.

4. *Has the IAU engaged the diplomatic core in Kenya to discourage legal immigrants from being harassed by police? What are you doing to communicate the mechanisms that have been put in place to discourage police abuse of power of immigrants? There is a case of student who was arrested albeit having all documents.*

   There exists an entity within NPS that diplomats can fall back to at national, county and other junior level. IAU has engaged with diplomatic core through security officers.

5. *Police stress at the work place- impacts negatively on public and to colleague; suicides, killings by the police. What are the main challenges leading to this? What are police services doing this in various countries?*

   Police stress is common. In Nigeria reducing time on roadblocks and carrying out tests to monitor alcohol levels before giving officers firearms has been effective. In Kenya,

the National Police is cognisant that police work is stressful. Some of the sources of stress are from the nature of police work and working conditions of a police officer. it's hard to change nature of work but the working conditions can be changed. The NPS is helping officers cope with nature of work through sensitization of police officers and equipping with the officers coping mechanisms that are available to them when encountered with stressful condition. This has so far been rolled out in Nairobi County. The Kenyan government has tried to improve salaries though it is insufficient, police officers can now access decent housing by living within the community- it was noted that one source of stress for the officers was the housing conditions where on the extreme 4 to 5 officers had to share a single room. A counselling unit has also been established at the headquarters and very soon it will be decentralised to the county level.

6. *How can we delink police from politics/executive?*

   This is quite a delicate balance. Police is always viewed as part of executive. The 2010 constitution envisions independent police from executive. This is not yet there but the legal framework is available. There is individual accountability on actions and inactions and the Police is moving away from getting orders from executive but promoting rule of law; this is still a long journey but there is hope.

7. Are we normalising police being bad through art and music? Either police have for a long time behaved in a bad way or the art is a mirror of the society or public. majority of officers are doing a good job and some are being highlighted on social media. The mainstream media should highlight good deeds of the police too not the bad ones only. Highlight mechanisms that have put in place to promote police accountability and the commitment to changing the negative police perception. The society has a moral obligation to stop caricaturing the police and the media council should come in to regulate content imaging the police negatively, such as Inspekta Mwala etc. the CSOs nneed to tell stories of good police officers to overshadow the highlights of the bad police officers. An annual report is coming up to give a feedback on police conduct.

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Session Two: African Regional Realities on Police Accountability: A Spectrum

2.0 West Africa Spectrum by Mr. Julien Oussou, West Africa Network for Peacebuilding (WANEP), Accra, Ghana.

Accountability is one of the most important aspect of Community Based policing whose objective is ''to increase public confidence in the police through efficient and effective accountability system that is transparent and responsive to public needs.

First, it provides the Police themselves with an efficient, transparent procedure on how to be accountable and for managing complaints so that they are effectively dealt with. In recognizing the important of the Police being accountable to the public, the Police will create internal systems at National and State level that demonstrate accountability in their key areas of service.

Second, it provides the public with clear guidance on what can be expected from the Police in terms of service and response to complaints, either that made directly to the Police by citizens or those made to Police Oversight Bodies.

In West African countries a lot of changes have been seen in the last decade. Police actors continue to make enormous efforts to try to 'increase public confidence and adapt to the needs of the public. However, despite these efforts, challenges and problems persist at the community, national and regional levels. The challenges are:

a. *Lack of Partnerships with communities, authorities and other agencies :* many West African countries, recognize the existence, through history, a certain residual phobia of men in uniform. And even today, the lack of knowledge of the role of the police, the low level of police communication and the lack of space for public-police dialogue contribute to lack of police-public collaboration. Calls to collaborate with green numbers are used in all countries and assurances of anonymity are promised to informants. The effects appear to be relatively limited. In contrast, new developments even reveal insecurity for police stations made up of militant population (Tchaourou-Benin, northern Togo, Burkina…). Elsewhere, civilian informants suspected of cooperating with the police are punished or even murdered (Bantè case in Benin). In Mali, Burkina Faso and Niger, for example, in a context of violent extremism characterized by the absence of a security force in large populated areas, for fear of bloody reprisals, people prefer to cooperate with extremists. They don't even dare to show up to the police or contact them.

The situation appears more degraded compared to 2014/2015 when, in a study on 36 African countries, Afrobarometre concluded that West African populations were less confident in these police forces. the vast majority of police officers contribute to this situation through their actions, behaviours and perceptions of the security services.

b. *Rise of crime and anti-social behavior*

In the contexts of active violent extremism in Burkina Faso, Mali, Niger… populations are experiencing heavy loss of life as a result of insecurity and attacks on communities. They are dominated by a sense of powerlessness from the police and security services. Elsewhere, it is other forms of insecurity (vigilantism in Ghana) that are pushing people to disavow the police by calling them to have force and weapons only to suppress, in their blood, citizens demonstrating with their bare hands (Benin, Togo, Côte d'Ivoire, Gambia). A situation that causes communities to lose confidence even though some have understood that the geopolitical stakes behind the struggles in their territories.

c. Lack of accurate and timely feedback to complainants and oversight directions with regard to the action taken about their complaints.

In several countries in the region, there are increasing penalties for police officers for various misconducts against the public. However, because of a very strong police sub-culture, sometimes it is difficult to get a successful complaint against a police officer. In addition, in many countries in the region, the lack of and or weaknesses in Complaints Management System (CMS) Procedures limits the chances of sanctions and, at the end, public-police collaboration. Other challenges and problems that can be discussed include: Measuring efforts and reporting and Public relations & media communication.

A lot is being done to solve the challenges on police accountability in West Africa. Most solutions are in operation at the national level in the region such as the case of the police-gendarmerie merger in Benin, security committees in Mali, Niger, and Nigeria.

At the regional level, the ECOWAS policy framework for security sector reform and governance (June 2016) provides an opportunity to act together to address some challenges. The objectives are as follows:

a) Eliminate threats to the rights of individuals and groups, security, life, livelihoods and property, ensure the protection of the institutions and values of democratic governance and human rights, and respect for the rule of law, from the point of view of human security;

 b) Strengthen and reorient the capacities of individuals, groups and institutions involved in the security sector, with a view to making them more effective and sensitive to democratic control issues, more accountable and respectful of fundamental human rights and the rule of law;

c) Ensure the implementation and consolidation of security systems operating on the principles of accountability and transparency, as well as community participation.

Similarly, the ECOWAS strategy to prevent violent extremism approaches on a similar way with a focus on community resilience building, a strategy that involves population-police cooperation.

2.1 East Africa Spectrum by Dr Japheth Biegon, Amnesty International, Africa Regional Office

The East African spectrum focuses on the three original EAC countries i.e. Kenya, Uganda and Tanzania. The three East African countries are not only tied with a common history and geography but also a similar policing history. In 2008 the East Africa Community adopted the Common Standards of Policing in East Africa. The framework[5] is a composite of the international and regional treaties, conventions, declarations, guidelines, basic principles and codes of conduct which are either substantially derived from, or informed by, the UN's International Bill of Rights. It is premised on human rights and the rule of law and, properly implemented, creates an environment for policing that is governed by rules that:

a) protect and promote human rights and dignity;

b) are fair, just and equally applied to all without discrimination, arbitrariness or oppression;

c) and are subject to effective oversight mechanisms to ensure that the rule of law is upheld

In commemoration of ten years of common standards of policing in the EAC in 2018, APCOF and several other organisations also developed indicators that can be used to measure whether the EAC countries are complying with the Common Standards of Policing.

There are also similarities on the levels these countries have tried to inculcate accountability in the Police Service. Unfortunately, there similarities are more on the breach of the international standards of policing other than in respect of those standards. Across the region there is much focus on legal frameworks that promote colonial regimes and punitive policing rather than democratic and citizen centred policing. Apart from Kenya, the other two countries have weak internal and external accountability and oversight mechanisms.

Survey after survey on Corruption in the East Africa region, the police service has been oftenly ranked the highest in terms of corruption in the region. A recent corruption survey i.e. the East Africa Bribery Index[6] conducted by Transparency International showed that the police service in the region ranked the highest. In Tanzania, for instance 71% of the times citizens encounter

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[5] The Common Standards for Policing in East Africa, 2010
http://www.humanrightsinitiative.org/publications/police/common_standards_for_policing_in_east_africa.pdf
[6] The East Africa Bribery Index, 2017 at: https://tikenya.org/wp-content/uploads/2017/09/East-African-Bribery-Index-EABI-2017-1-1.pdf

a police officer they are likely to be asked for a bribe; in Kenya it is 69 % while in Uganda 67%. [7]This gives a general picture on the situation across the region.

In Uganda, the constitution does not require the police service to strive to promote human rights although article 211 talks about professional, disciplined and competent policing. The exact conduct the police are supposed to adhere to is spelled out in the Uganda Police Act of 2005 which is a reflection of the outdated colonial policing.

Uganda has a long history of Army appointees as inspector Generals of police e.g. Major General Kale Kayhira from 2001 to 2008 and Major Gen. Katumabi Wamala 2005 and Major Gen; Okoth Ochola in 2018. The law in Uganda allows the Joint operations between the police and army such that the attitude and the culture and the general behaviour and the conduct of the police reflects the practices of the army. The army is usually an opaque institution in governance and rarely is accountable to the citizenry or the public.

Uganda has extremely permissive rules for the use of force. This is visible even in the recent history of numerous instances of excessive use of force like the 2016 Kasese killings (police and the army led operations that saw the death of approximately 100 people) and the events leading up to the 2016 general elections. The Public Order Management Act have vague and permissive provisions making the use of force to be used by police office dispersing public assemblies in the country.

There are generally weak oversight mechanisms on police accountability in Uganda. Internally the mechanisms available are the: Code of ethics; Police disciplinary courts and a human rights and complaints desk. While externally there exists the Uganda Human Rights Commission which has established itself in terms of preparing reports on police violations but there is no dedicated external independent institution that focusses on promoting police accountability.

 In Tanzania the picture is not any different from Uganda. The 1977 constitution of Tanzania does not have any elaborate provisions on the police. In the contrary there is a whole chapter dedicated to the armed forces in the country. The 2002 Police Force and Auxiliary Services Act is a reflection on colonial policing regimes as opposed to modern policing standards. Preventive Detention Act 1962 allows the Minister of Home Affairs to order police to arrest and detain a person that the executive thinks should be detained and additionally the Inspector General of the Police is appointed by the President of Tanzania-this shows the level of executive interference in policing.

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[7] The East Africa Bribery Index, 2017 at: https://tikenya.org/wp-content/uploads/2017/09/East-African-Bribery-Index-EABI-2017-1-1.pdf

Like in Uganda, Tanzania has weak oversight mechanisms. Internally the police have internal disciplinary procedures which are generally ineffective, while externally, there is the Office of the Ombudsman where individual complaints on police misconduct can be lodged, Tanzania Commission for Human Rights and Good Governance but there has not been any elaborate inquiry on Police misconduct and the Judiciary.

Kenya has distincted itself from Tanzania and Uganda with elaborate provisions that guide actions and behaviour of the police. It also provides an elaborate institutional architecture for police accountability. There are at least three elaborate institutions promoting police accountability, i.e. IPOA, IAU, NPSC, KNCHR and NCAJ. The Constitution through art 244 calls for the police service to strive for the highest standards of professionalism and respect for human rights.

Kenya has quite strong institutional and legal frameworks on police accountability including the use of force. The 2011 National Police Service Act is compliant with international standards on the issue of use of force. Despite huge strides from 2002 to 2019 in changing police culture and behaviour, there is still instance of extrajudicial killings. The Judiciary has also been active in promoting police accountability through the cases submitted by IPOA which have been adjudicated successfully while others are still ongoing e.g. the Willy Kimani and Baby Pendo cases.

2.2 Central Africa Spectrum by Mr. Polycarp Ngufor Forkum, Commissioner, UN Mission in DRC

In Cameroon, the functions of the police are carried out by employees of the General Delegation for National Security (GDNS), the Gendarmerie and other administrations with special judicial police powers as per special instruments. This paper will be limited to the police powers of the employees of the GDNS and the national gendarmerie.

The main police oversight mechanism in Cameroon is the Special Division for the Control of Services created by Presidential Decree and headed by an Inspector General. However, the parliament, the ministry of justice, National Commission for human rights and freedom, Human rights bench of the Cameroon Bar Council, international organizations and the civil society are bona-fide actors in police accountability.

Cameroon is a presidential, multi-party democracy dominated by the Cameroon People's Democratic Movement party (CPDM). The CPDM and its predecessors have governed Cameroon since the independence of French Cameroon in 1960 and unification with British Cameroon in 1961, notwithstanding the introduction of multi-party elections in the early

1990s. The President has significant levels of power and elections have been marred by claims of intimidation, manipulation and fraud. Cameroon's mixed colonial history means that it has inherited aspects of French and English law and language.

The country's police force is under the control of the President's office. It has been associated with serious abuse, including extrajudicial killings, torture, degrading and inhuman treatment, arbitrary arrest of members of opposition political and civic groups, long detention of suspects (sometimes in solitary cells) widespread corruption and extortion. Torture is outlawed, but is routinely employed against detainees.

According to a Freedom House Report,[8] various intelligence agencies operate with impunity and opposition activists have been arrested and detained without charge – some of these have disappeared while in custody. Security forces routinely impede domestic travel, prevent demonstrations and disrupt meetings According to an Amnesty International Report, cases of torture, disappearances and deaths in custody have not been investigated in an independent and transparent manner.

The judicial system is not an effective police oversight mechanism. Courts are subject to illegitimate influence and corruption, and judicial appointments are made by the President. There have been instances where military tribunals have exercised jurisdiction over cases of civil unrest.

Cameroon has had a human rights commission since 1990. The National Commission on Human Rights and Freedoms (NCHRF) is subject to close Presidential control and as a result has not been very effective. The Commission engages in promotional activities but avoids investigating and reporting cases of human rights violations by the Government or security agencies.

There are a number of non-governmental organisations working in the country. Their operation is not restricted by government because of the nature of the issues addressed by them. There are no groups looking at police or police accountability issues.[9]"

Cameroon's police force is generally perceived as inefficient, poorly trained and plagued by corruption. Police corruption as indicated in earlier presentations today is one of the worst crimes the police is accused of. Apart from routine and endemic corruption from the rank and file the misuse of funds provided for daily police transactions by senior commissioners of police worsen the situation as stationaries and almost all transaction cost burden and levied on the civilians.

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[9] An audit of Police oversight in Africa APCOF, CAPETOWN 2008.

In Cameroon, police excesses and misconduct in deed or omission are under the direct jurisdiction of the Special Division for the Control of Services of the Police[10] set up by Decree No. 2005-065 of 23 February 2005. It ensures "the policing of the Police" (art. 1 (2) of the decree).

This unit is in charge, inter alia, of:

- Protecting secrecy, the state of mind, morale, loyalty of national security personnel, employees and civil servants of the State or public authorities;

- Actively participating in combating corruption;

- Contributing to the enhancement of discipline and respect for professional ethics in the National Security and

- Carrying out administrative and judicial investigations concerning National Security personnel.

This structure notwithstanding, the duties of officials in charge of discipline, is responsible for preventing and curbing excesses committed by police officers during or out of service.[11]

Contrary to article 13 of the Decree No 2005/065 which states inter alia" for the effective realization of their missions, the special division for control of services disposes both at the provincial and central level, human, financial and logistic means for her mission. This is not true. The service is highly neglected.

The creation of this service has been criticized by the United Nations Committee against Torture, which prefers a neutral civilian oversight body. In its 44th session in May 2010, under considerations of reports submitted by state parties under article 19 of the Convention, the committee had this to say:

While noting the establishment in 2005 of a special Police Oversight Division, the so-called `Police des Polices`, attached to the Department for National Security, the committee remains concerned about this institution`s lack of independence and objectivity. It is concerned that inquiries into allegations of unlawful acts, including torture or cruel, inhuman or degrading treatment, committed by the police, are carried out by police officials of the Special Police

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[10] Art 12,13 (3) of the Decree No 2012/540 of 19 November 2012 to lay down the special rules and regulations of employees of the National Security; and more particularly Decree No 2005/065 of 23 February 2005 on the organization and functioning of the Special Division for Control of services.

[11] United Nations CCPR consideration of reports submitted by states parties under article 40 of the covenant CCPR/C/CMR/4 11 May 2009 Fourth periodic reports of States parties Cameroon* [25 November 2008].

Oversight Division. In this regard, the committee is concerned that only a few complaints against police officials are admitted, give rise to prompt, impartial and exhaustive investigations, and lead to prosecutions and convictions. UNCAT (2010, p7)

The ministry of justice, is statutorily a key factor in police oversight and could have been more efficient if the magistrates were not as corrupt as they are (Subject of a separate inquiry). In the course of preparing the annual report of the state of human rights in Cameroon, efforts are made to publish cases of defaulting officers and corresponding punishment. This could act as deterrent if the reports were really vulgarized. The results are available but not accessible. I had to write a letter to get one.

The National Commission for Human Rights and Freedom (NCHRF) is the official government organ for the promotion and protection of human rights in Cameroon. Within its protective mandate, it consequently mandated to visit detention centres of the police/prisons either on initiative or invitation of victims. However, the NCHRF is yet to be very vibrant in the field. It's easy to read in their annual report that for a calendar year they did two prison visits and a scandalously 2 visits to police cells in Yaounde. Though the NCHRF recently created regional offices in some regions, their role as an oversight mechanism is yet to be felt. Within the framework of effective oversight, the commission is expected to be more regular in the police stations. Lack of adequate resources, unqualified staff are amongst their problems.

A number of NGOs operate in the country unperturbed since they a aloft with police matters. We are yet to have civil society organization that engage the police

2.3 Southern Africa Spectrum by Mr. Sean Tait, African Policing Civilian Oversight Forum (APCOF)

Southern Africa is a very diverse region; composed with both Anglophone and Francophone countries. Similarly, accountability mechanism is also diverse in the region. In South Africa, accountability external accountability mechanisms were born out crises. While in Malawi there was the emergence of police oversight authority after transitions. Zimbabwe has its constitution and police oversight authority as some of the mechanisms that provide police accountability which is yet to be operationalized. South Africa has a strong civil society that has led to growth in oversight.

In South Africa, police accountability has been marred with capacity deficits and mandate contests. There is also a sense of Police state capture which has led to a pushback in police

accountability as there is a hostile environment. The thirds layer of accountability is through the CSOs.

There is richness in complexity that do offer a lot of opportunities that should not be lost in the conversion. We must take into account the socio economic challenges facing the continent and what it means for policing.

There has been significant progress in recognising the importance of police accountability such as the PANAF parliament, AU and the African Commission.

2.4 Sub-Saharan Africa Spectrum by Ms. Kate Ravin, Partners Global

Partners Global has been working on security sector programming in Nigeria, Guinea, Senegal, and Burkina Faso. In Nigeria, there work has reduced corruption in national security sector institutions and improved citizen contact with law enforcement. In Guinea, Partners Global has enhanced collaboration between national and local police, and civil society while strengthening community policing. While in Senegal and Burkina Faso the organisation is working to improve citizen perceptions of law enforcement and promote a more collaborative approach to citizen security

The main issues and challenges facing policing in the Sub-Saharan Africa are: low levels of citizen trust in and collaboration with law enforcement, corruption, poor service delivery, limited opportunities for exchanges/dialogue, lack of transparency.

Considering these issues and challenges, programs can obtain buy-in from the security sector and civil society, to achieve intended results, and promote sustainability through:

- Partnership and local leadership: leverage local expertise and treat law enforcement and civil society as partners.

- Bridge the gap between law enforcement and civil society: convene multi-stakeholder dialogues to find shared concerns and priorities, and formulate joint solutions.

- Local results for national impacts: pilot interventions at local-level to support institutional changes.

- Areas of mutual interest: ground interventions in common concerns and/or policy priorities for government and civil society.

Partners Global have come up with best practices in Senegal/Burkina Faso by developing flexible program design through: Iterative approach that applies research and learning to determine appropriate interventions; participatory approach which entails consulting national

and local stakeholders from law enforcement and civil society and the Do No Harm approach where local partners are trained on principles to prevent and respond to unintentional harm. Secondly, another best practice in Senegal and Burkina Faso is co-creation. Through co-creation, civil society and law enforcement jointly designed and implemented pilot projects around road security.

In Guinea some of the normative practices are women and youth involvement. This is mainly through dialogues between police and women/youth who share concerns and information, and invite OPROGEM. Another practice is Policier referent where the police do school visits to teach students about a variety of topics and encourage collaboration. Other ways are **community** leadership; local security councils: composed of women, youth, local leaders, municipal authorities, and law enforcement.

In Nigeria the use of communications & technology through initiatives such as Find a Cop: provides location and contact information for police stations; StopTheBribes: tool to report low-level police corruption and Tracka: tracks spending against security budgets have proved to be a success.

Partners Global also adopted a holistic, multi-sectoral approach. In this case interventions reached the judiciary, law enforcement, CSOs, the press, and private sector. The organisation also used Open Government Partnerships commitments to increase transparency and information-sharing from security sector agencies.

Based on these projects in Senegal and Burkina Faso there has been buy-in to more collaborative approach to security from national and local authorities and law enforcement requests for knowledge production. In Guinea, there have been joint decree by Ministries of Security and Interior to institutionalize local security councils across the country, adoption of curricula on criminal investigations, patrolling, and administration of police services, improved community security from small grants and Policier référent: students report violations to police, fundraising from parents' associations to finance police transport for school visits.

In regards, to lessons learned there is need for CSOs training on cooperative advocacy to more constructively bring their concerns to state institutions. For instance, *how can programs effectively position more cooperation between civil society and law enforcement as mutually beneficial?*

Multi-sectoral programming can also amplify results vis-à-vis accountability, transparency, and citizen security. Co-creation and participatory design can ensure higher levels of buy-in and more relevant interventions.

Plenary Discussions

1. Even in situations where we have laws and oversight authorities. we still have instances of governments that oppress the opposition. What regional mechanisms are available to control police excesses as regards to power.
   In East Africa we have the regional Judiciary e.g. the East African Court. We have seen instances where cases on police misconduct have been filed at the East Africa Court of Justice; such as the the Samwuel Mohochi case.[12] ECJ holds states accountable. States care about what the ECJ has to say and that is why Kenya rallied to form an appellate division in that court. Despite new laws there are still human rights violations. Old police still remain intact. New laws must meet international standards and must change long-term culture of police and change attitudes of police for proper reforms

   The African Commission and the African court of Justice; special mechanism on prison conditions and police has responded Kenyan situations by sending note verbal in case of Hessy wa Kayole and Willy Kimani.

2. What are the thoughts on balance between internal and external oversight Authority? In years to come can one overshadow the other? One should expect that with more trust Internal Affairs Units should be stronger. If there is sufficient trust in the IAU then less cases would go to IPOA. The IPOA would deal with systemic cases on police accountability. Likewise, internal and external oversights have specific different functions on police accountability.

3. Tension between police and policing when it comes to accountability, does this have bearing on practice
   shift conversation to policing

4. What are the views on interaction between law reform and capacitation of accountability? There are criticisms that reform law reform agenda is leaving behind the reform agenda on attitude perceptions and culture change within police in Kenya. That is why in spite of progressive laws we still have the old police and a lot of human rights violations. It is important to accompany laws and institutions with culture that speaks to habits attitudes and perception. That is when proper reform will come through.

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[12] The case concerns the denial of entry to Uganda for a member of a delegation from a non-governmental organisation, subsequent detention and deportation, and the question whether this was lawful.

5. What are the indicators for accountability/legitimacy of police in Africa? Indicators for accountability calls for looking at the process or outcomes and determine if either is working. Determine whether, there are strong legislations, financial stability and mechanisms of feedback

   Moreover, it is important to collect qualitative research that reflect perceptions of citizens towards police.

6. In corruption perception surveys, the police are always leading. what efforts have been put by police authorities to change perceptions and tackle corruption within police. The Police live and work in the community thus reforms need to speak to causes of corruption within the society. The solution must address both low level and high-level police corruption. We need to shift conversation over onto policing and how to address oversight and anti-corruption measures. If we solve police welfare issues corruption within the police may drop. In Rwanda the fear of reprisals has led low corruption within the police services.

Session Three: Mapping Police Accountability Reforms in Africa.

3.0 Police Accountability Reforms in West Africa by Dr. Benson Olugbuo, CLEEN Foundation.

ECOWAS was formed in 1975 and it consists of 15 African states. ECOWAS has a parliament and a Court of justice. There is the West African Police and Chiefs Committee Organisation (WAPCCO) is a key organisation that promotes police accountability is West Africa. WAPCCO, a specialized ECOWAS institution, is tasked with identifying trends and patterns of crime, organizing regional conferences and meetings, establishing and maintaining contacts with different law enforcement authorities, and assisting in the sharing of best practices.

In 2010, the CLEEN foundation in partnership with APCOF, Danish Institute for human rights, OSIWA organized a conference on police reforms experience in West Africa. The conference was aimed to: exchange experiences and learn from developments in police organisations in Francophone and Anglophone West African countries; promote public participation in police development with the aim of building human rights compliance and improving police–community relations in West Africa; identify priority areas for the development of programmes on police reform in West Africa; and; support the ongoing development of the West African Police Reform Network.

One of the main challenges facing West Africa countries is the BOKO Haram which has made policing difficult in the region. Porous borders have also led to proliferation of small arms and light weapons. And the cross border conflicts in Niger, Chad and Benin has also negatively affected policing.

ECOWAS Court of Justice provides for the individual access to the court. The Community Court of Justice has accepted the submission of **individual** complaints for human rights violations since 2005 to promote access to justice and accountability in the region.

In Nigeria there is a superiority contest between the military and the police; this extremely undermines policing. There also exists, a common community without common shared practices, attitudes and practices leading to breakdown of norms. Practical institution and accepted commonality may be more in the negative.

There ae also emerging institutions of accountability; both laws and institutions. There exists both External and internal accountability mechanisms in the region. It is also important to deliberate on the role of the parliament as the budget maker and how budgets have a ripple effect on police accountability

3.1 Police Accountability Reforms in East Africa by Dr. Mutuma Ruteere, Centre for Human Rights and Policy Studies

There is very limited information and knowledge with respect to security agencies and actors in the East African region. Both scholarly and policy research on security remains limited. Overall more is known about militaries than the police. A substantial body of publications by advocacy grouped exists that touch on human rights violations particularly by the police and to an extent the police.

All security services in the East African Region are establishes by law; constitutions and statutes. The power and influence to shape decisions is however located in the political and to an extent business interests and not laws.

Both internal and external oversight accountability is important. Internal accountability is key to building a culture and practice of respect of rule of law and human rights. External accountability and oversight through institutions such parliament and independent state institutions need to be strengthened.

All over the East African region there are concerns over the effectiveness of security agencies. Resources constraints is a major challenge to the security in all countries in the East African countries. In all the five countries are also faced with the challenges of professionalism in the security services.

There are concerns with regard to accountability of security with regard to accountability of security agencies and security actors in all the countries. Serious problems of human rights violations and lack of accountability in security services in the countries

There are a few civil society groups interested and working on security in general and accountability and oversight in particular across the East Africa region. The security sector across all the five countries remain limited in effectiveness of accountability and oversight institutions and mechanisms. It is vital to consider private security measures and what that context this means for policing accountability. Ad to understand that technical solutions will not save political systems that do not respect human rights

3.2 Police Accountability Reforms in the Horn of Africa by Mr. Binam Abate, Executive Director, Human Rights Council

In Ethiopia, law enforcement apparatus has effectively been serving as instrument of the government. The law enforcement is normally loyal to the political power of the day. Ethiopian law enforcement is characteristically unprofessional, they comfortably ignore court orders they

are considered independent by the government but un-independent by the opposition, Media, academia, and the society.

The police in Ethiopia is far away from organizational independence, ethical responsibility and professional standard. Some positive steps taken to improve police accountability are public acknowledgment of abuses by security forces, arrest of few former security officials, amendment of repressive laws like the ATP, CSO, and Media laws, development of a use of force manual, the initiation to liberate NHRI from government control and better working environment for Human Rights CSOs.

In terms of challenges, some of the people who should be held accountable are still in government offices and the government has no clear road map on how to deal with the past police misconduct to achieve accountability. Moreover, there is no independent body to handle complaints against police misconduct.

From the of beginning 2019, the government has tried to shake up the security structure by improving the human resource and organisational structure by restructuring the police into five clusters, improving recruitment procedures, revise police training curriculum and manuals, improving ethnic diversity and working procedures, amending its governing laws and directives. The Ethiopian government has Government has promised that it will hold police accountable for violating the rights of citizens and to develop methods of police accountability.

Plenary Discussions

1. It is vital to have proactive engagement between chiefs of defense forces and generals of police in East Africa and Horn of Africa to emulate what is done in ECOWAS in order to tackle security issues in region. This will provide for a coordinated strategy in tackling security issues.
2. How independent are the oversight bodies since some people running these bodies are appointed from political leaders? It is vital to have legal framework on how to evaluate independence and how to appoint reliable people running oversight bodies. Moreover, it is critical to have legal framework on partnerships of private /county and national police to avoid insecurity loopholes.

Session Four: Financial Accountability: The New Terrain for The Police Management by Dr. John Kamya, Police Senior Command and Staff College, Uganda

Police has the role of fighting corruption, ensuring financial accountability in the country, police also have a role of apprehending offenders. Within the Ugandan police there are units such as Anti-fraud, anti-money laundering, anti- corruption, anti-smuggling, revenue protection units within the Criminal Investigation Department.

Police generally have an obligation to be clean before apprehending thieves. The principals of accountability emanate from the United Nations principles of democratic policing. The United Nations resolution 34/164 of 1979 established the code of conduct for law enforcement officials and like all other agencies of criminal justice system every law enforcement agency should be representative, responsible and accountable to the people or the community and the representativeness at the police should be depictive of the community that they serve; this means that a community is composed of women and men, black people and white people, Indians then the police should reflect the same thing. In Kampala there is a very huge Indian population but there is no single Indian police officer. Does that mean the Indians cannot be police officers? The reason is obvious-they don't have an interest in joining the police. if a community has a minority group that should be reflected in the police agency.

Accountable policing has three dimensions: the legal accountability that should work within the law. political accountability that actually serve the government and protect the interest of the government. The police belong to the executive, and so police have to do what the governments asks them to do. The problem is in the third element of accountability which is the economic accountability or financial accountability. This is problematic because most of the police resources is from the government and they are not small resources.

In Uganda police used to be very underfunded. The government came out of the guerilla warfare, where it had fought the bush war and when it came into power, they were not very friendly to the police because police had given them hard time when during the warfare. So, for about ten years after the government came into power, the Police were underfunded and the president did not like them; he preferred the army. So eventually when people made a lot of noise the president noted that he was only willing to fund the police if 'his people' were put into the police agency. And that is how the Military Generals ended up into the police force.

After this police funding was increased. At one time the police budget sky rocketed from 78 billion in 2005 to currently, 600 billion -which is a lot of money by Ugandan standards.

After this, the police were well resourced more resource than so many ministries in Uganda but since then the police have been occupied by buying tear gas, vehicles, more guns, recruited more personnel and introduced many types of uniforms- camouflage type of uniform like the army-, the police have grown its freight from 500 vehicles to 5000 vehicles, bought helicopters but no results of this increased financing, no reduction in crime at all- actually crime went up. The welfare of the police officers has not also improved at all, it become worse because everything was more about anti-riot and demonstrations.

Uganda is a very interesting case study police use of force. Political actors are treated harshly during demonstrations. There is no federalist anymore. In Uganda it is the police who pick accident survivors and casualties. There are no ambulance services so when there is an accident on the road the police are the one who drives there with their patrol cars which are pickups and then they put them on the cars whether you are dead or unconscious, and drive to the hospital.

The financial accountability should not only be how much the police account for or how well the police account for the money but also be how much do the police have to show to the population in terms of service improvement and crime reduction etc. The management of the money is also a problem. When auditing queries are presented to parliament, the public accounts committee are paid up. When the parliament is scrutinizing, the police bring up the narrative that all the procurements of the police are classified and they should not be subject to auditors. This made almost 80 % of police files classified and therefore money can now be misappropriated without any question.

One of the measures that can be put in place to enhance financial accountability is to have very strong anti-corruption measures within the police, I think the public should never accept the situation where members of the force are corrupt, not just bribery but the high-level corruption that must be accounted for.

There is need for a strong internal mechanism; in Uganda one was created known as the professional – unit within the police. There is need for anti-corruption units within the police. Uganda needs measures to control gratuity and gifts because this is also one area that enhances corruption in the force. Police get a lot of offers from business people and so on but how should this be handled. Some police officers engage in the sale of exhibits; this must be addressed. Lifestyle audits also show a lot of disparities in terms of what some officers earn

visa the life they live. There has to be zero tolerance to corruption in the police forces if we are to walk with our heads up.

Plenary Discussions

At one time in Uganda corruption in the police was so high that everyone was pissed off and so the president instituted the judicial commission of inquiry into the police force, into corruption into the police force. But this was in 1998 about twenty years ago so police do not bring anything to the news but brings a lot of history and the commissioner officer himself and his directors were doing business within the police.

This is a very big temptation in the police as we have big supplies, even if we are just given to pens or stationery for police forms, medical examination or uniform, maize flower its transits take billions because in Uganda the police force is fed in operations and so on. So, there is a lot temptation that you can do insider trading so it was a very common thing.

The secretary commission report exposed the people who were doing insider trading and majority of the recommendations within the report were implemented. Those people were sacked and so many other people the commissioner were punished. But of course, there are others, some untouchables who are still being promoted instead of being fired. So, it is very difficult to find these days' people doing insider trading but with the military generals there was a lapse in financial accountability. There was a lot of political power, "you know I'm appointed by the president you don't question me" so those things were coming back through those classified funds you don't ask how this was procured because it is classified, they don't advertise procurement because you say "this is a security thing if you advertise its a security threat and those kinds of things." Insider trading if it is there it must be hidden it is not open. If it's there is hidden.

Session Five: Police Accountability in High Conflict Situations

5.0 Mr. Cecil Griffiths, LINLEA, Liberia

The Accra Comprehensive Peace Accord which brought an end to Liberia's civil conflict provided for the reform and restructuring of Liberia Security Sector Institutions: Article VIII[13] – Article VII[14] – Article VIII[15] With the support of the US Government, the Armed Forces of

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[13] Restructuring of the Liberia National Police and other Security services. Section 1: there shall be an immediate restructuring of the national Police Force, Immigration Force, Special Security Service, Customs Security guards and such other statutory security units. These restructured security forces shall adopt a professional orientation that emphasises democratic values and respect for human rights, a non-partisan approach to duty and the avoidance of corrupt practices.

[14] Disbandment of Irregular Forces, Reforming and Restructuring of the Liberian Armed Forces. Section 1b. The Armed Forces of Liberia shall be restructured and will have a new command structure. The forces may be drawn from the ranks of the present GoL forces, the LURD and the Model, as well as from civilians with appropriate background and experience. The parties request that ECOWAS, the UN, AU, and the ICGL provide advisory staff, equipment, logistics and experienced trainers for the security reform effort. The parties also request that the United States of America play a lead role in organizing this restructuring program

Liberia was disbanded and re-organized. A private military contractor, Dyn-Corp was hired to train 2000 soldiers who met the criteria for the new armed forces, and provide logistical support for the new army. UNMIL and ECOWAS, AU and other countries supported the reform of the Police department. All police officers were required to re-apply if they wanted to be a part of the restricted police force. Those who re-applied were vetted and sent to the police academy for training. The United Nations Police (UNPOL) comprising police officers from several countries provided training and mentorship for the new police force. By 2017, over 5,000 police officers had been trained and deployed.

In order to enhance Liberia's SSR, the National Legislature in consulting with various stakeholders, including civil society, passed several security related legislation; The National Security Strategy (Under Revision); The New Defense Act of 2018; The Bureau of Veterans Affairs Act; National Security Reform and Intelligence Act; Liberia Drug Enforcement Agency Act; Liberia National Police Act of 2015; Liberia Immigration Service Act of 2015; Liberia Small Arms Commission Act; Act to Establish the Financial Intelligence Unit; The Uniform Code of Military Justice. Some of the pending Legislations include: The Public Safety Act (revised); The Liberia National Fire Service Establishment Act; The Private Security Providers Act; The Prison Reform Act; The Aliens and Nationality Act (Revised); The vehicle and Traffic Law (Revised)

In Liberia, the following is being done to hold police to account:

- The Judiciary – entertains civil actions against police officers, and criminal prosecutions against police officers

- The Legislature – monitors police actions and can cite police official to provide explanation of police performance

- The Ministry of Justice has oversight role of the police and other security institutions

- Independent National Commission on Human Rights – investigates human rights violations by the police

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[15] Restructuring of the Liberia National Police and other Security services. Section 1: There shall be an immediate restructuring of the national Police Force, Immigration Force, Special Security Service, Customs Security guards and such other statutory security units. These restructured security forces shall adopt a professional orientation that emphasises democratic values and respect for human rights, a non-partisan approach to duty and the avoidance of corrupt practices. Section 2: The special security units including the Anti-Terrorists Unit, the Special Operations Division of the LNP, and such paramilitary groups that operates with the NPA, LCC, LPRC, and the airports shall be disarmed and restructured.

Civil Society continue to play an important role in promoting Police Accountability by not only monitoring police conduct for human rights abuses and unprofessional conduct, but also empowering citizens to hold police officers accountable by creating awareness on the functions and duties of the police, and mechanisms to hold police officers accountable, and also creating awareness on the rights, duties and responsibilities of citizens in upholding the rule of law, supporting police efforts, and understanding the challenges faced by the Police in the performance of their duties.

Community Policing Initiatives – community members supporting police efforts by providing information to the police on criminality in their community. Police Station Visitation by community members to get to know the police better. Groups of citizens visit their local police stations to interact with their officers and get to know them better and the challenges they face, and get answers to issues of safety, security and performance and accountability.

Setting up ad hoc: Prior to the setting up of the Liberia National Police Civilian Complaints Review Board, the Government through the Ministry of Justice had on several occasions established ad-hoc commissions including civil society and expert investigators to investigate situations in which Police were accused of extra-judicial killings. Examples – Allegations of Police killing of a Timber Union member; The CDC protest in November 11, in which one CDC partisan was killed and alleged killing of a motorcyclist by police officers.

Section 22.85 of the Liberia National Police Act of 2015[16], provides for the establishment of the Liberia Complaints Unit (LNP) Civilian Complaints Review Boards with the mandate of promoting police accountability. The challenges being faced in Liberia as regards to police accountability is as follows:

- The Inspector General feels that some of his powers are been taken away by the PMB

- Lack of professional will to take critical actions to implement the new police regulations and other reformative policies.

In the future there is need to set up an Independent Law Enforcement Complaints Authority which is provided for in the LNP Act, Section 22.85 (a). [17]

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[16] The Liberia National Police Act, 2015 at: http://moj.gov.lr/data/uploads/downloads/police-act.pdf
[17] Sec. 22.85 of the The Liberia National Police Act, 2015 at: http://moj.gov.lr/data/uploads/downloads/police-act.pdf

5.1 Commissioner Anne Makori, Chairperson, Independent Police Oversight Authority

The Independent Police Oversight Authority (IPOA) was created as a response to police excess, which occurred in 2008.IPOA was established within the context of Agenda IV-Commission and Independent Offices, which preceded the Constitution of Kenya, 2010.As part of the Agenda IV[18] items, which were largely about reforming institutions of the Judiciary, Police, Civil Service and such others, IPOA was instituted.

The new constitution sought to promote the establishment of a police service that would break from the unaccountable, often abusive policing of the past era. The then Kenya Police Force was known for ruthlessness in its dealings with the citizenry, employing torture and violence in the course of its often politically driven work. Oversight of the Police was prioritised in the transformation period.

The law enforcement agency is no longer a police* *force*. The new *service* contemplated by the Constitution is to be both transparent and countable. Article 244 [19]of the Constitution provided that the national police service (NPS) shall endeavour for professionalism and discipline, promote and practise transparency and accountability.

Further the Constitution requires the service to comply with the Constitutional standards of human rights and fundamental freedoms and dignity. This is the function on which IPOA is hinged.

While it is recognised that ultimately it is the responsibility of NPS to ensure the professionalism and integrity of its members, it was recognised the ides of the police investigating their own would hardly restore public confidence and trust. Hence in order to bring into effect these fundamentals provisions of the Constitution, it became critical that a civilian oversight mechanism be out in place to monitor how the service went about its duties of law enforcement without breaching the confines imposed by the Constitution.

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[18] The National Dialogue and Reconciliation Agreement was signed in Nairobi on 1 February, 2008. The dialogue sought to provide a peaceful solution to the political impasse and violence that had engulfed the country, following the December 2007 general elections. The following were the main agendas of the dialogue:
  1. **Agenda No. 1:** Immediate action to stop violence and restore fundamental rights and liberties.
  2. **Agenda No. 2:** Immediate measures to address the humanitarian crisis, promote reconciliation, healing and restoration.
  3. **Agenda No. 3:** How to overcome the current political crisis.
  4. **Agenda No. 4:** Long term measures and solutions (such as constitutional, institutional and legal reforms; land reform; poverty and inequity; unemployment, particularly among the youth; consolidating national cohesion and unity; and transparency, accountability and addressing impunity).

[19] Article 244 of the Constitution of Kenya, 2010 at: http://www.kenyalaw.org/lex/actview.xql?actid=Const2010

Some of the milestones realized by IPOA are:

Research Report on Police Crisis in Kenya

Following research report on police housing crisis in Kenya IPOA made several recommendations to the Interior Ministry, NPS, NPSC and National Treasury amongst other agencies. The main recommendations of the report which was adopted and is being implemented included the following, a) Abandon Government-supplied police housing and shift to allowance-based scheme; b) Enhance housing allowance for police officers; c) Proposal for out - of-police lines residency; d) Negotiate special mortgage schemes for police officers; e) The Government/NPS should actualize the single-family occupancy policy; and, f) Develop a National Police Service Housing Policy.

ICT Strategy

Through US grant, the Authority launched the Enterprise Content Management (ECM), which is a case management system aimed at improving its operational areas.

Decentralization of services

Section 3(3) of the IPOA Act requires the authority to devolve its services to the Counties in accordance with Article 6 of the Constitution. In 2015, the Authority developed a Decentralization Strategy aimed at devolving its services closer to the public. This culminated in opening of 9 regional offices Mombasa, Kisumu, Garissa, Nakuru, Eldoret (with a satellite office in Lodwar, Kakamega, Nyeri and Meru.

Recognition and Awards

The Authority has received three Financial Reporting (FiRe) Awards for best application of the International Public Sector Accounting Standards (Cash Basis) in the Ministries, Departments and Agencies category, and in the Constitutional Commissions and Independent Offices category.

The Authority was declared the Winner of the Institution Award in the Huduma Ombudsman Awards in 2017

Partnerships

The Authority has built strong and effective partnerships to realise Article 244 of the Constitution. Some of the critical partnerships include ;Departmental Committee on Administration and National Security, Budget, an Appropriate Committee ,Ministry of Interior and Coordination of National Government, National Police Service Commission, Office of

Director of Public Prosecutions, Kenya National Commission on Human Rights, Witness Protection Agency, Ethics and Anti-Corruption Commission, Commission on Administrative Justice, Judiciary, National Council for the Administration of Justice, Independent Electoral and Boundaries Commission, Civil Society Actors and the media.

Public Participation

To ensure that members of the public participate in IPOA`s affairs, the Authority has undertaken public forums in Mombasa, Kwale, Kilifi, Kisumu, Migori, Kisii, Uasin Gishu, Nakuru, Kericho, Bungoma, Busia, Kakamega, Murang`a, Nyeri, Laikipia, Nairobi, Turkana, Kajiado, Wajir, Tana Rivera, Mandera and Garissa.

Outstanding Police Service Awards

The Authority with other partner institutions initiated OPSA to recognize deserving police officers for exemplary performance in their duties. Three successive editions of the awards have been held. Members of the public across the country nominated these officers and Stations. A total of 179 police officers were awarded in the three Awards events.

The role of citizens in policing is vital as it creates closer and more effective relationship between the police and our communities.

Albeit the successes, IPOA has challenges that prevents it from optimising its mandate. The main challenge is non-cooperation by National Police Service: The Board is addressing this by engaging top level NPS officials and the ministry. The Board has also approved awareness creation to demystify its mandate to turn around misconception that may inform non-cooperation.

Conclusion

The Independent Policing Oversight Authority Act No 35 of 2011[20] provides that IPOA functions among others shall be to monitor and investigate policing operations affecting members of the public. High chances of violations of civilians these policing operations

IPOA holds to account Police Officers in high conflict situations by taking public and police complaints from aggrieved complaints. IPOA also monitors these conflict situations which pit the police against members of the public and include demonstrations, riots, big rallies among others.

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[20] Independent Police Oversight Authority Act, 2011 at: https://roggkenya.org/laws-rules/acts-about-agencies-anti-corruption-kenya/ipoa-act-independent-policing-oversight-authority-act/

In discharging its mandate IPOA has monitored a number of operations involving the police and that affect members of the public including; the Mpeketoni terror attack operation, the Anti IEBC demonstration that occurred prior to the 2017 General Elections besides the demonstration following elections. IPOA also monitored police operations during and after the election in particular, the circumstances that led to the death of baby Pendo at Nyalenda slums in Kisumu County. IPOA successfully recommended to the DPP that a public inquest be conducted and as a result the court ruled that action must be taken against all the police commander and officer who took part in operation.

Complaints that are likely to arise out of these situations include brutality, notoriety, harassment and excessive use of force —with outcomes such as death, injuries shootings, destruction of property, arson, blockades, traffic gridlocks, stampedes.

Notably, the Monitoring report on police conduct during police protests and gatherings-a focus on the anti IEBC Demonstrations (April-June 2016) was produced by IPOA and made various recommendations including; training of law enforcement officers to be prepared to professionally handle all the scenarios and any eventualities-IPOA recommended that Public Order Management training be made mandatory to all police officers; ; Response to High Conflict situations should be well planned and in advance with officers deployed getting proper briefing beforehand and debriefing thereafter; The lines of command and control should be well articulated ensuring sustained communication and coordination throughout the exercise.;;Police should engage conveners/organizers of assemblies or demonstration well in advance with officers in order to agree on timings routes in case of procession alternatives for traffic reduce tensions; The police should be able to deploy intelligence to map out the criminal elements who might infringe on freedom of assembly. Working with the police, conveners /organizers should field marshals to coordinate their activities; Uniformed officers should have prominently displayed means of identification including visible tags number of officers .This would be in conformity with Rule No 10 of part A of the Sixth Schedule to the NPS Act 2011 an would ensure accountability of individual officers ;Embarking on use of force should be graduated from issuing warnings to use physical force to mechanical force with police being literally a few meters away. Use of coercive and deadly should be avoided at all costs and when used it should be only to immobilize and not to kill ;In exercising their powers police should not act in a partisan manner further interest of a political party or cause or prejudice a political interest of cause that is legitimate under the constitution ;Use of modern policing skills such as information technology and videography should be encouraged ,on the part of police to aid tracking violators for latter arrests; The police should ensure medical aid on standby with all necessary equipment to give first aid to people injured; ; A policy on

public order management with clear guidelines and procedures for policing of public protests and gatherings must be developed, understood and implemented by all officers.

5.2 Mr. Peter Kiama, Executive Director, Independent Medico- legal Unit

The police are public and the public are the Police. Let us look at the police beyond the men in uniform. The embracing the notion of policing is has a greater effect but it is still important recognize the central role of police in policing. There are mechanisms to hold the police accountable since they are an institution in a democratic society.

High conflict situations are very volatile. There are multiplicities of scenarios and actors playing different roles. During conflict times there is also possibility for institutional collapse or lose legitimacy. Hence institutions may not be available to support situations as in normal situations there is also great concern on the safety and protection of the population.

In high conflict times, community elders, youth and even militias emerge to provide safety and protection. They are potential crime scene and therefore there is the need to collect evidence for accountability purposes. There are also situations that allow the military to come in, for instance in Kenya, cases of Mandera, Wajir, Lamu- the military have come in to counter terrorism. At times the military do joint operations with the police. Sometimes during the joint operations in high conflict situations the command responsibility is not clear; whether the military is reporting to the police commander or vice versa. They are grey areas in joint police military operations.

In the case of Kenya during the 2007/2008 and 2017 elections the police were subjected as instruments of the ruling party or regime in power against the opposition; this leads to the agenda of delegitimizing the police. Looking at police accountability from constitutionalism view point; the police must explain every action they take to the public.

In high conflict situations police accountability goes beyond the police because other actors also engage in policing who must also be held to account. The performance of the police in high conflict situations does not mean weakening of the police service or being soft on crime. We need a strong but accountable police institution. In Kenya, the police yet to be a full service some elements of force. External oversight mechanisms must come in to monitor and document police operations in order to promote police accountability.

Plenary Discussions

1. The issue of accountability is political. There are speculations on the lack of independence of the IPOA Commissioners. What is the level of budgetary support and its impact on the IPOA?

   The Constitution of Kenya safeguard's IPOA's independence and the IPOA act spells it out. So far there has been no case accusing the IPOA board of lack Independence. It is also essential to note that IPOA is independent from any ministerial oversight. It reports monthly to parliament for accountability and since its inception it has never been summoned for cases on lack of independence. Likewise, the process of identifying commissioners is spelled in law and commissioners must submit an application then undergo panel interviews; thereafter a recommendation is made to president the president after parliament vetting through a public participatory process. The presidents the ceremoniously appoints the commissioners. The Commission is neither biased nor partisan.

   It terms of budgetary support, the Authority is funded by taxpayer and like any other institution funded by the ex- checker it experiences budgetary constraints. It is however working with development partners for support in areas of training e.g. content management system funded by the US government, capacity building initiatives. IPOA has received awards for financial accountability for three consecutive years.

2. What are the successes of enforcement of the court decisions since because people are still unhappy with commission's progress? How are success levels assessed?

3. In terms of officers working at IPOA are there incidences of security and strategies of protection

   There have been security threat instances but the authority working in collaboration in a multi-agency approach to ensure that officers are protected.

4. During high conflict situations are you able to access information such as deployment list for accountability?

5. Does IPOA receive county council complaints. No, unless the mandate is expanded. The authority does not oversight on devolved institutions but the IPOA is devolving work with NPS as per mandate

6. How to have collaboration with civil society institutions who deal with victims even though there is no trust? The Authority works very closely with CSOs involved in policing

like IMLU, Amnesty, HAKI Africa and many other. collaborative efforts have been very helpful especially issues of victims, witnesses fear of security in the authority works closely with the Witness Protection Agency.

7. What measures are taken to encourage the public to bring cases forward to IPOA. IPOA has played a role in promoting confidence of public. It works with other stakeholders, CSOs to encourage people to come out. IPOA is committed to serving the country and one challenge is outreach to educate Kenyans to clarify IPOAs mandate to public and police. IPOA has a lot of work to do to communicate mandate to the Kenyan public so they understand what it is they do and the role they play.

8. Militarisation police roles in high conflict times; when some of the violations are done by military officers. how have other jurisdictions dealt with such context to ensure accountability? For Example, the Liberian case during Ebola outbreak, the police were overwhelmed; military came in and they violated the community. Hence there has to be a memorandum of understanding between army and police on role and accountability.

9. How can mechanisms be adopted to hold different actors doing police work in high conflict zones i.e. vigilante groups, prison wardens etc.? there are multi sectoral actors both formal and informal that engage in policing in high conflict times. For instance, the Kenya Wildlife Services officers, Prison wardens and the military support police during elections times. legal systems require that if deployed for police functions command is Inspector General but when military comes in it becomes a challenge as they are seen as more elite.

It becomes more difficult if its local community organisations; everyone becomes a suspect; case list in 2017. leaders of youth groups were victimised and treated as suspects. With legitimate groups its easier for police command to co-opt them, if not the whole system collapses even for post conflict accountability.

For Militia it is easier holding them to account if you co-opt but it is also critical to isolate those involved in criminal activities, gangs etc. the difficulty comes in when one wants to hold them to account on the spot. This can escalate the situation and they can be defended by their numbers, thus there is need for conversation around these situations while problem solving approach.

Session Six: Development Partners and Private Sector: Support towards the Realization of Police Accountability in Africa

6.0 Partners Global, Ms. Kate Ravin

In terms of Security sector reform donors and development partners in the case of USA are looking to fund ideas on how to involve women more in programming. The US government wants to support programs that place women in the security sector or study why women leave/stay in the security sector. The issue of gender is important and many development partners are adopting Resolution 1325 on Women in Peace and Security.

There is also keen interest in co-creation programming although critics note that this may lead to idea stealing. The idea is not only to use project beneficiaries but also involve then in the creation of projects.

Projects that bring together the Police and CSOs are also worth pursuing to increase accountability and services. There are gaps in the supply (CSOs) and demand (Police) and this is reflected in security sectors. Finally, the recognition of cyber security as a threat to security sector accountability Africa

6.1 Open Society Africa Regional Office, Mr. Job Ogonda

Security reforms must be broader than police reforms. CSOs need to explore how to engage in security sector in regard to political power and retaining political power.

Continuously engage citizens who have been repressed by political power and the use of security reforms is critical and this needs to have continued local action in self-interest; recording instances of security sector abuses.

Accountability is an inherently political process – impunity was tolerated in the cold war era. After that was the Neo-liberal era that did not tolerate excesses. The recognition of domination of neo-liberal economics is important. How do governments enforce your electoral victory?

Security sector reforms needs four things – continually need to educate the citizenry. The blunt end of the state was used in South Sudan; continued use of local action –idealism to be translated into the reality of the community we service. Anchored into the community.

Funding for Security Force Monitor – continually gathering evidence on command structure of the military; cross border trade in Africa. We must cascade the action network to make collective demands through the use of the Social Justice Centre. There is little engagement at the sub-regional demands. Further there are also demands at the AU Peace & Security council for instance in the situation of Sudan & Egypt

At global level – US, EU and other developed nations – have progressive laws that prevent them from spending a penny on police excesses and they use these laws to demand accountability. This can be borrowed.

6.2 Kenya Private Sector Alliance, Security Sector Committee, Mr. Wafula Nabutula.

The Kenya Private Sector Alliance (KEPSA) was established in 2003 and truly took off after the 2007/8 Post Election Violence. The private sector has been quoted by various leaders like H. E. Uhuru Kenyatta and H.E. Chief Olusegun Obasanjo as the engine of economic growths in countries.

In ethics and governance, accountability is answerability, blameworthiness, liability, and the expectation of account-giving. *As an aspect of governance, it has been central to discussions related to problems in the public sector, nonprofit and private and individual contexts.*

In leadership roles, accountability is *the acknowledgment and assumption of responsibility for actions, products, decisions, and policies* including the administration, governance, and implementation within the scope of the role or employment position and *encompassing the obligation to report, explain and be answerable for resulting consequences.*

Realizing that Private Sector is the engine of economic growth and development, this engagement ought to continue but must be at Arms' length. And this not always easy. A lot Advocacy, Lobbying - perpetual undertaking must be considered. Public Sector needs Private Sector and Private sector requires Public Sector to create a Platform for optimal performance.

6.3 Jamii Thabiti, Coffey International, Ms. Jacqueline Mbogo

Security sector reforms must be discussed within the broader governance structure. How do we transform governments to greater accountability? Accountability is always within prevailing politics which are pathways to decision making.

When we Study budgets we see the appetite for accountability. Accountability conversations are donor-driven. Donor prescriptions are technical. It is essential to identify the internal demands for accountability within the Police sector. Sustained reforms and accountability must be budgeted and driven by the police.

Accountability should go beyond oversight institutions to actual practice. Accountability should go beyond oversight and include citizen knowledge, awareness and engagement, at the same time there should be a healthy distance between the citizen and the state.

The culture and normative values of institutions can only if there is change in the value of individuals, and their internal demands within security institutions sustainable reforms. Therefore, we need to invest in community security and reforming community engagement and institutions.

Effectiveness of citizen demand for police accountability is great. There is no contestation of economic ideologies or culture but the aspect of power. State resistance to reforms is guaranteed.

Plenary Discussions

How do you deal with instance of resistance from state as donor agencies?

Before designing a programme find out if state will be cooperative, thereafter analyse and come up with more flexible project designs.

How to development partners negotiate space where citizens are accusing of being too close to power and no longer accountable? With continuous and persistence engagements with communities the citizens begin to demand accountability; bottom up demand is too pressing and cannot be ignored.

Effectives of citizens' demand is very efficient and sustainable since it's negotiated through a social contract. Negotiating space is a critical; all players need to get the skills to learn how to negotiate space and retain the cutting edge while avoiding bias from victims- this is never going to be polite. We need to go beyond training and engage learning to see how others have implemented reform and engaged various tool sets.

Session Seven: Inclusive and Diversity Sensitive Police Accountability

7.0 Building Gender Capital for Accountable Policing: A Frame work and an Experiment by Prof. Rainuka Dagar

The discourse on inclusivity also look at other broader diversities beyond gender. Gender is prioritised and related to all the margins. Gender is a litmus test of accountability not only for police accountability.

Moving forward, we need to collaborate with different stakeholders. Violence against women is an issue of governance. Gender becomes rallying point for governments; in manifestos; the test for a good government is how it promotes security safety of women. Legitimacy of governments can be measured on its ability to protect those in the margins; women and children etc.

It is essential to talk about norms while addressing police economy. Tension between legal enforcement and social norms. Are not only confined in Africa but it is a global phenomenon. For example, in the UK, the Metropolitan Police labelled women who frequented the police

stations as 'Frequent Flyers' Laws are no sufficient to change or deliver justice. Police are supposed to transcend these negative norms and deliver justice according to the law.

There are cultural barriers to justice and even men face gender based violence; cultural connotations of gender hinder men from reporting gender based violence. There are cultural barriers to access to the police and report violence.   In Asia, India specifically, there are rules criminalising cultural practices but not the ideology. It is hard for police to transcend to justice and having women on the table does not mean that justice will be automatically delivered.

Gender discourse is important in conflict and post conflict situations. Many times rape has been used as a weapon of war. Systemic rape has been normalised during wartime and men and women have been affected. Although, majority of the targeted are women.

Gender capital creation must be explored. Contemporary discussions on cultural and gender capital bring relevant recognition and somehow unintentionally reveal that gender can matter to the same extent or even more in old age than in childhood or adulthood.

Recommendations for gender responsive police stations; A framework need to be developed. Police Station Visitors Week model can be adopted to assess the quality of services in police stations as perceived by local residents to strengthen police accountability to the local community and identify practices appreciated by citizens as responsive to their needs.

7.1 Ms. Wangu Kanja, The Wangu Kanja Foundation.

The Wangu Kanja Foundation is a member of the Police Reform Working Group in Kenya. It works around amplifying the voices of rights holders in the prevention, protection and response of cases of sexual and gender based violence. Lack of expertise to handle the survivors of sexual violence- men, women and children- in Kenya.

The police lack understanding on complexities of situations while receiving reports of sexual violence. Some of the Men and women raped during 2017 elections were unable to report

sexual violence since some victims were violated by the same officers manning the police stations.

Legal frameworks and structures that support survivors in reporting and accessing justice (health/police services) must be put in place. There is nneed for more professionals who understand the nature of sexual violence to tackle the issue. It is crucial that we build a police force that is specialized in handling special forms of violence.

Players also need to work together currently everyone is working in silos. A holistic approach is the solution for tackling the unique nature of sexual violence. Survivors for instance must proof that the violation occurred. The criminal justice system is focused on prove of penetration as evidence on sexual violence yet the act can manifest in multiple ways. For men it becomes even more complicated reporting due to cultural stereotypes.

The conversations need to be broadened; support for sexual violence must go past survivor but even to family etc. who may also be affected and maybe in need of necessary support.

7.2 Ms. Christine Alai, Sexual Violence Expert.

The discourse on police accountability comes at a very opportune time when there are questions on gaps in prevention and protection for elections related violence. Sexual violence (SV) has been a recurrent feature during elections in Kenya. A vast majority of the SV survivors face insurmountable challenges in accessing medical care and justice, raising deep concern why Kenya's strengthened institutional and legislative frameworks have not lead to prevention and more effective responses to SV.

The gap analysis is essential to build a body of evidence to identify priority gaps and support the formulation of concrete short and medium-term measures that should be pursued by duty bearers to ensure effective prevention and response to SV in the next elections (2022). A contingency plan should be put in place to tackle the potential violence.

Policing is a reflection of society. What is the policing culture in Kenya? The questions to ponder on is whether we have laws, policies and institutions that assess our biases and what mechanisms are in place to dismantle these biases. There must be a shift in the culture of policing. Policies and practices are critical but most critical is police culture not only in the service but also in the society.

Perceived political interference in the police service is a bad as reality hence entrenched discrimination must be dismantled in a constructive manner. The biggest challenge remains in how we ensure right people are seated on table, and that their views are heard, and listened to. Involvement of beneficiaries in design and implementation of projects is a step towards understanding the needs of the service users; in this case survivors of sexual violence.

In the case of 2017 national prevention strategies were in place but county mechanisms were lacking. Counties did not have consideration of safe spaces for victims of potential violence hence no guarantee for citizen protection.

Plenary Discussions

1. Women in Liberia are powerful when it comes to demanding for accountability. The Signed peace accord in Ghana was because of women efforts in engaging the government. Through advocacy efforts of Liberian women rape laws have been reviewed and it has been made a non-bailable offense. Women voices can be a very powerful force. In Liberia there are the police department has women and children e unit. The officers in the unit are trained in Sexual Violence and it provides a one stop shop for gender violence. The Unit has also networked and victims of SV can enter into the CJS through a system. This is a good approach but everyone must stand up; not just people who could/face sexual violence, if that case, then those who are racially different could not advocate for a majority of Africans.

2. Does the creation of new methods to help woman come forward actually helped?
   Issues of stigma and larger issues of cultural values must be addressed also. Must integrate values with methods

3. Would it help if there would be many women in the police? Practical measures to support women in police forces must be available.

4. Is the Kenyan situation hopeless? is there nothing that can be done to remedy this situation.   it essential to go out and discuss issue with police officers and dialogue with different stakeholders in justice system to help understand how to handle sexual violence and to encourage women to report violence can remedy the situation.

5. Kenya police officers lack capacity to handle violence; in Nigeria a platform was created that connected hospitals to police agency; so hospitals can anonymously report incidents of Sexual violence for victims that they interact with. There are discussions on creation of Sex Crimes Unit as special Unit within the Directorate of Criminal Investigations.

6. Sexual violence should be looked at as gross human rights violence, not a women/girl's problem; men also affected. When looking it in this light than it can be clearly looked at and engaged with by male policy makers, etc... It is not a 'woman's issue'. Intergradation is a must – exclusiveness will not help.

Session Eight: The Conference Communique