



The Nigeria Police Force

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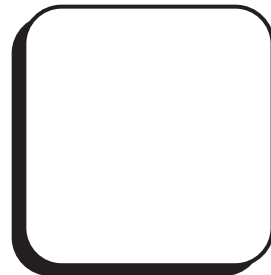
THE NIGERIA POLICE FORCE



**STANDARD OPERATIONAL
GUIDELINES/RULES**

**FOR
POLICE OFFICERS
ON
ELECTORAL DUTY**

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FOREWORD

Free, fair and credible elections are the bedrock of democracy. While it is the responsibility of all stakeholders to ensure that elections take place in a conducive environment, the task of securing the electoral process rest squarely with the Police as the lead agency in election security. It is therefore the sacred duty of the Police with the support of other security agencies to ensure that voters, election workers and observers are secure enough to discharge their civic and constitutional duties. Providing qualitative, seamless and 'hassle-free' electoral services for the electorate requires that the security agencies have an adequate knowledge of the rules of engagements.

The Standard Operational Rules and Guidelines provide direction in the discharge of this enormous responsibility. It is designed to guide the conduct and behaviour of every Police Officer and other security personnel on election security duty. I therefore direct that all Police Officers and other security personnel to have this handbook in their possession as a quick guide to govern their individual decisions and actions in safeguarding the electoral process in a civil and professional manner.

I wish to commend the Department of Operations of the Nigeria Police Force for compiling this operational rules and guidelines to apprise the Police and other security personnel on election duty of their

duties and responsibilities. I also wish to express my appreciation to the Freidrich Ebert Foundation for supporting the production of this booklet to sensitise all stakeholders of their obligations in securing our elections and consolidating our democracy.

IGP MOHAMMED A. ADAMU, NPM, mni.

November 2019

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STANDARD OPERATIONAL GUIDELINES/ RULES FOR POLICE OFFICERS ON ELECTORAL DUTY

1.0 Mandate of the Nigeria Police in Securing the Electoral Process

1.1 The roles of the Nigeria Police Force in securing the electoral process encompass a wide range of activities. These include:

- a) Ensuring the safety and security of all persons and properties that will be involved, before, during and after the voting exercise without bias;
- b) Strict enforcement of the Constitution of the Federal Republic of Nigeria, the

Criminal/Penal Code as well as Electoral Laws; and

- c) Traffic and crowd management at venues of Political Parties' conventions / congresses, campaigns / rallies and other activities relating to the elections.

2.0 General Guidelines

2.1 In the discharge of these roles, Force personnel will ensure observance of, and be guided by extant laws, rules and regulations as well as standard norms and practices, amongst which are:

- a) Fundamental Rights in accordance with the Constitution of the Federal Republic of Nigeria (1999) as amended;

- b) Attributes of a Police Officer (Police Regulations 340);
- c) Furtherance of the good name of the Force (Police Regulations 338);
- d) Standards of Conduct of Police Officers (Police Regulations 339);
- e) Liability for misuse of powers (Police Regulations 341);
- f) Conduct of Police Officers Generally (Police Regulations 353);
- g) Force Order 237 on the use of Firearms;
- h) ECOWAS Protocol on Good Governance

and Democracy [Articles 19 (1,2) and 22 (1,2);

- i) African Charter on Democracy, Elections and Governance (Article 4)
- j) United Nations Code of Conduct for Law Enforcement Officers);
- k) United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

3.0 Standard Operational Guidelines/Rules

3.1 All Police officers deployed for election duty shall be guided by the Standard Operational Guidelines/Rules herein set out, to:

- a) Ensure efficiency and uniformity in methods with which their roles are discharged;
- b) Prevent abuse of fundamental human rights and misuse of powers;
- c) Mitigate criminal and administrative liabilities

3.1.1 Duty Parade / Briefing and Debriefing Rules

- a) Duty parade shall be held, where personnel will be adequately briefed and inspected prior to deployment for election duty;
- b) Debriefing parade shall also be held on completion of every election duty and/or

assignment to account for personnel and equipment, such as weapons and other related equipment issued to them.

3.1.2 Dress and Accoutrement Rules

- a) Except for personnel deployed on covert operations (FIB/CIB/Monitoring Unit Operatives), all personnel on electoral assignment will ensure a neat turn-out in their prescribed uniform and identification/name tags, which must be identifiable to the public. Personnel on covert operations will ensure they turn out in clean outfits, having strict regard to their meticulous appearance, with only the authorized identification card. Personnel Nigeria Police Force engaged in traffic control will ensure that white gloves and arm bands are worn.

- b) No un-authorized item of accoutrement / kit, like cudgel, horsewhip, etc. shall be carried by any personnel on election duty;
- c) At no time will personnel deployed to , Polling Units be allowed to carry ' FIREARMS;
- d) Prescribed and appropriate weapons and riot equipment are to be issued to personnel who are entitled to bear them;
- e) Clearly marked Police vehicles are to be used for every election exercise and/or operations. The use of personal vehicles to convey personnel for duty is highly discouraged;

- f) In view of the fact that Officers can be personally summoned to account for their actions/inactions while on election duty, pocket note books shall be carried where important incidents encountered during tours of duty can be noted.

3.1.3 Procedures/Rules on Management of Political Parties' Conventions / Rallies / Campaigns and Crowd Control on Voting Days

- a) At venues of all Electoral Exercise, Designated Commanders will identify areas to be classified Inner and Outer rings respectively to serve as a guide in deployment;
- b) ON NO ACCOUNT should personnel deployed to the inner ring of the venue of

political events or voting centres/polling booths be assigned any lethal weapon, except baton;

- c) Involvement of the Police at political gatherings shall be limited to the maintenance of peace and order and enforcement of extant laws;
- d) Officers shall at all times exercise maximum restraint while covering political gatherings or deployed at voting/collation centres;
- e) Force personnel shall not at any time turn themselves into spectators but shall at all times be conscious of happenings around them, observe precautionary measures and personal safety while on duty;

- f) Police personnel shall use tact and persuasion to resolve issues when dealing with or confronted by agitated persons in the crowd;
- g) Refer cases to Senior Officers or Supervising Officers to avoid escalation where there is tension;
- h) Be cautious, polite and FIRM at all times;
- i) Where reasonable suspicion is established that any person at a political gathering or election venue possesses weapons or any dangerous object on his/her person, such individual will be isolated and a body frisk/pat-down search shall be conducted on him/her.

Such searches should be conducted by at least two (2) Officers, one to perform the search while the other provides protective cover;

- j) Where the suspect is a female, a female Officer shall conduct the search;
- k) In any instance where an arrest should be made, no violence or unnecessary force shall be used and the person to be arrested shall not be subjected to any greater restraint than what is necessary under the circumstances;
- l) Where an arrested person is to be transported to the Police Station, on no account should he/she be transported in

commercial or any individual's personal vehicle;

- m) High-risk suspects must not, at any time, be transported without proper escort and handcuffs;
- n) Where a political gathering is becoming confrontational or the likelihood of an otherwise peaceful gathering becoming violent, the Police will initiate and encourage dialogue and alternate dispute resolution (ADR) amongst leaders / organisers to prevent the situation turning to a full blown breach of the peace;
- o) Venues of political gatherings, voting and collation centres, shall as much as

practicable be surveyed and swept for IEDs by EOD personnel ahead of the event;

- p) In case of an unexpected incident of explosion, EOD Section shall be informed promptly, if not present at the venue, and an evacuation process shall be initiated immediately, while the area is sealed to prevent obstruction during rescue operation and loss of evidential materials. However, proper coordination amongst Security and Disaster Management Agencies shall be ensured by the designated Commander at the theatre of operations;
- q) Designated Ground Commanders will ensure effective traffic management at

the routes leading in and out of venue of political gatherings, including identifying parking areas and determining whether arrangement will be made for joint movement of people in buses;

- r) Specific areas will be designated for VIP Escorts and on no account should VIP Escorts be allowed to brandish their weapons in an uncontrolled manner within the arena of political gatherings.

3.1.4 Rules on Use of Force/Lethal Weapon

- a) Personnel armed with lethal weapons shall not at any time be deployed to the inner ring of any crowd control operation, such as Political Parties' conventions, rallies/campaigns and manning of polling booths/voting centres;

- b) Every use of lethal weapons MUST be authorized by designated Commander;
- c) Personnel deployed (men indicated only) at outer rings shall ensure that ONLY such necessary and reasonable force is applied when armed or violent confrontation ensues during election exercise;
- d) Excessive use of force is strictly prohibited;
- e) Designated Commanders will establish restricted areas and exclude unauthorized persons where use of lethal weapons result in injuries or deaths and promptly seek medical intervention;

- f) In all instances where lethal weapons are to be used, Police Officers shall be guided by Force Order 237 and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

3.1.5 Rules for Escorting/Protecting of Electoral Materials

- a) An Officer must be designated Escort Commander for every escort duty for ease of coordination as this is a Multi-Agency activity;
- b) Full information regarding the terrain, contact persons, and other information about the destination where the materials are being escorted shall be obtained by the Escort Team;

- c) List of all persons and vehicles involved in the escort as well as inventory of materials to be escorted shall be documented by the Escort Commander;
- d) If an escort will last more than a day, resting points shall be determined by the Escort Commander with due authorisation from the home base;
- e) Personnel will ensure constant communication with home base, designated Officials en-route and at destination;
- f) Where practicable, a route plan will be developed;

- g) A contingency plan will be prepared in readiness of unexpected incident;
- h) Since more than one vehicle will be involved, Escort Commander will set a safe and steady speed for the convoy to avoid separation of vehicles involved, with a view to maintaining the integrity of the convoy;
- i) On no account should unauthorised persons be allowed to ride or join the escort;
- j) Should the security situation dictates, the Escort Team will not hesitate to abort the exercise, while information regarding such action shall be immediately communicated to the home base.

3.2 Conduct Generally

3.2.1 Police Officers shall:

- a) Be at alert at all times;
- b) Be approachable by all members of the public;
- c) Exhibit a high degree of professionalism;
- d) Maintain impartiality and fairness in dealings with all parties;
- e) Ensure that they sustain Police primacy in securing the electoral process;
- f) Adopt professional orientation that emphasises democratic values and respect for human rights and dignity;

- g) Be mindful of the duty imposed upon them by law, provide protection to all against illegal acts and dispense their duties without discrimination based on gender, race, religion, colour, sex, creed, associations or affiliations;
- h) Be duty bound to render assistance to those in need of such, especially the vulnerable persons.

3.2.2 Malingering is strictly prohibited while on duty. Officers shall be attentive at all-times and avoid getting distracted by gossips with colleagues. The use of mobile phones and the soliciting of food or any other items are also strictly prohibited.

3.2.3 Officers shall remain at designated duty posts until completion of duty or until such time as they are properly relieved;

3.3 Reportorial Requirement

Reports of all incidents or important occurrences, arrests, searches, confiscation of weapons and most importantly use of lethal weapons must be made as appropriate, indicating circumstances necessitating such actions where necessary.

The Nigeria Police Force
Department of Operations
Force Headquarters
Abuja
2019

APPENDIX I

1.0 Constitution of the Federal Republic of Nigeria 1999 (as Amended) Relevant Sections of Chapter IV - Fundamental Human Rights

- a) Right to life (Section 33);
- b) Right to dignity of human person (Section 34);
- c) Right to personal liberty (Section 35);
- d) Right to fair hearing (Section 36)
- e) Right to freedom of thought, conscience and religion (Section 37);
- f) Right to freedom of expression and press (Section 39);

- g) Right to peaceful assembly and association (Section 40);
- h) Right to freedom of movement (Section 41);
- i) Right to freedom of discrimination (Section 42);
- j) Right to acquire and own immovable property anywhere in Nigeria (Section 43);

APPENDIX II

2.0 Police Act And Regulations:

2.1 Police Regulation 338: Furtherance of the good name of the Force;

Every Police Officer is required to use his

best endeavours to uphold the good name of the Force, and to further good relations with the public.

2.2 Police Regulation 339: Standards of conduct of Police Officers;

The standards of conduct required of police officer are that he shall:

- a) Offer prompt obedience to lawful orders;
- b) Be determined and incorruptible in the exercise of his police duties;
- c) Have a strict regard to the correctness of his general behaviour;
- d) Take a proper pride in his appearance both in uniform and out of uniform.

2.3 Police Regulation 340: The attributes of a Police Officer

A Police officer is required to have a thorough understanding and knowledge of the laws, and of Police orders and instructions, and to develop the attributes of:

- a) Efficiency and thoroughness through meticulous attention to details in the performance of his duties;
- b) Courtesy, forbearance and helpfulness in his dealings with members of the public;
- c) Tact, patience and tolerance, and the control of his temper in trying situations;

- d) Integrity, in refusing to allow religious, racial, political, or personal feelings, or other considerations to influence him in the execution of his duties;
- e) Impartiality, in the avoidance of feelings of vindictiveness, or the showing of vindictiveness towards offenders;
- f) Strict truthfulness in his handling of investigations, and in the giving of evidence.

2.4 Police Regulation 341: Liabilities of Misuse of Powers:

In the individual exercise of his powers as a Police Officers, every Police Officer shall be personally liable for any misuse

of his powers, or for any act done in excess of his authority.

2.5 Police Regulation 353: Conduct of Police Officers Generally:

A Police officer shall not conduct himself in such manner as to bring his private interests into conflict with his public duties or in such manner as is likely to cause a suspicion in the mind of any reasonable person that he has:

- a) Allowed his private interests to come into conflict with his public duties; or
- b) Used his public position for his private advantage.

APPENDIX III

3.0 Force Order No. 237

3.1 It is obviously not possible to deal with all the circumstances in which it may be necessary for a Police Officer to use Firearms. The following notes are principles by which a Police Officer should be guided. It must be realized that these notes cannot over-ride the law and that if a Police Officer is charged with an offence arising out of his use of firearms; it is for the court to decide whether, in the circumstances, his action was justified.

3.2 It is of the utmost importance that all Police Officers realise how very essential it is to guard against the slightest misuse

of firearms and to exercise the utmost forbearance humanly possible and that prudence can dictate, before resorting to the use of a lethal weapon which may result in the wounding or killing of a human being. A Police Officer must remember that his action in using firearms which results in the killing or wounding of a human being is open to investigation by the courts and he is liable to be held responsible for his action under criminal law, if the court finds that his use of fire arms was unreasonable in circumstances.

3.3 A Police Officer may use firearms under the following circumstances:

a) When attacked and his life is in danger

and there is no other way of saving his life;

- b) When defending a person who is attacked and he believes on reasonable grounds that he cannot otherwise protect that person attacked from death;
- c) When necessary to disperse rioters or to prevent them from committing serious offences against life and property; N.B. Remember that 12 or more people must remain riotously assembled beyond a reasonable time after the reading of the proclamation before the use of firearms can be justified
- d) If he cannot by any other means arrest a person who being in lawful custody escapes and takes to flight in order to avoid re-arrest; providing the offence

with which he is charged or has been convicted of, is a felony or misdemeanour; an

- e) If he cannot by any other means arrest a person who takes to flight in order to avoid arrest, provided the offence is such that the accused may be punished with death or imprisonment for 7 years or more.
- 3.4 With regards to 3.3(a), a Police Officer would have to prove that he was in danger of losing his life or of receiving an injury likely seriously to endanger his life. It would be most difficult to justify the use of firearms if attacked by an unarmed man. If a concentrated attack

were made upon him by persons armed with machetes, firearms or bow and arrow or other lethal weapons he would be justified in using a firearm to save his life. In a case where he is fired upon by one man he would also be justified in firing to defend himself. If attacked by an individual with a heavy stick or machete he would have to prove that he could not disable him with his baton or rifle butt and that other means available to him were not sufficient to protect his life.

3.5 With regards to 3.3(b), this is self-explanatory and does not require further elucidation.

3.6 Fire should be directed at the knees of the rioters. Any ring-leaders in the

forefront of the mob should be singled out and fired on. Only the absolute minimum number of rounds necessary to suppress the riot should be used.

NEVER UNDER ANY CIRCUMSTANCES WILL WARNING SHOTS BE FIRED OVER THE HEADS OF RIOTERS.

3.7 As to 3.3(d), firearms may be used to arrest a person who escapes from lawful custody if the offence with which he is charged or of which he has been convicted is a felony or misdemeanour. This power is conferred by Sections 271 and 135 of the Criminal Code. A person charged with a felony or misdemeanour who escapes from lawful custody, by his

escape commits a felony punishable by imprisonment of 7 years, this brings him within a class of persons who may be fired on even if he has only been charged with stealing. Firearms must only be used as a last resort, the accused must have escaped from lawful custody and he must take to flight to avoid re-arrest. A person charged with or convicted of a simple offence who is escaping from lawful custody shall not be fired upon.

3.8 As to 3.3(e), this covers the case where a fugitive has not been in lawful custody if the offence with which charged or of which he has been convicted is a felony or misdemeanour. This power is conferred by section 271 and 135 of the Criminal Code.

3.9 As to 3.3 (e), this covers the case where a fugitive has not been in lawful custody and takes to flight in order to avoid arrest in the first instance. The fugitive may then only be fired upon when the offence is punishable by 7 years or more. As in the previous case if escaping from lawful custody, firearms should only be used if there are no other means of effecting his arrest, and the circumstances are such that his subsequent arrest is unlikely. A Police Officer who cannot effect such a criminal's arrest by any other means should warn the criminal that unless he stops and surrenders he will fire upon him. If the criminal fails to stop, the Police Officer is then justified in firing at the criminal.

APPENDIX IV

4.0 ECOWAS PROTOCOL ON GOOD GOVERNANCE AND DEMOCRACY

4.1 Article 19(1a):

- a) Armed Forces and Police shall be non-partisan and shall remain loyal to the Nation;
- b) The Police and other Security shall be responsible for the maintenance of law and order and protection of person and their properties.

4.2 Article 22(1):

- a) The use of arms for dispensing non-violent meetings or demonstrations shall be forbidden. Whenever a demonstration becomes violent, only

the use of minimal or proportionate force shall be authorised;

- b) All cruel inhuman and degrading treatment shall be forbidden.

APPENDIX V

5. AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE (Article 4)

The objectives of the Charter are as follows:

- a) Respect for democratic principles, human rights and the rule of law and good governance;
- b) Respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of

terrorism and subversive actions;

- c) Condemnation and rejection of unconstitutional changes of government
- d) (Constitutive Act of the AU, 2000:7).

REFERENCES

- I. CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 AS AMENDED
- II. POLICE ACT AND REGULATION CAP 359 LFN1990
- III. THE NIGERIA POLICE FORCE ORDER
- IV. UNITED NATIONS CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICERS
- V. UNITED NATIONS BASIC PRINCIPLES ON THE USE OF FORCE AND FIREARMS BY LAW ENFORCEMENT OFFICIALS
- VI. ECOWAS PROTOCOL ON GOOD GOVERNANCE AND DEMOCRACY
- VII. AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE