



PRESS STATEMENT-POLICE BRUTALITY

The Lesotho Council of Non-Governmental Organizations (LCN) as an umbrella body for non-governmental organisations through its sectorial commission of Democracy and Human Rights that aims to promote awareness and observation of human rights and good governance as well as to promote accountability unequivocally condemns actions of police brutality and misconduct towards citizens.

Lesotho has a long tradition of activism and Civil Society Organizations mobilization to uphold our Constitution and defend its values. The Constitution guarantees the rule of law, right to justice and fair trial and just administrative action. The state authorities, including police have an utmost obligation to respect and promote these rights.

The law provides a means to obtain justice and compensation for wrongs done and it cannot be a means to provide police with immunity to obstruct justice. Gathered information based on studies on concerns of citizens against law enforcement agencies in the country, including the recent attack on Adv. Mafaesa reflects that there is inadequate investigation prior arrest with police not using appropriate skills to deal with matters but resort to use force. In incidences of violation of human rights, citizens often seek assistance from CSOs and lawyers as officers of court to solicitude and negotiate remedies for those rights. But if police attack lawyers, as they did in the recently, it instills fear in the society for demanding effective remedies for rights violated and thereby destroy the public trust in government to carry out its obligation of protecting people and as a result it could result in threat to peace and stability where the citizens seek every measure, they deem fit to protect themselves. This also challenges the state of democracy in this country that is manifested through separation of powers which reflects distinct functions of the operation of the arms of government with a view of bringing upon a system of checks and balances. The undersigned organizations are outraged and condemn recurring police brutality and call for speedy arrest of those officers' responsible and successful prosecution thereof and immediate protection of **all** citizens against law enforcement agencies.

All too often, these officers who kill and injure people are not brought before the law, they get away with these wrongs as the system protects them, and in some cases, they threaten witness, survivors or victims pressuring them to drop charges. We say Enough is Enough! Police Brutality is a human right issue as it could result in deprivation of series of rights including the right to life, cruel and inhumane treatment, right to liberty and security and equality before the law. The human rights instruments which Lesotho is a party thereof, explicitly state that the use of force could be a last

resort when necessary to protect themselves and others against imminent threat of death or serious harm and/or injury and only when other options for de-escalation are insufficient. Many deeds of misconduct by police do not meet this criterion, simply police officers who commit these brutal acts, act as if they are above the law and with dismal disrespect for human rights.

We are further concerned about the recurring series of arbitrary and unlawful killings, arrest and detention of civilians perpetrated by police forces as these are a violation of human rights. We call for this matter to be treated urgently and the government to immediately embark on an in-depth investigation into these cases with a view to identify the perpetrators, adopts measures that will ensure that more arbitrary arrests, killings, detention, torture do not occur and to build trust in the justice system.

We further seek a transparent prosecution of the officers of these acts of brutality against citizens,

We advocate for accountability as nobody is above the law especially those who have a duty to uphold it and we also demand an end to appalling policing approaches that disproportionately target citizens. We further call for the Minister of Law and Justice to work with the Minister of Police and Public Safety to state publicly that it will revoke/suspend the employment of such officers with immediate effect and not transfer them to any public duty as if nothing happened, and many others who will engage in this type of conduct in the future. Moreover, to publish disaggregated data on these arbitrary actions. We also strongly recommend that measures be taken to ascertain those officers committing these atrocious acts are charged in their personal capacity so as not to mask their activities under the auspices of conducting police work. The government cannot remain silent when unlawful intimidations and threats are made to citizens.

We Call for police reform including to:

- Pass laws that limit the use of force with heavy penalties.
- Issue guidelines on the use of force setting out clearly how security forces can improve their practices.
- Minister responsible to publish data of abuses and killings by police, cases of police brutality to be independently, impartially, transparently investigated and prosecuted.
- Ministry of Law and Justice to conduct oversight of law enforcement agencies that have violated Human Rights.
- Fast tracking of the enactment of the Human Rights Act which encompass the establishment and operation of the National Human Rights Commission which will address human rights abuses independently and adequately.

This Statement is endorsed by:

Catholic Commission for Justice and Peace (CCJP)

Development for Peace Education (DPE)

Lesotho Association for Non-Formal Education (LANFE)

Lesotho Association of Teachers (LAT)

Lesotho Library Association (LLA)

Young Cristian Students (YCS)

Transformation Resource Center (TRC)