



# Under the Mask

AFSC dialogue series about shrinking civic space during COVID-19

## REPORT ONE

### Masks and Batons

Tuesday 23rd June

**Masks and Batons**, the first of four webinars in the AFSC Under the Mask series, considered police brutality during the COVID-19 pandemic. The convening was attended by more than 70 participants from around the globe, receiving simultaneous interpretation from English to Bahasa Indonesian, Spanish, Arabic, and French.

*Presentations were made by:*

**Ruki Fernando**, INFORM - Human Rights Documentation Centre, Sri Lanka.

**Bainito Wamalwa**, Friends World Committee for Consultation, Kenya.

**Yuni Chang**, War Resisters League, United States.

**Andrew Lane**, Quaker Council for European Affairs, Belgium.

Below is a summary of the presentations and the small group discussions that followed.

## 1.

### Police brutality: it's origins, militarization, and the effects of COVID-19

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In Sri Lanka people have been imprisoned for online criticism of the government, the police have behaved extremely brutally, and occasional court cases against the police are the exception. Sadly, in spite of work by rights organisations to address police brutality, little progress has been made, and there is a lack of public outrage. The police and the government of Sri Lanka have a long history of violence with impunity.

—Ruki Fernando

The history and structure of police in many contexts is a colonial creation based on white supremacy which manifests in its structure still serving the elite and their interests, even when these elites shifted. Police violence, brutality, and discriminatory practices based on race, class, political opposition, gender, etc. are not new, and in many ways are at the foundation of policing. COVID-19 has presented an “opportunity” for many states to further crackdown on opposition voices.

In many countries, **the police are severely underfunded**, leading to two main kinds of problems:

- A. Corruption of police and their mobilization for private interest through bribes.
- B. Other non-governmental groups creating their own armed forces, from street gangs to political parties.

This can also mean the police are limited in their response due to costs and at times forward this cost to the community, in some places even charging civilians for fuel to attend to a crime. This further harms trust between the police and the community.

In most contexts there is **no real accountability, and the police and army enjoy impunity** and are hardly brought to trial for any abuses or victimisation. This is part of a larger problem of lack of government accountability at large, with many governmental institutions acting above the law and with impunity. The police and military enjoy wide protection, including closing any investigations that might be opened, support statements from the political establishment, and even destruction of evidence to protect them from justice. The question becomes, if the government itself does not oppose brutality against certain groups, how can we promote that change?



In the U.S. the movement to defund the police has grown in popularity, and citizens are demanding this. It is seen as the most effective way to address systematic racist policing. Brutal policing during COVID-19 had created a tipping point, with the murder of George Floyd at the apex. Public outrage has swept the country. The level of police violence is being met with resistance that threatens the very existence and purpose of the police, and this has been relentless.

**—Yuni Chang**

**The line between police and military is blurred** in many countries, making it impossible to talk about police brutality without talking about military brutality. Further, in contexts like Zimbabwe, para-military groups, which don't fall under police or army, are used to inflict violence at the command of the state or other competing political parties. They act as armed forces with uniforms, weapons, training, and a chain of command, and so we need to develop language to speak about these forces as well.

Recognizing this lack of real division between the police and military might require us to also rethink the way we talk about militarization of police, as if these always operate as two different bodies. In this context it was also mentioned that **police and militaries from around the world train one another in civil society repression** and swap tactics and ideologies.

## 2.

### What is needed to reduce police brutality

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In Kenya, heavy handed enforcement of extreme measures has been implemented, and the police have been beating people, extorting money by threatening people with quarantine, and extrajudicial killings are taking place. There have been peaceful marches against police brutality, but to little effect. Writer and commentator Patrick Gathara said policing in Kenya inherited its violence from British colonial forces, and has done nothing to change in the decades since independence.

—Bainito Wamalawa

In most countries there isn't a clearly defined **mission for the police**, or this mission is substantially flawed and based on the original colonial mission. Presenting and pushing for new mission statements for police that actually look at what kind of policing really reduces violence is fundamental to reducing police violence. This change should not just manifest in changing names or written missions of police, but also their structure, training, equipment and relationship with the community.

**Creating systems of accountability** is crucial to reduce police brutality, clarifying that these actions, too, have consequences. This may include advocacy for change of legal infrastructure, creation of restrictions on use of force, changes in the equipment given to police, the creation of independent police oversight authorities, the creation of National Human Rights commissions, etc. On top of these, there's a need to think of and develop community-based accountability mechanisms that can operate even without governmental change.

**The training of police needs to fundamentally change**, as they are currently trained to believe there is enmity between police and civilians, instead of seeing their work as part of the community.

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Policing in European countries is sometimes said to be less racist than in the US, but European police services (including western European policing which was partly developed within a colonial context) have a range of harmful impacts upon some groups, including people of African descent, undocumented migrants and Roma. Hotspots include Croatia and Belgium. There are debates in Europe about the legality of filming the police or publishing videos of police violence. There is also a much less developed conversation about race, meaning that measuring racial discrimination is prohibited in several European countries. Both of these limit accountability.

—Andrew Lane

Lastly, there is a need for civil society to present and **offer alternatives to current policing**: community based justice, healing justice formats, community tribunals, and so on that can answer the needs of the community for safety and reduction of violence, but not through the violent implementation of policing. During COVID-19 we have seen examples of community watch representatives walking around their neighborhoods to encourage the use of masks or social distancing, with no enforcement mechanism, and yet just as effective, if not more so, than policing.

### 3.

#### Civil society tools to mitigate police brutality

- **Monitoring of policing, documentation, and publicizing police misconduct.** Filming where allowed. This monitoring also requires training on effective monitoring tools, not only for activists, but also for journalists.
- **Online public complaint platforms** where people can report police misconduct and civil society can follow-up.
- **Community mobilizing** for enforcement of public health and safety regulations.
- **An online platform** where activists can connect and highlight instances where there has been misuse of power by the police and exchange tools.
- **Getting mainstream media and social media allies** and publicizing police misconduct.
- **Protests and demonstrations.** Ideas under COVID include:
  - \* **Zoom protests**, including their projection on the houses of police/government officials (massive in size, no geographical borders). These can be livestreamed, and action is possible in multiple locations simultaneously.
  - \* **Car protests**, which are also on the increase, and through which observing social distancing, usage of horns, and quicker movement can be achieved.
  - \* **Online petitions.** One example given was of parents resisting the reopening of schools without the necessary preventative and security apparatus in place.

#### Resources:

- The Geneva Center for Security Sector Governance offers tools and training to work with police and authorities to mitigate police brutality: <https://www.dcaf.ch/>
- Court records (in Kenya Law website) in Kenya are accessible from the internet about how judges have held police accountable after Independent Policing Oversight Authority conducted investigations.

