



LEGAL AND INSTITUTIONAL FRAMEWORKS FOR HUMAN RIGHTS PROTECTION IN NIGERIA: CHALLENGES AND PATHWAYS TO EFFECTIVE ENFORCEMENT

By

Worluh-Okolie, Nkechinyere Huomachi, PhD*

&

Joseph-Asoh, Chukwudemebi Okoye, Ph.D**

Abstract

This article delves into the legal and institutional frameworks designed to protect human rights in Nigeria, addressing the challenges and proposing pathways to effective enforcement. Utilizing a primarily doctrinal research methodology, it draws from various primary sources such as the Nigerian Constitution, Child Rights Act, and Fundamental Rights (Enforcement Procedure) Rules, alongside secondary sources like textbooks, journals, articles, and materials from organizations such as the NHRC and relevant websites. The article reveals that despite Nigeria's establishment of institutional structures for human rights protection, these mechanisms are weakened by widespread abuses perpetrated by individuals, government bodies, and agencies. It advocates for bolstering transparency and accountability within these institutions through mechanisms that facilitate public oversight and reporting of human rights violations. Ultimately, the article underscores the importance of fortified institutions in cultivating trust and confidence among the populace, fostering engagement, and promoting transparent, impartial, and law-abiding governance.

Keywords: Human Rights, Institutional Frameworks, Safeguards, Nigeria

1.0 INTRODUCTION

The concept of human rights asserts that every individual possesses inherent rights that should not be violated except under circumstances deemed reasonable and lawful.¹ Human rights encompass those fundamental entitlements

*Worluh-Okolie, Nkechinyere Huomachi, PhD. Lecturer I, Faculty of Law, Department of Public Law, Benson Idahosa University, Benin City, Edo State, Nigeria. Email: nworluh-okolie@biu.edu.ng, nkechiworluhokolie@gmail.com.

** Joseph-Asoh, Chukwudemebi Okoye, PhD. Lecturer I, Faculty of Law, Department of Public Law, Benson Idahosa University, Benin City, Edo State, Nigeria. Email: koyemebi@gmail.com

¹Council of Europe, "What are human rights?" <<https://www.coe.int/en/web/compass/what-are-human-rights>> accessed 25th June 2024

universally acknowledged by the international community as inherent to all individuals by virtue of their humanity.² These rights aim to safeguard the fundamental rights of individuals.³

In Nigeria, as in many countries around the world, safeguarding human rights is crucial for the promotion of justice, equality, and dignity for all citizens. However, ensuring the protection and promotion of human rights requires a robust institutional framework that encompasses legislative, judicial, and executive bodies, as well as civil society organizations. This article thus examines the legal and institutional frameworks for human rights protection in Nigeria: challenges and pathways to effective enforcement.

For purposes of this examination, the article is structured in parts. Part one will introduce the subject, part two examines albeit briefly the legal framework for human rights protection in Nigeria, part three examines the institutional mechanisms which play a vital role in ensuring that laws are not just words on paper but are actively enforced and respected within the society, part four examines the challenges to effective enforcement of human rights, part five proffers pathways to effective enforcement of human rights and part six concludes the paper.

2.0 LEGAL FRAMEWORK FOR HUMAN RIGHTS PROTECTION IN NIGERIA

2.1 Constitutional Provisions:

The Nigerian Constitution serves as the supreme law of the land and contains several provisions that guarantee fundamental human rights. These rights are enshrined in Chapter IV of the Constitution, titled "Fundamental Rights."⁴ Key provisions include:

Section 33: Right to life, with exceptions for execution of criminal sentences and in defense of oneself or others.

Section 34: Right to dignity of the human person, protecting against torture, inhuman or degrading treatment.

Section 35: Right to personal liberty, including protection against arbitrary arrest or detention.

Section 37: Right to freedom of expression and the press, subject to certain limitations.

² Anthony O. Nwafor, "Enforcing Fundamental Rights in Nigerian Courts – Processes and Challenges" (2009) (4) *African Journal of Legal Studies*; 1 - 11

³ S.O. Nnamani, "INSTITUTIONAL MECHANISMS FOR HUMAN RIGHTS PROTECTION IN NIGERIA: AN APPRAISAL" <[https://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20\(1\).pdf](https://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20(1).pdf)> pg. 128. Accessed 21 May 2024

⁴ Section 33 - 42 of the Constitution of the Federal Republic of Nigeria 1999 (as amended)

Section 38: Right to freedom of thought, conscience, and religion.

Section 39: Right to freedom of expression and the press.

Section 40: Right to peaceful assembly and association.

Section 41: Right to freedom of movement.

Section 42: Right to freedom from discrimination, with protection against discrimination on grounds of sex, race, religion, or political opinion.⁵

In Nigeria, the enforcement of fundamental rights is governed by the Fundamental Right (Enforcement Procedures) Rules 2009.⁶ These rules outline the procedures for determining actions related to fundamental rights. According to Order 2, Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules, any individual who alleges that their fundamental rights, as provided for in the Constitution and to which they are entitled, have been, are being, or are likely to be infringed, can apply to the court in the state where the infringement occurred or is likely to occur for redress. Therefore, in cases of actual or potential violations of fundamental rights, the affected individual can seek recourse or prevention through the courts. As per the 1999 Constitution, the High Court (state or federal) holds jurisdiction over fundamental rights actions, limited to subject matters within the specific court's jurisdiction.⁷

2.2 Legislation and International Treaties

Apart from constitutional provisions, Nigeria has enacted various laws and ratified international treaties aimed at promoting and protecting human rights. These include:

2.2.1 National Human Rights Commission (Amended) Act 2010

The NHRC Act in Nigeria, enacted in 1995 and amended in 2010, established the National Human Rights Commission (NHRC), an autonomous entity tasked with safeguarding and advancing human rights in the country.⁸ The amendment bolstered the commission's authority to probe reported human rights infringements and enforce its rulings.⁹

The NHRC is tasked with several responsibilities, which encompass examining reported human rights breaches, advocating for and safeguarding human rights,

⁵ *Ibid.*

⁶ UNHCR, Nigeria: Fundamental Rights (Enforcement Procedure) Rules, 2009 <<https://www.refworld.org/legal/decrees/natlegbod/2009/en/104236>> accessed 25 May 2024.

⁷ Adeola Austin Oyinlade, "The Enforcement Of Fundamental Rights In Nigeria" (18 MARCH 2024) <<https://www.mondaq.com/nigeria/human-rights/1439386/the-enforcement-of-fundamental-rights-in-nigeria#:~:text=The%20breach%20of%20any%20fundamental,from%20sections%2033%20to%2046.>> accessed 25 May 2024.

⁸ NATIONAL HUMAN RIGHTS COMMISSION (AMENDMENT) ACT 2010 <http://NHRC-Nigeria_UPR17_NGA_E_Annexe2.pdf> accessed 25 May 2024.

⁹ *Ibid.*

raising public awareness about human rights, and fostering collaboration with governmental bodies and civil society organizations regarding human rights matters.¹⁰

2.2.2 Anti-Torture Act 2017:

The Anti-Torture Act 2017 was passed by the 8th National Assembly and signed into law by President Muhammadu Buhari on 29th December 2017.¹¹ This legislative advancement holds great importance in the fight against torture and other cruel treatments. It criminalizes torture, laying out specific offenses and penalties for individuals engaged in such acts or those who support, encourage, or facilitate them. Importantly, it expressly recognizes the right to freedom from torture, cruel, inhuman, and degrading treatment as a fundamental and non-negotiable right.¹² By addressing existing legislative shortcomings, it provides vital protection for victims and witnesses of torture.¹³

This Act brings about a profound shift in the legal framework for law enforcement personnel, especially police officers, as it establishes torture as a formal criminal offense.¹⁴ It explicitly prohibits the use of emergency powers or directives from higher authorities as excuses for employing torture to extract information or confessions. Additionally, the Act holds individuals accountable for their involvement in acts of torture, extending criminal liability to superior officers who issue orders to torture victims.¹⁵

The Act defines torture and provides examples, such as systematic beatings, food deprivation, electric shocks, and other severe forms of physical and psychological abuse. Importantly, it unequivocally states that no circumstances, including states of war or emergency, can justify torture. It prohibits practices like secret detentions and incommunicado detentions where torture may occur, and it renders evidence obtained from torture inadmissible in court, except when used against a person accused of torture.¹⁶

¹⁰ NHRC Mandate <<https://www.nigeriarights.gov.ng/about/nhrc-mandate.html>> accessed 25 May 2024.

¹¹Collins Okeke, “Anti-Torture Act 2017: Issues And Implication For Police Officers” (2 July 2021) <<https://www.mondaq.com/nigeria/human-rights/1084406/anti-torture-act-2017-issues-and-implication-for-police-officers>> accessed 25 May 2024

¹² Ngozi Egenuka, “Anti-Torture Act: Not for Savage Security Operatives, Suspects (5 December 2023) <<https://guardian.ng/features/law/anti-torture-act-not-for-savage-security-operatives-suspects/>> accessed 25 May 2024

¹³ *Ibid.*

¹⁴ Collins Okeke, “Anti-Torture Act 2017: Issues And Implication For Police Officers” (2 July 2021) <<https://www.mondaq.com/nigeria/human-rights/1084406/anti-torture-act-2017-issues-and-implication-for-police-officers>> accessed 25 May 2024

¹⁵ *Ibid.*

¹⁶ Bayode Sunday Ayo-Ojo, “The Nigerian Anti-Torture Act of 2017 and Its Compatibility with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the African Charter on Human and Peoples’ Rights” 5 April 2024) <<https://www.cambridge.org/core/journals/journal-of-african-law/article/abs/nigerian-antitorture-act-of-2017-and-its-compatibility-with-the-convention-against-torture-and-other-cruel-inhuman->

Moreover, it grants individuals the right to complain about torture to authorities, including the police and the National Human Rights Commission, ensuring protection for both victims and complainants. Additionally, it allows victims of torture or their representatives to seek legal assistance in filing complaints.¹⁷ The Act also mandates law enforcement agencies to inform individuals of their right to demand a physical and psychological examination by an independent doctor after interrogation. It holds individuals accountable for their involvement in torture, including superior officers who issue orders to torture victims, and imposes strict penalties, including up to 25 years imprisonment for those convicted of torture, with murder charges if death occurs as a result.¹⁸ Furthermore, the Act grants authority to regulatory agencies and law enforcement entities to guarantee its efficient execution, which includes organizing training initiatives for personnel engaged in the custody, interrogation, or management of individuals under arrest, detention, or imprisonment.

Despite the passage of the Anti-Torture Act, obstacles persist in its enforcement and execution. Challenges include a lack of awareness among law enforcement personnel, delays in formulating necessary rules and regulations for efficient implementation, and entrenched patterns of violence and impunity within security institutions, all of which impede the Act's intended goals. Addressing these challenges requires concerted efforts to enhance education, build capacity, and establish robust oversight mechanisms to effectively enforce the Anti-Torture Act and eradicate torture practices in Nigeria.¹⁹

2.2.3 Child Rights Act 2003

In 2003, Nigeria enacted the Child Rights Act to incorporate the principles of the Convention on the Rights of the Child into domestic law. The Child's Rights Act of 2003 extends the human rights protections provided in Nigeria's 1999 constitution to children, ensuring that they are accorded with the same fundamental rights as adults.²⁰

The Act stands as a pivotal legislative instrument aimed at safeguarding and advancing the rights of children throughout the nation. It domestically adopts the principles and provisions outlined in the United Nations Convention on the Rights of the Child (CRC), thereby aligning Nigeria's legal framework with global standards for the protection of children. The Act comprehensively delineates the rights of children, covering various domains such as health, education, protection from exploitation, access to justice, and participation in

or-degrading-treatment-or-punishment-and-the-african-charter-on-human-and-peoples-rights/267669DF5ED4E7916C63F38C7105F38B> accessed 25 May 2024

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ Ngozi Egenuka, "Anti-Torture Act: Not for Savage Security Operatives, Suspects (5 December 2023) <<https://guardian.ng/features/law/anti-torture-act-not-for-savage-security-operatives-suspects/>> accessed 25 May 2024

²⁰ Nigeria: Act No. 26 of 2003, Child's Rights Act, 2003 <<https://www.refworld.org/legal/legislation/natlegbod/2003/en/105082>> accessed 25 May 2024

matters concerning them.²¹ It upholds the best interests of the child in all decisions and actions, emphasizing their well-being and holistic development.²²

Furthermore, the Act addresses harmful practices like child marriage, labor, and trafficking, aiming to create a nurturing environment conducive to children's growth. It ensures access to quality education and healthcare for all children without discrimination and establishes a separate juvenile justice system focused on rehabilitation and reintegration. Additionally, the Act recognizes and provides special protections for vulnerable groups of children, including orphans, those with disabilities, and those affected by armed conflict or emergencies.²³ While representing a significant stride towards realizing children's rights in Nigeria, challenges persist in the Act's full implementation and enforcement, necessitating sustained efforts from governmental bodies, civil society organizations, and other stakeholders to ensure the effective realization of every child's rights across the country.²⁴

2.2.4 The Fundamental Rights (Enforcement Procedure) Rules 2009:

To promote democracy, the 2009 FREP Rules were established to enhance and prioritize the protection of human rights. The central principle behind these Rules is the emphasis on substantive fairness over procedural technicalities. According to paragraph 3(e) of the regulation's preamble, no human rights complaint should be dismissed or rejected due to a lack of standing. Additionally, the courts are encouraged to support and foster public interest actions in the realm of human rights.²⁵

2.2.5 Violence against Persons (Prohibition) Act 2015

The Violence against Persons (Prohibition) Act (VAPP Act) of 2015 stands as landmark legislation in Nigeria's endeavors to tackle different forms of violence, particularly targeting gender-based violence and harmful practices.²⁶ Serving as an extensive legal framework, the Act is designed to prevent, prohibit, and offer

²¹National Human Rights Commission, "Child Rights" <<https://www.nigeriarights.gov.ng/focus-areas/child-rights.html>> accessed 25 May 2024

²² Part I, Section 1 & 2 of the Child Rights Act <<https://placng.org/lawsofnigeria/laws/C50.pdf>> accessed 25 May 2024

²³ *Ibid.*

²⁴ Daniel Ogunniyi, "The Challenge of Domesticating Children's Rights Treaties in Nigeria and Alternative Legal Avenues for Protecting Children" *Journal of African Law* 62(3):1-24

²⁵ Chineme Samwigwe and Tony A. Francis, "CRITICAL EXAMINATION OF HUMAN RIGHTS PROTECTION AND ENFORCEMENT IN NIGERIA" (2023) (3) 1 *The Journal of Environmental and Human Right Law*; pg. 4-5; also available at: <https://www.researchgate.net/publication/369978749_CRITICAL_EXAMINATION_OF_HUMAN_RIGHTS_PROTECTION_AND_ENFORCEMENT_IN_NIGERIA> accessed 8 June 2024.

²⁶ Violence Against Persons (Prohibition) Act <<https://fida.org.ng/wp-content/uploads/2020/09/Violence-Against-Persons-Prohibition-Act-2015-1.pdf>> accessed 25 May 2024

remedies for a wide range of violent acts perpetrated against individuals, with a special emphasis on women and vulnerable groups.²⁷

This legislation represents a significant step forward in addressing the pervasive issue of violence in Nigerian society. By comprehensively outlining measures to prevent and prohibit various forms of violence, the VAPP Act underscores the government's commitment to safeguarding the rights and well-being of all citizens, especially those who are most susceptible to violence and abuse.²⁸

Moreover, the Act serves as a vital tool for providing recourse and redress to victims of violence, ensuring that they have access to justice and support services to aid in their recovery and rehabilitation.²⁹ By prioritizing the protection of individuals from violence, the VAPP Act reinforces the principle of human dignity and underscores the importance of creating a safe and secure environment for all members of society.³⁰

Overall, the VAPP Act of 2015 represents a groundbreaking legislative initiative in Nigeria's efforts to combat violence and promote the rights and dignity of all individuals, particularly women and vulnerable groups.³¹ Its comprehensive provisions and focus on prevention, prohibition, and remedies underscore its importance in addressing the multifaceted challenges posed by violence in Nigerian communities.³²

2.2.6 The Nigerian Police (Establishment) Act 2020

The Nigerian Police (Establishment) Act 2020 is a landmark piece of legislation that significantly promotes human rights, aiming to ensure the protection and respect of individual liberties across the country. At its core, the Act requires the police to safeguard the rights and freedoms of every person in Nigeria. This mandate is rooted in the principles outlined in the Nigerian Constitution, the African Charter on Human and Peoples' Rights, and other key human rights laws, highlighting the critical role of human rights in policing activities.³³

²⁷ Felicia Anyogu & B.N Okpalaobi, "Violence Against Persons (Prohibition) Act 2015 And Other Existing Gender Legislation: A Comparative Analysis" *NAUJILJ* 8 (1) 2017; 35 -41.

²⁸ Legal Information Institute, "Violence Against Persons (Prohibition) Act" <[https://www.law.cornell.edu/women-and-justice/resource/violence_against_persons_\(prohibition\)_act](https://www.law.cornell.edu/women-and-justice/resource/violence_against_persons_(prohibition)_act)> accessed 25 May 2024

²⁹ Report of a Research Commissioned by the Westminster Foundation for Democracy (WFD) (MARCH 2021) "The Impact of the Violence Against Persons (Prohibition) Act and Related Laws in Nigeria" <<https://www.wfd.org/sites/default/files/2023-02/Report%20of%20the%20Impact%20of%20the%20VAPP%20and%20related%20laws%20in%2012%20states.pdf>> accessed 25 May 2024

³⁰ *Ibid.*

³¹ World Bank 2019, "Gender-based Violence (Violence against Women and Girls)" <<https://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>> accessed 25 May 2024

³² *Ibid.*

³³ Chineme Samwigwe and Tony A. Francis, "CRITICAL EXAMINATION OF HUMAN RIGHTS PROTECTION AND ENFORCEMENT IN NIGERIA" (2023) (3) 1 *The Journal of Environmental and Human Right Law*; pg. 4-5; also available at:

To strengthen accountability and oversight, the Act introduces mechanisms designed to monitor and address police misconduct. These include the establishment of oversight bodies and processes dedicated to scrutinizing police actions and holding officers accountable for any violations of human rights. Such measures are vital in fostering a police force that acts with integrity and respect for human dignity.³⁴

The Act also emphasizes the importance of education by mandating regular training for police officers on human rights standards and practices. This training ensures that officers are not only aware of human rights principles but are also equipped to incorporate them into their daily duties. By promoting a culture of human rights awareness, the Act aims to transform the way police interact with the public.³⁵

Community policing is another key focus of the Act, encouraging collaboration between the police and the communities they serve. This approach builds trust and ensures that policing is responsive to the specific needs and rights of community members, thereby enhancing the legitimacy and effectiveness of law enforcement efforts.³⁶ A crucial aspect of the Act is its firm stance against torture and inhumane treatment. It explicitly prohibits such practices and sets out clear penalties for officers who engage in these violations. This strong stance reinforces the commitment to human rights and ensures that such abuses are not tolerated within the police force.³⁷

Moreover, the Act provides avenues for individuals to seek redress for human rights violations committed by the police. This means that victims have access to justice and can receive appropriate remedies, thereby upholding a system of accountability and protection for everyone. Transparency in police operations and public engagement are also promoted by the Act. By fostering openness and encouraging community participation, the Act ensures that the police remain accountable to the public and responsive to their concerns. This transparency is essential for building trust and ensuring that the police operate in a manner that respects human rights.

Overall, the Nigerian Police (Establishment) Act 2020 represents a comprehensive and human-centered effort to align policing practices with human rights principles. It is a significant step towards ensuring that the police

<https://www.researchgate.net/publication/369978749_CRITICAL_EXAMINATION_OF_HUMAN_RIGHTS_PROTECTION_AND_ENFORCEMENT_IN_NIGERIA> accessed 8 June 2024.

³⁴ Chineme Samwigwe and Tony A. Francis, "CRITICAL EXAMINATION OF HUMAN RIGHTS PROTECTION AND ENFORCEMENT IN NIGERIA" (2023) (3) 1 *The Journal of Environmental and Human Right Law*; pg. 4-5; also available at: <https://www.researchgate.net/publication/369978749_CRITICAL_EXAMINATION_OF_HUMAN_RIGHTS_PROTECTION_AND_ENFORCEMENT_IN_NIGERIA> accessed 8 June 2024.

³⁵ *Ibid.*

³⁶ O Kalu, 'Nigeria: Challenges in Enforcement of Fundamental Rights in Nigeria' (2020) <<https://www.mondaq.com/nigeria/human-rights/986460/>> accessed 8 January 2023.

³⁷ *Ibid.*

force in Nigeria respects and protects the fundamental rights of all individuals, reflecting a deep commitment to human rights in law enforcement.³⁸

2.3 International Treaties

Nigeria has ratified numerous international treaties and conventions aimed at safeguarding human rights, underscoring its dedication to preserving fundamental freedoms and ensuring the welfare of its populace. These agreements span a broad spectrum of rights, encompassing civil, political, economic, social, and cultural domains, while also offering specific protections for vulnerable groups like women and children.

The Universal Declaration of Human Rights (UDHR), ratified by Nigeria in 1961, lays the groundwork for these treaties, establishing basic principles that Nigeria commits to uphold.³⁹ Subsequently, Nigeria ratified the International Covenant on Civil and Political Rights (ICCPR)⁴⁰ and the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴¹ in 1993, which further elaborate on these rights and impose specific obligations on the government.

Nigeria has also endorsed treaties targeting discrimination and safeguarding the rights of specific demographics, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)⁴² in 1985 and the Convention on the Rights of the Child (CRC)⁴³ in 1991. These treaties mandate Nigeria to enact measures ensuring women and children can exercise their human rights without prejudice.

Regionally, Nigeria ratified the African Charter on Human and Peoples' Rights (ACHPR)⁴⁴ in 1983, offering additional protections for human rights and recognizing the rights of communities and peoples. However, despite these ratifications, Nigeria faces challenges in translating these treaty obligations into domestic law,⁴⁵ limiting their enforceability in Nigerian courts. Moreover,

³⁸ *Ibid.*

³⁹ Universal Declaration on Human Rights (adopted 10 December 1948) 217 A(III) (UNGA).

⁴⁰ United Nations (General Assembly). 1966. "International Covenant on Civil and Political Rights." Treaty Series 999 (December): 171.

⁴¹ United Nations (General Assembly) (1966). International Covenant on Economic, Social, and Cultural Rights. Treaty Series, 999, 171; <<https://www.refworld.org/legal/resolution/unga/1979/en/9431>> accessed 25 May 2024

⁴² UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, <<http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>> accessed 25 May 2024.

⁴³ Convention on the rights of the child (1989) Treaty no. 27531. United Nations Treaty Series, 1577, pp. 3-178. <https://treaties.un.org/doc/Treaties/1990/09/19900902%2003-14%20AM/Ch_IV_11p.pdf> Accessed 25 May 2024

⁴⁴ African Charter on Human and Peoples' Rights (Banjul Charter) adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), <<https://www.refworld.org/legal/agreements/oau/1981/en/17306>> Accessed 25 May 2024

⁴⁵ The African Charter has been ratified and domesticated in Nigeria, the Law is referred to as African Charter on Human and People's Rights (Ratification and Enforcement) Act 1983. See also: Eghosa Osa Ekhaton, "The impact of the African Charter on Human and Peoples' Rights on domestic

persistent human rights issues like police misconduct, arbitrary detention, and violence against women and children persist.

To fully actualize the protections outlined in these treaties, Nigeria must domesticate them into national legislation, bolster institutional capacity for enforcement, and address systemic issues leading to human rights violations. Collaboration between civil society groups and international partners is crucial in supporting these efforts and holding the government accountable to its human rights commitments.

3.0 INSTITUTIONAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS IN NIGERIA

Institutions are indispensable for law enforcement due to their role in establishing clear structures that define roles and responsibilities, ensuring efficient task execution. The institutional framework for the protection of human rights is multifaceted and includes several key entities:

3.1 National Human Rights Commission

The National Human Rights Commission (NHRC) was established by the National Human Rights Commission Act of 1995, as amended by the NHRC Act, 2010⁴⁶ aligning with the United Nations resolution⁴⁷ urging member states to create Human Rights Institutions for promoting and protecting human rights.⁴⁸ As an independent body in Nigeria, the NHRC holds a vital position in advancing and safeguarding human rights throughout the nation, the commission investigates complaints of human rights violations, conducts education and advocacy, and recommends policy and legal reforms to the government.⁴⁹

The NHRC enhances human rights by recognizing, promoting, and enforcing rights, fulfilling treaty obligations, and fostering public dialogue. It investigates violations, monitors the human rights situation, conducts education programs, recommends preventive measures, advises the government, and collaborates internationally.⁵⁰ Activities include receiving and investigating complaints, conducting research, offering legal assistance, organizing awareness programs, and publishing reports. Empowered by its mandate, the NHRC investigates complaints, recommends remedies, monitors government compliance, conducts inquiries, and educates the public. Complaints are submitted through various

law: a case study of Nigeria”, *Commonwealth Law Bulletin*, (2015) Vol. 41, No. 2, 253–270, DOI: 10.1080/03050718.2015.

<https://www.researchgate.net/publication/279250631_The_impact_of_the_African_Charter_on_Human_and_Peoples'_Rights_on_domestic_law_a_case_study_of_Nigeria> accessed 25 May 2024

⁴⁶See Cap N46 LFN 2004 Vol. II. It came into effect on 27th September, 1995.

⁴⁷ O.W. Igwe, *Preliminary Studies in Human Rights Law*, (Ring and Favolit Ltd., Lagos, 2002) p. 1 – 3.

⁴⁸ A/RES/217 A (III)

⁴⁹ S.O. Nnamani, “INSTITUTIONAL MECHANISMS FOR HUMAN RIGHTS PROTECTION IN NIGERIA: AN APPRAISAL” *JOURNAL OF INT'L LAW 7 JURIS* <[HTTPS://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20\(1\).pdf](https://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20(1).pdf)> accessed 25 May 2024

⁵⁰ Section 5(a) National Human Rights Commission Act Cap N46 LFN, 2004

channels, followed by thorough investigations, evidence gathering, witness interviews, and issuing findings and recommendations for remedial actions, compensation, and legal referrals.⁵¹

3.2 Role of the NHRC

The National Human Rights Commission (NHRC) in Nigeria plays a crucial role in promoting and protecting the rights of individuals throughout the country. When people report human rights violations, the NHRC steps in to investigate and suggests actions to the federal government that can lead to legal proceedings and other measures to resolve these issues. The commission also provides much-needed support to victims of human rights abuses, helping them seek justice and find the remedies they deserve. Beyond these efforts, the NHRC conducts thorough research to inform better policy-making and engages in public awareness campaigns to educate people about their rights. Through these initiatives, the NHRC strives to create a culture where everyone understands and respects human rights.⁵²

3.3 Mandate of the NHRC

The NHRC is mandated to address all aspects concerning the advancement and preservation of human rights as enshrined in the Nigerian Constitution, as well as in international treaties and conventions ratified by Nigeria. This entails monitoring and probing instances of human rights infringements, issuing reports on the human rights landscape in Nigeria, hosting educational events such as seminars and workshops on human rights matters, and collaborating with both domestic and international entities to enhance human rights protection.⁵³

The Commission is endowed with a range of powers and responsibilities to execute its mandate effectively. It can conduct investigations and inquiries as it sees fit and can initiate civil actions related to its functions. The Commission can appoint interpreters or translators, whether they are public servants or not. It has the authority to visit and assess prisons, police cells, and other detention facilities, providing recommendations. The Commission can determine damages or compensation for human rights violations. Additionally, it can collaborate and consult with governmental and non-governmental organizations and undertake any necessary actions to fulfill its functions under the Act.⁵⁴

Whenever the Chairman, based on information and inquiry, suspects reasonable cause of an offense under the Act, he may direct an officer of the Commission to obtain a Court order to enter premises, summon and interrogate individuals,

⁵¹ Section 5(a) – (j) of NHRC Act

⁵² S.O. Nnamani, “INSTITUTIONAL MECHANISMS FOR HUMAN RIGHTS PROTECTION IN NIGERIA: AN APPRAISAL” *JOURNAL OF INT'L LAW 7 JURIS* <[HTTPS://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20\(1\).pdf](https://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20(1).pdf)> accessed 25 May 2024

⁵³ Section 5(a) National Human Rights Commission Act Cap N46 LFN, 2004 (hereinafter referred to us as NHR Act)

⁵⁴ Section 5(a) – (J) National Human Rights Commission Act Cap N46 LFN, 2004 (hereinafter referred to us as NHR Act).

issue warrants, and compel the attendance of witnesses. In exercising its functions and powers, the Commission operates independently, without direction or control from any other authority or person.⁵⁵

It is an offense for any person, body, or authority to refuse to provide evidence, obstruct the Commission's lawful exercise of its functions, punish or discriminate against individuals cooperating with the Commission, or refuse to comply with the Commission's directives. Offenders are liable to imprisonment for up to six months, a fine of N100, 000.00, or both.⁵⁶

3.4 Complaint Handling

Reports of human rights violations can be lodged with the NHRC for scrutiny and subsequent action. The Commission has implemented a comprehensive system for addressing complaints of human rights transgressions, both at its central office and across its state branches. Individuals who have experienced human rights abuses can avail themselves of NHRC's services without charge, and to ensure consistency and promptness in handling complaints, the Commission has devised a complaints treatment manual.⁵⁷

All complaints should be directed to the Executive Secretary of the Commission. These complaints can be submitted either in writing or verbally at the national office, zonal offices, or other offices of the Commission. When filing a complaint, it must be signed or thumb printed by the complainant or their representative. If a complaint is made orally, an officer or representative of the Commission will write it down, and it must then be signed or thumb printed by the complainant or their representative. A complaint needs to include the full name and contact address of the complainant as well as the details of the individual or organization against whom the complaint is made. It should also provide a comprehensive description of the complaint, the supporting facts, and the relief being sought. Complaints must be respectful and not use abusive language.⁵⁸

Upon receiving a complaint, the Commission assigns it to a specific unit led by a staff member for investigation. Depending on where the complaint was submitted, the complainant may be contacted by phone or asked to visit the Headquarters or a zonal office. The Commission works closely with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) to promote human rights awareness.⁵⁹

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ S.O. Nnamani, "INSTITUTIONAL MECHANISMS FOR HUMAN RIGHTS PROTECTION IN NIGERIA: AN APPRAISAL" JOURNAL OF INT'L LAW 7 JURIS <[HTTPS://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20\(1\).pdf](https://ajol-file-journals_479_articles_82393_submission_proof_82393-5653-197887-1-10-20121019%20(1).pdf)> accessed 25 May 2024

⁵⁹ *ibid*

The functions and powers of the Commission are detailed in section 5 of the Act. The Commission has the authority to assist victims of human rights violations and seek appropriate redress and remedies on their behalf.

3.5 The Public Complaints Commission (PCC)

The Public Complaints Commission is the machinery for the control of administrative excesses (non- adherence to procedures or abuse of law). It is an organ of the government set up to redress complaints lodged by aggrieved citizens or residents in Nigeria against administrative injustice. The Commission aim at promoting social justice for the individual citizen. It is also an institution that provides a viable option for Nigerians or anyone resident in Nigeria seeking redress against injustice arising from administrative bureaucratic errors, omission or abuse by officials of government, or limited liability companies in Nigeria.⁶⁰

The Commission also has the role of improving public administration in the laws, procedures, practices, rules and regulations and standard behavior of officials. These are provided for in the ACT, CAP 37 LFN 2004. The primary function of the Public Complaints Commission is to provide impartial investigation on behalf of the complainants who feel aggrieved by the action or inaction of the government or local government or private companies.⁶¹

The Commission is independent of government bureaucracy and at the same time has extensive powers regarding confidentiality and access to all government information including the production of documents which can aid the Commission's investigation, The Commission is empowered to enforce compliance in order to obtain the necessary information and headed by a Chief Commissioner and other Commissioners appointed by the National Assembly. The Commission may establish branches in states across the Federation as needed.⁶² The Chief Commissioner and other Commissioners are responsible for investigating complaints and ensuring that administrative actions do not result in injustice. They have the power to investigate administrative actions taken by various bodies, including government departments, local governments, statutory corporations, public institutions, companies, and officers or servants of these bodies.⁶³

Overall, the Commission plays a vital role in controlling administrative excesses, promoting social justice, and improving public administration in Nigeria. Its

⁶⁰ Public Complaints Commission (The Nigerian Ombudsman) "About us" <<https://pcc.gov.ng/>> accessed 8 June 2024

⁶¹ *ibid*

⁶² Oluwapelumi M. Mofoluwawo, "THE NIGERIAN PUBLIC COMPLAINTS COMMISSION IS CLOTHED WITH EXTENSIVE POWER OF INVESTIGATION OF COMPLAINT WHICH MIGHT BE BROUGHT TO IT BY MEMBERS OF THE PUBLIC" <https://www.academia.edu/30538791/PUBLIC_COMPLAINT_COMMISSION_docx> accessed 8 June 2024

⁶³ *ibid*

independence and extensive investigative powers are key to effectively addressing complaints against government and private entities.

3.6 The Nigeria Police Force

The Nigeria Police Force (NPF) is legally established by both the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the Nigerian Police Act. As the primary paramilitary organization in Nigeria, its core duties involve preventing and detecting crime, apprehending offenders, maintaining law and order, safeguarding life and property, and enforcing all laws and regulations. In essence, the main responsibilities of the police can be summarized as the prevention, protection, administration, and enforcement of both crimes and fundamental human rights.⁶⁴

The Nigeria Police Force is committed to promoting respect for human rights through a range of initiatives designed to align their operations with human rights principles. Firstly, they ensure that their officers are well-educated on human rights standards by mandating regular training programs. These sessions aim to instill a deep understanding of human rights among officers, equipping them to uphold these principles in their daily work. Another key initiative is community policing, which involves building strong partnerships with local communities. This approach helps the police better understand the unique needs and concerns of the people they serve, fostering trust and ensuring that their actions respect the rights and dignity of individuals.⁶⁵

To maintain accountability, the Nigeria Police Force has set up both internal and external oversight mechanisms. These bodies monitor police conduct, investigate complaints of human rights violations, and hold officers accountable for any misconduct. This transparency is essential for building and maintaining public trust.⁶⁶

The Force also has strict rules against torture and inhumane treatment, with clear penalties for those who violate these standards. This commitment to humane treatment underscores their dedication to upholding human rights and ensuring such abuses do not occur. Working closely with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) is another vital aspect of their strategy. These partnerships help promote human rights awareness and education, aligning the police force with broader human rights objectives.⁶⁷

⁶⁴ . Obayemi, ‘‘ Assessment of the Role of the Nigerian Police Force in the Promotion and Protection of Human Rights in Nigeria’’, *Annual Survey of International & Comparative Law*, vol. 23, no. 1, 2019, pp 11-31

⁶⁵ *Ibid.*

⁶⁶ A Oluwafemi, ‘Outrage as police officer kills Lagos lawyer on Christmas Day’ Channels (Nigeria) 26 December 2022) <https://www.thecable.ng/outrage-as-police-officer-kills-female-lawyer-on-christmas-day> accessed 1 January 2023.

⁶⁷ *Ibid.*

For individuals who have experienced human rights violations, the Force provides mechanisms to seek redress.⁶⁸ Victims can file complaints and pursue appropriate remedies, ensuring their grievances are heard and justice is served.⁶⁹

Additionally, the Nigeria Police Force continuously updates and reforms its policies and legislation to better align with human rights norms. The Nigeria Police (Establishment) Act 2020, for example, includes several provisions aimed at protecting human rights and ensuring police practices respect individual liberties. Through these comprehensive measures, the Nigeria Police Force strives to create an environment where human rights are respected and upheld, contributing to a more just and equitable society.⁷⁰

3.7 The Nigerian Judiciary

The primary guide for enforcing fundamental rights is the Fundamental Right (Enforcement Procedure) Rules 2009 (FREP Rules), which replaced the 1979 Rules. These rules were formulated in accordance with Section 46(3) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).⁷¹ The FREP Rules Order II, Rule 1 states that any individual who believes their fundamental rights under the Constitution have been violated, are being violated, or are likely to be violated, can file a petition for redress with the court in the State where the infringement occurred or is expected to occur.

Regarding jurisdiction over Fundamental Rights Action, generally, any High Court (Federal⁷² or State⁷³) has the authority to hear fundamental rights cases. In the case of *Jim-Jaja v. C.O.P. Rivers State*,⁷⁴ it was established that a High Court has original jurisdiction under section 46(2) of the 1999 Constitution to hear and adjudicate on applications made in accordance with the rules of that section. The court is empowered to issue any writs, orders, or directives it deems necessary to ensure the enforcement of the rights to which the applicant may be entitled within the state.⁷⁵

The Nigerian judiciary plays a crucial role in upholding human rights through the interpretation and enforcement of laws. Courts at various levels, including

⁶⁸ N. J. Madubuike-Ekwe, and O. K. Olumide, "Assessment of the Role of the Nigerian Police Force in the Promotion and Protection of Human Rights in Nigeria" (2019) (23) (1) *Annual Survey of International & Comparative Law*; 01 – 31; available at: <<https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1211&context=annlsurvey>> accessed 9th June 2024.

⁶⁹ V. Mpamugo, *The Role of the Nigerian Police in Human Rights Protection and Enforcement* (Abia State, L.J, 1996) 29

⁷⁰ *ibid*

⁷¹ O Duru, 'An Overview of the Fundamental Rights Enforcement Procedure Rules, 2009' <<http://ssrn.com/abstract=2156750>> accessed 8 August 2022; O Kalu, 'Nigeria: Challenges in Enforcement of Fundamental Rights in Nigeria' (2020) <<https://www.mondaq.com/nigeria/human-rights/986460/>> accessed 8 June 2024.

⁷² Sections 272(1) of the 1999 constitution.

⁷³ Sections 251(1) of the 1999 constitution.

⁷⁴ (2013) 6 NWLR (Pt. 1350) 225.

⁷⁵ See: *Bronik Motors Ltd. v. Wema Bank Ltd.* (1985). 35 NCLR 296; *Turkur v. Government of Gongola State* (1989). 4 N.W.L.R (Pt. 117) 208.

the Supreme Court, have the authority to adjudicate cases involving human rights violations and ensure that individuals receive fair treatment and due process under the law.

3.8 The Legal Aid Council of Nigeria

The Legal Aid Council of Nigeria⁷⁶ champions human rights by providing free legal representation to those who cannot afford it, particularly in serious criminal cases, ensuring the right to a fair trial. They offer legal advice and counseling, conduct public legal education, and promote alternative dispute resolution to settle disputes efficiently. LACON also advocates for policy reforms, protects vulnerable groups with specialized legal services, and collaborates with NGOs and civil society to enhance their efforts. Additionally, LACON monitors and reports human rights violations, offering legal assistance to victims and holding perpetrators accountable, thus fostering a culture of respect for human rights.⁷⁷

Through these comprehensive initiatives, LACON ensures equal access to justice and upholds human rights, especially for the indigent and vulnerable, contributing to a society where everyone's rights and dignity are respected.⁷⁸

4.0 CHALLENGES TO EFFECTIVE ENFORCEMENT

Human rights enforcement in Nigeria faces numerous challenges, despite the presence of strong legal and institutional frameworks. Some of the key issues include:

- i. **Institutional Weaknesses:** Weaknesses within judicial⁷⁹ and law enforcement institutions significantly impede the enforcement of human rights. This includes insufficient funding, inadequate training, lack of independence, and corruption among officials, all of which undermine the effectiveness and fairness of these institutions.
- ii. **Corruption:** Corruption within various levels of government and law enforcement agencies significantly impedes justice. It can obstruct the legal process, suppress investigations, and prevent the accountability of those responsible for human rights violations.⁸⁰
- iii. **Lack of Awareness:** A lack of awareness and education about human rights among the general public and within institutions responsible for protecting these rights hampers effective enforcement. When people are unaware of their

⁷⁶ Hereinafter referred to as LACON.

⁷⁷ C.M. Elikwu, O.J. Olujobi and E. T. Yebisi, "The legal and institutional framework for the protection of religious rights in Nigeria and the right to wear Hijab in public institutions" <<https://doi.org/10.12688/f1000research.132637.1>> accessed 9 June 2024

⁷⁸ *Ibid*

⁷⁹ Examples: Courts may lack basic amenities, modern technology, and sufficient personnel, leading to delays in legal proceedings and case backlogs. Law enforcement agencies might be under-equipped, affecting their ability to respond promptly and effectively to crimes.

⁸⁰ Examples: Bribery can result in the dismissal of cases, tampering with evidence, and the release of guilty parties. Corrupt practices might also lead to wrongful convictions of innocent individuals who cannot afford to pay bribes.

- entitlements and the protections provided by the law, they are less likely to recognize violations or demand their rights.⁸¹
- iv. **Political Interference:** Political interference in judicial and law enforcement processes erodes their autonomy and fairness, leading to the selective application of laws and shielding influential figures who commit human rights violations. Politicians may exert pressure on judges for favorable verdicts, impede investigations involving allies, manipulate law enforcement actions against adversaries, and install loyalists in critical roles. Consequently, this results in biased rulings, incomplete inquiries, inconsistent law enforcement, and the suppression of dissent, denying justice to victims of human rights abuses.
 - v. **Socio-Economic Barriers:** Poverty and socio-economic inequality can restrict access to justice and legal remedies for human rights violations. The costs associated with legal proceedings, coupled with limited access to legal aid, often prevent marginalized groups from seeking justice.⁸²
 - vi. **Cultural and Social Norms:** Deeply entrenched cultural and social norms can also impede human rights enforcement. Practices such as gender discrimination, child labor, and other traditional practices may persist despite legal prohibitions, due to societal acceptance and resistance to change.
 - vii. **Ineffective Oversight and Accountability Mechanisms:** The absence of effective oversight and accountability mechanisms within law enforcement and governmental bodies leads to impunity for human rights violations. Without robust monitoring and the ability to hold violators accountable, human rights abuses are more likely to occur and go unpunished.
 - viii. **Security Challenges:** In regions affected by conflict or high levels of violence, the enforcement of human rights is particularly challenging. Security forces may prioritize stability over human rights, and the breakdown of law and order can lead to widespread abuses without accountability.
 - ix. **Inability to Implement International Instruments and High Level Commitments:** Nigeria has ratified numerous international instruments that advocate for the enforcement of human rights and has engaged in high-level commitments to this end. However, the practical implementation of these instruments and commitments faces significant challenges due to a lack of prioritization as a policy objective. This issue is further exacerbated by Section 12 of the Nigerian Constitution, which stipulates that international instruments are inapplicable in Nigeria unless they are domesticated. Consequently, many international human rights standards remain unenforced, undermining the protection and promotion of human rights within the country. This inability to implement international instruments and high-level commitments undermines

⁸¹ T. Adeola & Austin Oyinladehe, "Enforcement Of Fundamental Rights In Nigeria" (18 MARCH 2024) <<https://www.mondaq.com/nigeria/human-rights/1439386/the-enforcement-of-fundamental-rights-in-nigeria#:~:text=The%20breach%20of%20any%20fundamental,from%20sections%2033%20to%2046.>> accessed 9th June 2024.

⁸² The term poverty refers to the state or condition in which people or communities lack the financial resources and other essentials for a minimum standard of living. See: James Chen, "What Is Poverty? Meaning, Causes, and How To Measure" <<https://www.investopedia.com/terms/p/poverty.asp#:~:text=The%20term%20poverty%20refers%20to,meet%20their%20basic%20human%20needs>> accessed 25th June 2024.

Nigeria's credibility on the global stage and perpetuates a cycle of unaddressed human rights violations.

5.0 PATHWAYS TO EFFECTIVE ENFORCEMENT

Addressing these challenges requires comprehensive reforms and concerted efforts at multiple levels, such as:

- i. **Strengthening Institutions:** Bolstering the capacity of judicial and law enforcement institutions are essential. This involves ensuring sufficient funding, enhancing training programs, and maintaining institutional independence. Robust institutions are better positioned to uphold human rights and administer justice effectively.
- ii. **Combating Corruption:** Effective anti-corruption measures are vital for maintaining the integrity of human rights protection systems. This includes rigorously enforcing anti-corruption laws, promoting transparency in government operations, and ensuring corrupt officials are held accountable.
- iii. **Raising Awareness:** Public legal education campaigns are crucial for increasing awareness about human rights. By educating individuals about their rights and available legal remedies, these campaigns empower people to advocate for human rights protection and foster accountability.
- iv. **Ensuring Political Will:** Political will is crucial for the effective enforcement of human rights. Leaders must show a genuine commitment to human rights principles; avoid interfering in judicial processes, and support reforms that enhance human rights protection. Overcoming political interference in judicial and law enforcement processes requires robust safeguards to ensure institutional independence and impartiality. This can be achieved through transparent, merit-based appointments and dismissals, along with stringent accountability mechanisms to detect and penalize political meddling. Promoting public awareness about the importance of an independent judiciary and unbiased law enforcement can also create societal demand for impartiality and fairness. Additionally, strengthening oversight bodies and providing adequate funding for judicial and law enforcement institutions are vital steps to shield them from political influence, ensuring justice is accessible to all and upholding human rights.
- v. **To address socio-economic barriers to justice,** it is imperative to implement measures that enhance access to legal remedies for all, regardless of economic status. This can be achieved through the provision of free or low-cost legal aid services for marginalized communities, coupled with awareness campaigns to inform individuals about their rights and available legal resources. Additionally, reforming legal procedures to reduce costs and simplify the process can make justice more accessible. Furthermore, addressing underlying socio-economic inequalities through broader policies aimed at poverty reduction and social inclusion can help alleviate the root causes of disparities in access to justice, ensuring that everyone has equal opportunity to seek redress for human rights violations.
- vi. **Overcoming cultural and social norms that hinder human rights enforcement requires multifaceted strategies.** Education and awareness-raising campaigns are crucial to challenge outdated beliefs and promote

understanding of human rights principles. Engaging with communities and religious leaders can help facilitate dialogue and promote gradual shifts in attitudes towards gender equality, child rights, and other human rights issues. Additionally, empowering grassroots organizations and civil society groups to advocate for change and provide support to marginalized individuals can help address cultural barriers. It is essential to work collaboratively with diverse stakeholders, including government agencies, NGOs, and local communities, to foster a culture of respect for human rights and promote progressive social norms.

- vii. **Transparency:** Overcoming ineffective oversight and accountability mechanisms requires establishing robust monitoring systems and strengthening mechanisms to hold perpetrators of human rights violations accountable. This entails enhancing the independence and effectiveness of oversight bodies tasked with monitoring law enforcement and governmental agencies. Implementing transparent processes for investigating allegations of human rights abuses and ensuring that perpetrators face legal consequences is essential. Additionally, promoting a culture of accountability within institutions through training programs and awareness campaigns can foster a greater sense of responsibility for upholding human rights standards. Collaboration between government agencies, civil society organizations, and international partners can also play a crucial role in strengthening oversight and accountability mechanisms to prevent impunity for human rights violations.
- viii. **Overcoming security challenges** in conflict-affected regions requires a comprehensive approach that balances the imperative of stability with respect for human rights. This involves providing specialized training to security forces on international human rights standards and principles of proportionality and restraint in the use of force. Additionally, establishing mechanisms for independent oversight and accountability within security forces can help prevent abuses and ensure perpetrators are held accountable. Collaborative efforts between security agencies, humanitarian organizations, and local communities are essential for addressing underlying grievances, promoting dialogue, and fostering trust to create a conducive environment for respect for human rights even in volatile situations.
- ix. **Reforming Legal Frameworks:** To address the challenge of implementing international instruments and high-level commitments on human rights in Nigeria, it is crucial to prioritize their integration into domestic policies and legal frameworks. This can be achieved through legislative reforms to align domestic laws with international human rights standards and facilitate the domestication of relevant treaties and agreements. Additionally, enhancing awareness among policymakers, lawmakers, and the public about the importance of implementing these instruments can generate political will and support for their enforcement. Strengthening institutional capacities, such as the judiciary and law enforcement agencies, to effectively implement and enforce human rights laws is essential. Furthermore, fostering collaboration and partnerships with international organizations and civil society actors can provide technical assistance and advocacy support to overcome barriers to implementation. Ultimately, concerted efforts across multiple sectors are needed to ensure that Nigeria fulfills its

international human rights obligations and effectively protects the rights of its citizens.

6.0 CONCLUSION

This research examined the legal and institutional frameworks for human rights protection in Nigeria, while critically analyzing the challenges that hinder their effectiveness. Employing a doctrinal research approach, the study explored primary sources like the Nigerian Constitution and relevant legislation, alongside scholarly works and reports from human rights organizations.

The key finding is that despite a comprehensive legal framework and established institutions, significant challenges impede the robust enforcement of human rights. These challenges include weaknesses within the human rights protection institutions, corruption, and a lack of public awareness.

To address these issues and ensure effective human rights enforcement, the article emphasized the need for a multi-pronged approach. This includes strengthening institutions through increased transparency and accountability measures, tackling corruption, raising public awareness about human rights, fostering political will for reform, and potentially revising legal frameworks for better clarity and enforceability. Finally, enhanced collaboration amongst stakeholders, including the government, civil society, and the public, is crucial for creating a more just and equitable Nigeria where human rights are respected and upheld.

By prioritizing these recommendations, Nigeria can move towards a future where its legal and institutional frameworks for human rights protection translate into tangible benefits for all its citizens.