

# **INTERNATIONAL PROTECTION OF HUMAN RIGHTS**

**BY**

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**CERTIFICATION**

This is to certify that **Solagbade Oluwole Sunday** with Matriculation Number **229061014** of Faculty of Law, University of Lagos is the original writer of this research work titled **“International Protection of Human Rights”** and approved by me in partial fulfilment of the requirements for the award of Master of Laws (LL.M.) Degree at the University of Lagos.

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## **DEDICATION**

This project is dedicated to the Almighty God.

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## TABLE OF CASES

*Brown v. Board of Education*, 347 U.S. 483 (1954)

*Burmych v. Ukraine*, App. No. 47703/06, Eur. Ct. H.R. (2017)

*Endorois Welfare Council v. Kenya*, Decision, Comm. 276/2003 (ACmHPR, Feb. 4, 2010); (2010) AHRLR 75 (ACHPR 2010)

*Fawehinmi v. Abacha* (1996) 9 NWLR (Pt. 475) 710

*Nicaragua v. United States*, ICJ Reports 1986, p. 14

*R (Miller) v Secretary of State for Exiting the European Union* [2017] UKSC 5

*Roe v. Wade*, 410 U.S. 113 (1973)

*SERAC v. Nigeria*, Decision, Comm. 155/96 (ACmHPR, Oct. 27, 2001); (2001) AHRLR 60 (ACHPR 2001).

## TABLE OF STATUTES

Bill of Rights, 1688, 1 W. & M., c. 2 (UK) English Bill of Rights 1688

Chapter IV of the 1999 Constitution (Nigeria). Constitution of the Federal Republic of Nigeria, 1999, Chapter IV, Federal Republic of Nigeria Official Gazette, No. 24, Vol. 86, 5 May 1999, p. B11–B25.

Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 241 (1964) Civil Rights Act 1964 (US)

Code of Hammurabi, translated by L.W. King (1915) Code of Hammurabi (c. 1754 BCE)

Déclaration des droits de l’homme et du citoyen, 26 August 1789, Archives Nationales, AE/II/1 (France) French Declaration of the Rights of Man and of the Citizen (1789)

Human Rights Act 1998, c. 42 (UK) Human Rights Act 1998 (UK)

Magna Carta, 1215, 9 Hen. 3, c. 29 (UK) English Magna Carta 1215

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88 General Data Protection Regulation (GDPR) 2018 (EU)

Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810, at 71 (1948)  
Universal Declaration of Human Rights (UDHR) 1948

## CONVENTIONS

African Charter on Human and Peoples' Rights, 1981. Organization of African Unity.

American Convention on Human Rights, 1969. Organization of American States.

Convention on Biological Diversity, 1992.

Convention on the Elimination of All Forms of Discrimination Against Women, 1979.

Council of Europe, European Convention on Human Rights, 1950.

Declaration on Paris on Maritime Law, 1856.

Geneva Convention on the Amelioration of the Conditions of the Wounded of Armies in the Field, 1865.

Hague Conventions of 1899, 1907 and 1949.

International Covenant on Civil and Political Rights, 1966. United Nations.

International Covenant on Economic, Social, and Cultural Rights, 1966. United Nations.

Kyoto Protocol to the United Nations Framework Convention on Climate Change, 1997.

Montreal Protocol on Substances that Deplete the Ozone Layer, 1987.

Organization of American States, American Convention on Human Rights, 1969.

Paris Agreement on Climate Change, 2015.

Rome Statute of the International Criminal Court, 1998.

The Declaration of St. Petersburg, 1868.

United Nations Convention on the Law of the Sea, 1982.

United Nations Framework Convention on Climate Change, 1992.

United Nations General Assembly, Universal Declaration of Human Rights, 1948.

Understanding on Rules and Procedures Governing the Settlement of Disputes, 1994.

World Trade Organization.

Worst Forms of Child Labour Convention, 1999.

## **LIST OF ABBREVIATIONS**

ACHPR - African Charter on Human and Peoples' Rights

CAT - Committee against Torture

CEDAW - Committee on the Elimination of Discrimination against Women

ECHR - European Court of Human Rights

ICC - International Criminal Court

ICCPR - International Covenant on Civil and Political Rights

ICESCR - International Covenant on Economic, Social, and Cultural Rights

ICJ - International Court of Justice

ICTR - International Criminal Tribunal for Rwanda

ILO - International Labour Organization

ITLOS - International Tribunal for the Law of the Sea

LGBTQ - Lesbians, Gays, Bi-sexuals, Transgender, Queer

MINUSCA - Multidimensional Integrated Stabilization Mission in the Central African Republic

SDGs - Sustainable Development Goals

UDHR - Universal Declaration of Human Rights

UNGA - United Nations General Assembly

UNAMID - United Nations-African Union Mission in Darfur

UNCHR - United Nations Commission on Human Rights

UNFCCC - United Nations Framework Convention on Climate Change

UNGA - United Nations General Assembly

UNOCI - United Nations Operation in Côte d'Ivoire

UNSC - UN Security Council

UNCLOS - The United Nations Convention on the Law of the Sea

UPR - Universal Periodic Review

WTO - World Trade Organization

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## ABSTRACT

*The concept of international protection of human rights has become a cornerstone of global governance and diplomacy, reflecting the universal commitment to safeguard fundamental freedoms and dignity. This project explores the evolution, mechanisms, and challenges associated with the international human rights framework, emphasizing the role of key institutions such as the United Nations, regional organizations, and non-governmental actors. The study critically examines treaties and conventions in this field of law and makes clear cut recommendations regarding the enforcement of the various international agreements going forward; with a comparative study of the UK, US and Nigeria as a case study. This study conducts a comparative analysis of the international protection of human rights in the United Kingdom and the United States, examining how these two influential nations interpret, implement, and comply with international human rights norms. While both countries have shaped the global human rights landscape, their divergent legal systems, political climates, and approaches to sovereignty produce unique challenges and inconsistencies in international rights protection. This research explores the historical and contemporary roles of the UK, US and Nigeria in shaping key human rights treaties, the impact of domestic laws on international compliance, and the extent to which each country prioritizes international versus national human rights standards.*

## CHAPTER ONE

### GENERAL INTRODUCTION

#### 1.1 Introduction

A relation between a state and its nationals was deemed to fall exclusively within the domestic jurisdiction of the state. Nevertheless, in a few limited fields, an international conscience awakened which condemned certain flagrant types of treatment of the individual person. The result was the adoption of treaties dealing with the abolition of slavery and slave trade.<sup>1</sup> Customary international law also witnessed the development of certain rules governing the responsibility of states for the treatment of aliens, and the right of humanitarian intervention.<sup>2</sup> Although justified in theory, the application of these rules in practice was often politically inspired, rather than motivated by a sincere concern for the individual. In the aftermath of the First World War, the Covenant of the League of Nations provided, inter alia, for the protection of the indigenous populations of the mandated territories under its control, and for the safeguarding of the rights of various minorities. This sanction was the first recognition of the right of the individual to be protected directly by international law. However, it was the shocking atrocities which preceded and accompanied the Second World War that accelerated the impetus of international concern towards radical justice and public policy.

The concept of 'human rights' became internationalized in the 20<sup>th</sup> century, precisely in 1948 when the Universal Declaration of Human Rights (UDHR) was adopted, and more developments were witnessed in Europe towards democracy and human rights following its introduction by the United Nations. The UDHR is a pivotal document that outlines an extensive and detailed list of Human

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<sup>1</sup> Among the earliest multilateral treaties on the conduct of hostilities and the treatment of those who are victims of armed conflicts were the UDHR, ICESCR, ICCPR, UN Charter, Declaration on Paris on Maritime Law, 1856; the Geneva Convention on the Amelioration of the Conditions of the Wounded of Armies in the Field, 1865; and the Declaration of St. Petersburg, 1868. The next international instruments in this field were the Hague Conventions of 1899 and 1907, which still have relevance today. The culmination of the humanitarian law of armed conflicts was achieved by the four Geneva Conventions of 1949.

<sup>2</sup> The Preamble of the Hague Convention of 1907 sets forth a declaration that: Until a more complete code of the laws of war has been issued, the High Contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and from the dictates of the public conscience. Convention with Other Powers Respecting the Laws and Customs of War on Land, Oct. 18, 1907, 36 Stat. 2277, 2279-80, T.S. No. 539.

Rights that are to be upheld by all states under the umbrella of the United Nations. The clear, universal standards set out in the Declaration go above and beyond any of the consenting states domestic laws. The United Nations Declaration states that a nation's action and its laws should mirror the standards set out in the Declaration. The Universal Declarations of Human Rights was never intended to be an optional set of guidelines but a binding doctrine that challenged the very behavior and authority within a state. In particular, it challenges the state's power to create any law it desires, placing a framework of values upon the state and holding it accountable to a superior system<sup>3</sup>. This instrument inspired the Europeans and served as the basis for the drafting of the European Convention on Human Rights.<sup>4</sup>

## 1.2 Statement of Problem

Petitions from Individuals: The United Nations has been receiving annually thousands of communications from private individuals and organizations from all over the world, alleging violations of human rights. At first, there was no procedure available for dealing with these communications since the Commission on Human Rights, at its very inception, took the position that it had no power to take action regarding these complaints. This policy of non-encouragement was later confirmed by the Economic and Social Council.<sup>5</sup> In 1966, however, the General Assembly of the United Nations, in the context of a debate over colonialism and racial discrimination, requested the Economic and Social Council to consider ways to stop violations of human rights wherever they might occur. After having called upon the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine communications from private resources and to report its findings to the Commission on Human Rights,<sup>6</sup> the Economic

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<sup>3</sup>Thakur Rajeev and Malcontent Pam. *From Sovereign Impunity to International Accountability: The Search for Justice in a World of States*. (1<sup>st</sup> ed, UN University Press, 2004). P. 185.

<sup>4</sup> Alston Philip. And Weiler Joseph Halevi Horowitz, *The European Union and Human Rights*, P. Alston et al. (1<sup>st</sup> eds., Oxford: Oxford University Press 1999), p 3.

<sup>5</sup> E.S.C. Res. 75, 5 U.N. ESCOR 20, U.N. Doc. E/505 (1947). For an excellent historical analysis of the right of the individual or group petition to the United Nations, see An Analysis of the Procedures of the United Nations Regarding Individual Petitions with Respect to Human Rights, Report for the International Aspects Committee of the Section of Individual Rights and Responsibility of the American Bar Association. U.N. Doc. E/505, is available via the UNDigitalLibrary. [https://digitallibrary.un.org/record/561096?ln=en&utm\\_source=chatgpt.com&v=pdf](https://digitallibrary.un.org/record/561096?ln=en&utm_source=chatgpt.com&v=pdf) (accessed on 22 June, 2025).

<sup>6</sup> E.S.C. Res. 1235, 42 U.N. ESCOR, Supp. (No.1) 17, U.N. Doc. E/4393 (1967), *Resolutions adopted by the Economic and Social Council during its 42nd session (8 May–6 June 1967)*, documented as **E/4393**, on p 17–18

and Social Council in 1970 finally adopted a resolution<sup>7</sup> establishing a system for investigating situations which appear to reveal a "consistent pattern of gross violation" of human rights. This system contemplates the creation, with the consent of the governments concerned, of ad hoc committees to investigate such situations, unless the Commission on Human Rights decides to make a recommendation to the Council that some other steps should be taken.

The inherent weakness of this system stems from the same reluctance which rendered the earlier reporting system ineffective. Few governments can be expected to give their consent to the creation of committees of inquiry whose investigations are likely to result in embarrassment to that government. Experience has shown that most governments will be reluctant to create such committee.

### **1.3 Research Objectives**

- a. To evaluate the scope of existing international legal frameworks in the protection of human rights.
- b. To assess the effectiveness of international institutions in the protection of human rights across the globe.
- c. To examine how the relationship between national law and international law affect the international protection of human rights.

These objectives can guide my research by ensuring a comprehensive and structured approach to exploring the international protection of human rights.

### **1.4 Research Questions**

- a. What is the scope of existing international legal frameworks in the protection of human rights?
- b. How effective are international institutions in the protection of human rights across some countries in the globe?

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<sup>7</sup> E.S.C. Res. 1503, 48 U.N. ESCOR Supp. (No. IA) 8, U.N. Doc. E/4832/Add. I (1970). [https://digitallibrary.un.org/record/214657?ln=en&utm\\_source=chatgpt.com&v=pdf](https://digitallibrary.un.org/record/214657?ln=en&utm_source=chatgpt.com&v=pdf) (accessed on 22<sup>nd</sup> June, 2025).

- c. How does the relationship between national and international laws affect the international protection of human rights?

These research questions will help guide the investigation into the international protection of human rights, ensuring a thorough and structured exploration of the topic.

## **1.5 Scope and Limitation of the Research**

This research focuses on the international protection of human rights and aims to provide a comprehensive analysis of the following areas: Examination of key international human rights instruments, including the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and International Covenant on Economic, Social and Cultural Rights. Analysis of regional human rights treaties such as the European Convention on Human Rights, African Charter on Human and Peoples' Rights, and American Convention on Human Rights. Evaluation of the roles and effectiveness of international institutions such as the United Nations Human Rights Council, International Criminal Court, and regional human rights bodies.

## **1.6 Limitation**

While this research aims to provide a thorough analysis of international human rights protection, there are several limitations to be acknowledged: Human rights protection intersects with various disciplines, including law, political science, sociology, and international relations. The research may not comprehensively cover all interdisciplinary aspects. By acknowledging these limitations, this research aims to provide a balanced and realistic analysis of the international protection of human rights, while also highlighting areas for future study and improvement.

## **1.7 Research Methodology**

### **1.7.1 Research Design**

This research employs a qualitative research design, utilizing both descriptive and analytical approaches to investigate the international protection of human rights. The study involves an in-depth examination of legal documents, treaties, case studies, and the roles of various international and regional institutions. I consulted pertinent primary and secondary legal literature that dealt

with the protection of human rights, the international bill of rights, which consists of the 1948 Universal Declaration of Human rights, the 1966 international covenant on Civil and Political Rights, and the 1966 international Covenant on Economic, Social, and Cultural Rights, is one of the main sources that was used.

## **1.8 Literature Review**

The international protection of human rights is a complex and evolving field, rooted in historical developments and shaped by legal, political, and social dynamics. This literature review examines the foundational texts, legal frameworks, institutional roles, and contemporary issues surrounding international human rights protection. The concept of human rights has ancient roots, but its international codification began in earnest after World War II with the establishment of the United Nations (UN). The adoption of the Universal Declaration of Human Rights (UDHR) in 1948 marked a seminal moment, setting a global standard for human rights protection.<sup>8</sup> This was followed by key treaties such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which together with the UDHR form the International Bill of Human Rights.<sup>9</sup>

The core international legal frameworks governing human rights include the UDHR, ICCPR, and ICESCR. These documents establish fundamental rights and freedoms, obligating signatory states to respect, protect, and fulfill these rights. Regional treaties, such as the European Convention on Human Rights (ECHR), the American Convention on Human Rights, and the African Charter on Human and Peoples' Rights, further reinforce and contextualize these protections within specific regions.<sup>10</sup>

Foundational literature often centres on post-World War II developments, including the Universal Declaration of Human Rights (UDHR) and core international covenants. Key authors include

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<sup>8</sup> United Nations General Assembly, Universal Declaration of Human Rights, 1948.

<sup>9</sup> United Nations, International Covenant on Civil and Political Rights, 1966; United Nations, International Covenant on Economic, Social, and Cultural Rights, 1966.

<sup>10</sup> Council of Europe, European Convention on Human Rights, 1950; Organization of American States, American Convention on Human Rights, 1969; Organization of African Unity, African Charter on Human and Peoples' Rights, 1981.

Louis Henkin, Philip Alston, and Jack Donnelly. Henkin, for instance, highlighted the groundbreaking nature of the UDHR as a universal human rights standard, while Alston has critically examined the implementation of economic, social, and cultural rights alongside civil and political rights. Many foundational texts have been critiqued from their Western-centric perspective, sometimes failing to fully incorporate the contributions and perspectives from non-Western countries. Additionally, early literature often glosses over conflicts and negotiations that influenced human rights treaties, presenting them as universally accepted. The field of international human rights is continually evolving, with new issues emerging that require attention. Digital rights, environmental rights, and the rights of refugees and migrants are increasingly recognized as critical areas of concern.<sup>11</sup> For instance, the rise of digital technologies has raised questions about privacy, freedom of expression, and cyber-surveillance.<sup>12</sup> Similarly, environmental degradation and climate change pose significant threats to the enjoyment of human rights, necessitating a broader interpretation of international protections.<sup>13</sup>

The research above could address the historical and ideological contributions of Global South countries to the development of international human rights standards, exploring alternative interpretations that are underrepresented in foundational works.

Scholars like Andrew Clapham, Kathryn Sikkink, and Thomas Buergenthal have extensively analyzed mechanisms of enforcement and compliance, discussing the effectiveness of entities such as the UN Human Rights Council, the International Criminal Court (ICC), and regional human rights courts. Buergenthal examines compliance issues within the Inter-American Court of Human Rights, while Sikkink analyzes the “justice cascade” created by the ICC in promoting individual accountability for war crimes.<sup>14</sup>

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<sup>11</sup>Henkin argues for the universality of human rights but acknowledges the UDHR’s limitations in reflecting non-Western philosophies. Henkin, Louis. *The Age of Rights*. New York: (9th ed. Columbia University Press, 1990)p.23.

<sup>12</sup>Deibert, Ronald J. “The Road to Digital Unfreedom: Three Painful Truths about Social Media.” *Journal of Democracy*, vol. 30: 1, January (2019), p. 25.

<sup>13</sup>Knox, J. H. "Human Rights Principles and Climate Change." In *Reimagining Climate Change*, edited by W. C. G. Burns and Hosofsky, (University of California Press, 2009), p. 239.

<sup>14</sup>Sikkink’s analysis emphasizes the role of the ICC in promoting justice for human rights abuses, despite jurisdictional limitations that impact its effectiveness, **Sikkink, Kathryn.***The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics*. New York: (9th ed. W. Norton & Company Press, 2011), p.101.

While studies on enforcement provide substantial analysis, there is limited focus on accountability for non-state actors, such as multinational corporations, which often have significant human rights impacts. Furthermore, the literature could benefit from a more critical analysis of the ways that political and economic pressures limit the enforcement power of these bodies.

Exploring frameworks for non-state accountability in international human rights could fill an important gap. Additionally, examining the challenges these institutions face due to geopolitical dynamics, such as the role of powerful states in influencing or undermining human rights enforcement, would be timely and relevant.

**Regional Approaches and Cultural Relativism Key Contributions:** Scholars like MichelineI shay and Makau Mutua have explored regional frameworks and the implications of cultural relativism in human rights. For example, Ishay discusses the adaptation of rights in regional frameworks like the African Charter on Human and Peoples’ Rights, while Mutua critiques universal human rights as a Western concept imposed on diverse cultures.<sup>15</sup>

Although cultural relativism is widely discussed, less attention is given to how regional variations can create legal fragmentation and inconsistencies within the international human rights system. In particular, there is a lack of analysis on how such fragmentation affects the enforcement of universal norms and the legal cohesion of international human rights.

Researching how regional frameworks interact with universal human rights norms and contribute to a fragmented legal landscape could provide valuable insights. This could include an analysis of how states navigate competing regional and international obligations, particularly when they clash.

**Emerging Rights and Evolving Norms Key Contributions:** As human rights evolve, new focus areas such as environmental rights, digital privacy, and the rights of marginalized groups have emerged. Scholars like John Knox have pioneered the discussion on environmental rights as human

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<sup>15</sup>Mutua critiques the notion of universal human rights as inherently Western and proposes that alternative frameworks should be recognized. Mutua, Makau. *Human Rights: A Political and Cultural Critique*. Philadelphia: (1<sup>st</sup> ed. University of Pennsylvania Press, 2002), p.33.

rights, while others like David Boyd and Michael Ignatieff address LGBTQ+ rights and emerging norms within international law.<sup>16</sup>

Emerging rights are still underdeveloped in literature, especially in relation to enforceability and acceptance across diverse legal systems. Environmental rights, data privacy, and digital rights are areas that face resistance in some regions, and there is limited research on how to bridge these divides and promote widespread implementation.

An exploration of the specific mechanisms required to enforce newer rights could be highly impactful. For instance, assessing how digital and environmental rights could be integrated into existing human rights frameworks and proposing new frameworks could be valuable (Karel Vasak Postulations are relevant here on generation of Rights).

Effectiveness of International Human Rights Law, Key Contributions: Scholars such as Beth Simmons and Ryan Goodman focus on compliance, analyzing the effectiveness of international treaties and why states comply (or don't). Simmons, for example, has discussed the influence of domestic political forces on states' compliance with human rights treaties, finding that internal pressure often shapes adherence.

Much of this literature does not fully address the impact of recent global trends, such as the rise of populism and authoritarianism, which often directly challenge international human rights norms. There is also limited research on how international human rights law can adapt to resist these emerging threats.

My research examines how international human rights law must evolve to respond to challenges posed by nationalism and authoritarianism, and how mechanisms might adapt to safeguard human rights in such political climates.

International protection of human rights: **The author "Asikia Karibi-Whyte** identified the international protection of human right ranging from the idea of rights down to the evolution of

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<sup>16</sup>Knox underscores the need for explicit human rights protections against environmental harms, advocating for legal mechanisms to support these protections, John Knox, H. *The Human Right to a Healthy Environment*. (1<sup>st</sup> ed. Cambridge University Press, 2018), p. 47.

human rights, she also wrote on the historical perspective cum international, regional and domestic rights protection.<sup>17</sup>

This literature does not fully address the enforcement mechanism of international human rights as enshrined/limited in the conventions.

My research would examine how international human rights law must be instituted to accommodate the enforcement of international rights, i.e. international bodies are expected to have their own policing system by not relying on state parties.

## **1.9 Conclusion**

The literature on international human rights protection highlights the complexity and dynamism of the field. While significant progress has been made since the adoption of the UDHR, ongoing challenges and emerging issues underscore the need for continual adaptation and strengthening of international mechanisms. This thesis sets the stage for further research into specific case studies and the effectiveness of current international protections.

The international protection of human rights remains a dynamic and evolving field, shaped by historical developments, legal frameworks, and contemporary global challenges. This literature review has explored the foundational legal instruments, key scholarly contributions, enforcement mechanisms, and emerging issues that influence human rights protection at the international, regional, and domestic levels. While the Universal Declaration of Human Rights (UDHR) and core international instruments have established a global standard for human rights, their effectiveness continues to be subject to geopolitical, economic, and cultural pressures.

A critical assessment of existing literature highlights several gaps, including the need for greater recognition of the contributions of Global South countries to human rights development, improved

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<sup>17</sup> “Asikia Karibi-Whyte, *International protection of human rights*: (Student’s companion series 3, undated), p. 74.

accountability frameworks for non-state actors, and more effective enforcement mechanisms. Scholars have extensively debated the tension between universal human rights norms and regional variations, with some arguing that cultural relativism creates inconsistencies that undermine legal cohesion. Additionally, the emergence of digital rights, environmental rights, and protections for marginalized groups signals the need for international human rights law to adapt to contemporary challenges.

Enforcement remains a significant concern, as compliance with human rights treaties often depends on domestic political will and the influence of international institutions. The effectiveness of bodies such as the UN Human Rights Council and regional courts has been questioned, particularly in light of rising authoritarianism and populism that challenge human rights norms. Furthermore, international human rights law has yet to establish comprehensive enforcement mechanisms independent of state cooperation, limiting its capacity to address violations effectively.

Future research should explore how international institutions can strengthen their enforcement powers, particularly by developing independent monitoring and policing systems that do not rely solely on state parties. Additionally, addressing emerging human rights challenges—such as the regulation of artificial intelligence, climate justice, and corporate accountability—will be crucial for ensuring that human rights law remains relevant and effective in a rapidly changing global landscape. By bridging these gaps, the field of international human rights protection can continue to evolve and uphold its fundamental mission of safeguarding human dignity worldwide.

## CHAPTER TWO

### HISTORICAL CONTEXT OF THE PROTECTION AND VIOLATIONS OF HUMAN RIGHTS

#### 2.1 Evolution of Human Rights Concepts and International Norms.

Human rights, defined as the inherent rights and freedoms owed to every individual simply by virtue of their humanity have undergone significant evolution over millennia. The concept has been shaped by cultural, religious, philosophical, and legal traditions worldwide, culminating in contemporary frameworks that seek universal applicability. This chapter explores the historical trajectory of human rights, examining its philosophical roots, legal milestones, and the gradual development of international norms.

According to A. Karibi-Whyte, “the evolution of human rights usually can be traced back to the English Magna Carta of 1215 which inured in response to social and political unrest in England. According to the learned author, “the Magna Carta was signed by King John as a pact between him and his unhappy barons” ... the Magna Carta was not intended to serve as a public document”.<sup>18</sup>

The **English Bill of Rights of 1689** was among the earliest legislative instruments to explicitly use the term “rights,” aiming primarily to reaffirm parliamentary sovereignty over the monarchy rather than to promote individual liberties per se. In the broader historical context, the **American Declaration of Independence (1776)** and the **French Declaration of the Rights of Man and of the Citizen (1789)** emerged from significant political upheaval. The former arose as a response to colonial oppression and the desire for self-governance in the American colonies, while the latter

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<sup>18</sup>Karibi-Whyte, supra note 17, P.9.

followed a tumultuous revolution aimed at dismantling the structures of absolute monarchy in France and establishing the principles of republicanism and civil rights.

In addition to the historical developments mentioned above, the ideological foundations of both the **American Declaration of Independence** and the **French Declaration of the Rights of Man and of the Citizen** were profoundly influenced by Enlightenment thinkers such as **John Locke**, **Montesquieu**, and **Jean-Jacques Rousseau**. Locke's theory of the **social contract** and the inalienable rights to life, liberty, and property provided a philosophical basis for challenging unjust rule and advocating for government by consent. Montesquieu's doctrine of the **separation of powers** shaped modern constitutional governance by emphasizing the need to prevent the concentration of political power. Rousseau's concept of **popular sovereignty**, where ultimate authority rests with the people, was pivotal in advancing the idea that legitimate political authority derives from the general will. Collectively, these principles have significantly influenced the evolution of international human rights norms as recognized today.

The earliest expressions of justice and rights are found in ancient legal codes and traditions. For instance, the **Code of Hammurabi** (c. 1754 BCE) established principles of fairness, albeit hierarchically applied. Similarly, ancient Greek philosophers like **Aristotle** introduced the notion of natural law, positing that certain rights and duties arise from human nature and reason.<sup>19</sup>In Roman law, concepts like *jus naturale* (natural rights) and *jus gentium* (law of nations) provided early frameworks for rights that transcended local customs. These ideas influenced later legal

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<sup>19</sup>The Code of Hammurabi's one or more states: "To bring about the rule of righteousness...to protect the weak from the strong," emphasizing justice as a foundational societal goal. See J. B. Pritchard, *Ancient Near Eastern Texts* (3<sup>rd</sup> edition, Princeton University Press, 1969), p. 163.

traditions, particularly in Europe.<sup>20</sup>Religious traditions have played a critical role in shaping human rights ideas. Judeo-Christian teachings emphasized human dignity and the moral responsibility to care for others. The **Sermon on the Mount** is often cited as an ethical foundation for modern rights discourses.

Islamic law introduced principles of justice and fairness, particularly through the **Quran** and the teachings of the Prophet Muhammad, which emphasized social equity and protection of the marginalized.<sup>21</sup>

The Renaissance and Enlightenment periods marked a shift toward individualism and rationality, challenging traditional hierarchies and advocating for inherent rights. Philosophers like **John Locke** and **Jean-Jacques Rousseau** emphasized the social contract, asserting that governments derive legitimacy from the consent of the governed and must protect fundamental rights.<sup>22</sup>

The **American Declaration of Independence** (1776) and the **French Declaration of the Rights of Man and of the Citizen** (1789) formalized these ideas, enshrining equality, liberty, and fraternity as universal principles.<sup>23</sup>The atrocities of World War II underscored the need for a global framework to prevent human rights violations. The **Universal Declaration of Human Rights** (UDHR) was adopted in 1948 by the United Nations, establishing a comprehensive, universal

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<sup>20</sup>Roman legal principles were instrumental in developing the concept of rights applicable beyond national boundaries. See Michel Villey, *Roman law and Human Rights* (9<sup>th</sup> edition, Universitaires de France Press, 1983), p. 45.

<sup>21</sup>Islamic jurisprudence, as outlined in the Quran, places emphasis on justice (*adl*) and the protection of basic human dignity. See Abdullah An-Na'im, *Islam and Human Rights*, (3<sup>rd</sup> edition, Syracuse University Press, 1990), p. 27.

<sup>22</sup>John Locke, *Two Treatises of Government*. Edited by Peter Laslett. Cambridge: (1<sup>st</sup> ed. Cambridge University Press, 1988), p. 212.

<sup>23</sup>The French Declaration's Article 1 asserts: "Men are born and remain free and equal in rights." See Lynn Hunt, *Inventing Human Rights* (9<sup>th</sup> edition, Norton Press, 2007), p. 98.

standard for human rights.<sup>24</sup>The Nuremberg Trials (1945–1946) further cemented the principle of accountability for crimes against humanity, leading to the development of international criminal law.<sup>25</sup>

Subsequent treaties, including the **International Covenants on Civil and Political Rights** and **Economic, Social, and Cultural Rights** (1966), and regional instruments like the **European Convention on Human Rights**, expanded the scope of human rights protections.<sup>26</sup>

The evolution of human rights reflects humanity's ongoing struggle to balance individual freedoms with collective responsibilities. From ancient traditions to modern international frameworks, the concept of human rights has transformed into a universal norm, albeit with challenges of enforcement and cultural relativism.

This chapter has traced this evolution, setting the stage for further exploration of contemporary issues in human rights enforcement and their implications for global governance.

## **2.2 History of Bodies like the UN Human Rights Council.**

The institutionalization of human rights at the international level is a defining feature of the 20th and 21st centuries. Among the bodies central to this evolution is the **United Nations Human Rights Council (UNHRC)**, established to address violations of human rights and promote universal standards of dignity and freedom. This chapter explores the historical context that led to

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<sup>24</sup> The UDHR's preamble declares, "Recognition of the inherent dignity and... equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." See United Nations, *Universal Declaration of Human Rights* (1948), Article 1.

<sup>25</sup>For an analysis of the Nuremberg Trials, see Taylor Telford, *The Anatomy of Nuremberg Trials: A Personal Memoir*. New York: (1<sup>st</sup> ed. Knopf Press, 1992), p.345.

<sup>26</sup>These covenants operationalized the principles of the UDHR, creating legally binding obligations. See Philip Alston and Ryan Goodman, *International Human Rights*, (2nd Revised ed, Oxford University Press, 2013), p. 245.

the creation of the UNHRC, its predecessor (the Commission on Human Rights), and its evolution into a modern, globally significant body.

The idea of human rights has been pre-world war; was a national issue, however the post-war reaction to the threat of tyranny resulted in an atmosphere in which it was mostly thought that human right should cease to be a national but international concern. The atrocities of Adolf Hitler gave impetus for a formal propagation of human rights. President Roosevelt famous declaration to Congress on 6<sup>th</sup> June, 1941<sup>27</sup>. International law which literally is the law of nations became a vehicle that promoted international human rights. But quite recently the assertion can no longer be supported because international human rights go beyond the boundaries of general international law; there is an overlap between the traditional effects of relations between states and relations between states and individual. International human rights allow the international community to determine some limits to what a state can do to its nationals.<sup>28</sup>

International human rights have links with the treatment of aliens, reparation and reprisals, diplomatic laws, the law of war, treatment of minorities. The end result of the two world wars i.e. the First World War between 1914-1918 and the Second World War between 1939-1944 both led to the international protection of rights. In its early years, the Commission primarily focused on standard-setting through the creation of treaties such as the **International Covenant on Civil and Political Rights** and the **International Covenant on Economic, Social, and Cultural**

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<sup>27</sup> He stated the four essential freedoms of every man, the four freedoms namely, 1. Freedom of speech and expression 2. Freedom of religion 3. Freedom from want and 4. Freedom from fear. The four freedoms became an impetus for the development of human rights in the international sphere.

<sup>28</sup>The United Nations Commission on Human Rights (UNCHR) was established in 1946 as one of the UN's principal organs tasked with addressing human rights issues. Led by Eleanor Roosevelt, the Commission played a pivotal role in drafting the Universal Declaration of Human Rights (UDHR), adopted in 1948. This foundational document set the stage for subsequent human rights treaties and norms. Eleanor Roosevelt chaired the drafting committee for the UDHR, describing it as "the international Magna Carta for all mankind." See Glendon, Mary Ann. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. New York: (1<sup>st</sup> ed. Random House Press, 2001).p45.

**Rights.**<sup>29</sup>Over time, the UNCHR faced significant criticism for its politicization and selective treatment of human rights issues. Member states with poor human rights records often used their positions to shield themselves or allies from scrutiny.<sup>30</sup>To address the shortcomings of the Commission, the United Nations General Assembly (UNGA) established the **Human Rights Council (UNHRC)** in 2006 via Resolution 60/251. The Council was tasked with addressing human rights violations more effectively and promoting universal rights globally.<sup>31</sup>

The UNHRC's mandate included:

- I. Conducting **Universal Periodic Reviews (UPR)** of all UN member states to assess their human rights practices.
- II. Addressing specific human rights violations and making recommendations.
- III. Working closely with **Special Procedures**, such as independent experts and rapporteurs, to investigate and report on thematic or country-specific issues.<sup>32</sup>

The Council comprises 47 member states, elected by the General Assembly for staggered three-year terms. Members are required to uphold the “highest standards in the promotion and protection of human rights.”<sup>33</sup>

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<sup>29</sup> The Commission's efforts culminated in the twin covenants of 1966, collectively forming the International Bill of Human Rights. See Philip Alston, , and Ryan Goodman. *International Human Rights*. New York: (1<sup>st</sup> ed. Oxford University Press, 2013), P. 235.

<sup>30</sup>Eric A. Posner, *The Twilight of Human Rights Law*. New York: (1<sup>st</sup> ed. Oxford University Press, 2014), P.117.

<sup>31</sup>The General Assembly adopted Resolution 60/251 with 170 votes in favor, replacing the Commission with the Council. See United Nations, Resolution 60/251 (2006).

<sup>32</sup>The UPR mechanism was hailed as a groundbreaking feature, ensuring equal scrutiny of all member states. See Rosa Freedman, *The United Nations Human Rights Council: A Critique and Early Assessment*. Abingdon, (1<sup>st</sup> ed. UK: Routledge Press, 2013). P.72.

<sup>33</sup> Article 8 of Resolution 60/251 stipulates that Council members may be suspended for gross violations of human rights. See United Nations, Resolution 60/251 (2006).

## 2.3 Key Achievements of the UN:

- I. **Universal Periodic Review (UPR):** The UPR has been lauded as a universal and equal mechanism for assessing human rights practices across all member states.
- II. **Special Procedures System:** Independent experts and rapporteurs have conducted critical investigations into human rights crises, such as the Rohingya crisis in Myanmar and the Syrian civil war.
- III. **Global Advocacy:** The Council has adopted resolutions on pressing issues, including climate change and its impact on human rights.<sup>34</sup>

The UNHRC plays a central role in shaping global human rights discourse. However, its future effectiveness will depend on addressing structural weaknesses, ensuring impartiality, and adapting to emerging challenges such as digital rights and the impacts of artificial intelligence on human freedoms.<sup>35</sup>

The evolution from the UN Commission on Human Rights to the Human Rights Council represents the international community's efforts to institutionalize and strengthen human rights protections. While the Council has achieved significant progress in promoting universal rights, its ongoing credibility and effectiveness will depend on its ability to overcome politicization and adapt to the dynamic global landscape.

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<sup>34</sup> For an analysis of the Council's role in addressing climate-related human rights challenges, see John Knox, *Climate Change and Human Rights*, (1<sup>st</sup> edition Oxford University Press, 2016), P. 245.

<sup>35</sup> For discussions on emerging challenges in human rights, see Raman Supriya, *Digital Rights and the Future of Human Rights Institutions* (2020), p. 84. (Unpublished).

## 2.4 Violations of Human Rights Redressed by the United Nations in Africa

The United Nations (UN) has played a significant role in addressing human rights violations across Africa through its agencies, peacekeeping missions, and judicial mechanisms. African nations have experienced a wide range of human rights abuses, including genocide, war crimes, political repression, and violations of civil liberties. The UN's response to these violations has involved diplomatic interventions, humanitarian aid, and legal actions through international tribunals.

### I. Genocide and War Crimes: The Case of Rwanda (1994):

The most fundamental human right—the right to life—was violated on a massive scale. Killings were carried out across the country by **militias (such as the Interahamwe), soldiers, and even civilians**, often with machetes, clubs, and firearms. Victims were hunted in their homes, on the streets, in churches, and in schools, with little to no means of escape or protection. One of the most horrific human rights violations in Africa was the 1994 Rwandan Genocide, in which approximately 800,000 Tutsi and moderate Hutus were massacred within 100 days.<sup>36</sup> In response, the UN established the **International Criminal Tribunal for Rwanda (ICTR)** in 1994 to prosecute those responsible for genocide, crimes against humanity, and war crimes.<sup>37</sup> The ICTR convicted key perpetrators, including former government officials, military leaders, and media executives who incited violence. While the tribunal played a crucial role in delivering justice, it was also criticized for its delayed response and failure to prevent the genocide.<sup>38</sup>

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<sup>36</sup> Alison Des Forges. *Leave None to Tell the Story: Genocide in Rwanda*. Human Rights Watch, 1999.

<sup>37</sup>United Nations. (1994). *Resolution 955 Establishing the International Criminal Tribunal for Rwanda*. Retrieved from <https://www.un.org>. (accessed on 18<sup>th</sup> May, 2025).

<sup>38</sup>William A.Schabas, "Genocide Trials and Tribulations." In *Genocide in International Law: The Crime of Crimes*, (2nd ed., UK. Cambridge University Press, 2009). p. 78.

## II. Human Rights Violations in Sudan: Darfur Crisis:

The Darfur conflict, which began in 2003, involved mass killings, sexual violence, and displacement of civilians by the Sudanese government-backed Janjaweed militia.<sup>39</sup> In response, the UN deployed the **African Union-United Nations Hybrid Operation in Darfur (UNAMID)** to protect civilians and facilitate humanitarian assistance.<sup>40</sup> Additionally, the **International Criminal Court (ICC)**, supported by the UN, issued an arrest warrant against Sudanese President Omar al-Bashir for war crimes, crimes against humanity, and genocide.<sup>41</sup> Despite these efforts, enforcement remains a challenge due to political resistance and limited cooperation from Sudanese authorities. Sexual violence was systematically used as a weapon of war. Women and girls were subjected to **rape, gang rape, and sexual slavery**, often in front of family members. These crimes were committed with impunity by the Janjaweed and Sudanese soldiers, with little to no action taken by the state to punish the perpetrators. According to Amnesty International, such violence was intended to terrorize communities and destroy the social fabric of non-Arab ethnic groups<sup>42</sup>.

## III. Political Repression and Electoral Violence in Côte d'Ivoire

Following the 2010 presidential elections in Côte d'Ivoire, political violence erupted between supporters of incumbent President Laurent Gbagbo and opposition leader Alassane Ouattara. The political history of Côte d'Ivoire (Ivory Coast) has been marred by cycle's of political repression, electoral violence, and human rights violations, particularly surrounding elections in the early

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<sup>39</sup> Alison Des Forges, *Supra* note 36, p. 18.

<sup>40</sup>United Nations-African Union Mission in Darfur (UNAMID). (2007). *UNAMID Mandate and Objectives*. Retrieved from <https://www.un.org/en/peacekeeping>. (accessed on 18<sup>th</sup> May, 2025).

<sup>41</sup>International Criminal Court. (2009). *Warrant of Arrest for Omar al-Bashir*. Retrieved from <https://www.icc-cpi.int> (accessed on 22<sup>nd</sup> June, 2025).

<sup>42</sup>Amnesty International, *Darfur: Rape as a Weapon of War* (Amnesty International Publications, London, 2004) p.7.

2000s and the post-election crisis of 2010–2011. These violations were rooted in deep ethnic, political, and regional divisions exacerbated by discriminatory policies and contested leadership. Suppression of Freedom of Expression and Press during the crisis and under Gbagbo’s regime, state media was used to incite violence, and journalists faced censorship, arrests, and violence. Independent newspapers and radio stations were targeted for closure or intimidation if they were perceived as supporting the opposition<sup>43</sup>.

The UN, through the **United Nations Operation in Côte d'Ivoire (UNOCI)**, intervened to protect civilians and oversee the democratic transition.<sup>44</sup>Gbagbo was later arrested and transferred to the **ICC**, where he faced charges of crimes against humanity, including murder and sexual violence.<sup>45</sup>The UN's involvement helped restore stability, although some critics argue that international intervention was selective in targeting political figures.

#### **IV. Human Rights Abuses by Armed Groups: Central African Republic (CAR):**

The **Central African Republic (CAR)** has endured recurrent political instability, civil conflict, and humanitarian crises, particularly since 2013. One of the most alarming aspects of the ongoing conflict has been the **widespread human rights abuses committed by various armed groups**, including the predominantly Muslim **Séléka coalition**, the predominantly Christian and animist **Anti-balaka militias**, and other rebel factions. These groups have been responsible for **grave violations of international human rights and humanitarian law**,

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<sup>43</sup>United Nations Human Rights Council, *Report of the International Commission of Inquiry on Côte d'Ivoire* (Geneva, UN Doc A/HRC/17/48, 2011) p. 7.

<sup>44</sup>United Nations Peacekeeping, *UNOCI's Role in Côte d'Ivoire Crisis* (2011) <https://www.un.org/en/peacekeeping> (accessed 18 May 2025).

<sup>45</sup>International Criminal Court. (2019). *Acquittal of Laurent Gbagbo*. Retrieved from <https://www.icc-cpi.int>. (accessed on 22<sup>nd</sup> June, 2025).

contributing to one of the most severe but underreported crises in Africa.<sup>46</sup>The **United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA)** was deployed to address ongoing human rights violations in CAR, where armed groups have committed massacres, sexual violence, and forced recruitment of child soldiers.<sup>47</sup>The mission has provided protection to civilians, supported the disarmament of militant groups, and facilitated national reconciliation efforts. However, challenges such as weak governance and continued violence have hindered the full realization of human rights protections.

## **V. Sexual Violence and Exploitation by Peacekeepers**

Sexual exploitation and abuse by peacekeepers represents a **serious breach of trust and duty** that fundamentally contradicts the UN's mandate to uphold peace and human rights. Despite progress in addressing the issue, **structural gaps in accountability, legal jurisdiction, and enforcement** continue to allow perpetrators to operate with impunity. For peacekeeping missions to maintain legitimacy, the UN must adopt **stronger investigative mechanisms, ensure transparency, and pressure contributing states to prosecute offenders**. Justice for victims and deterrence for potential abusers must be prioritized to restore credibility and safeguard human rights in fragile contexts.<sup>48</sup>

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<sup>46</sup>Human Rights Watch, *Central African Republic: Muslims Forced to Flee* (29 July 2014) <https://www.hrw.org/report/2014/07/29/they-came-grandmothers-too/central-african-republic-muslims-forced-flee> accessed 25 May 2025.

<sup>47</sup>United Nations MINUSCA, *Stabilization and Peacekeeping in CAR* (2014) <https://www.un.org/en/peacekeeping> (accessed 25 May 2025).

<sup>48</sup>Amnesty International. (2015). *Central African Republic: UN Must Investigate Allegations of Child Sexual Abuse by Peacekeepers*. <https://www.amnesty.org/en/documents/afr19/2038/2015/en/> (accessed on the 25th May, 2025).

While the UN has been instrumental in addressing human rights violations, some of its peacekeeping forces have been implicated in human rights abuses. Reports have documented cases of sexual exploitation and abuse by UN personnel in the Democratic Republic of the Congo (DRC) and CAR<sup>49</sup>In response, the UN implemented stricter accountability measures, including repatriating guilty peacekeepers and strengthening oversight mechanisms.<sup>50</sup>

## **2.5 Effects of globalization on the protection and enforcement of human rights.**

**Globalization of human rights** refers to the process through which **human rights norms, principles, and standards**—once considered primarily national or regional issues—have become **universal values recognized and promoted across the globe**. This transformation has been driven by international institutions, treaties, global civil society, and the spread of information and communication technologies.

Human rights and globalization are deeply interconnected concepts that influence social, political, and economic structures worldwide. Globalization, characterized by the increased interconnectedness of nations through trade, technology, and cultural exchange, has significantly impacted the promotion and protection of human rights. While globalization has facilitated the spread of democratic values, legal frameworks, and economic opportunities, it has also posed challenges such as labour exploitation, economic inequality, and the erosion of cultural identities. Understanding the relationship between human rights and globalization is essential in evaluating its benefits and drawbacks in a rapidly evolving world.

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<sup>49</sup>Human Rights Watch. (2017). *Sexual Exploitation by UN Peacekeepers in the DRC and CAR*. Retrieved from <https://www.hrw.org>. (accessed on the 25th May, 2025).

<sup>50</sup>United Nations. (2018). *UN Measures to Prevent and Address Sexual Exploitation and Abuse*. Retrieved from <https://www.un.org>. (accessed on the 25th May, 2025).

The dual impact of globalization—its capacity to bolster human rights enforcement through cross-border cooperation and its role in creating challenges by prioritizing economic growth and corporate interests over individual and collective rights.

While it has driven progress in advocacy, awareness, and policy-making, globalization also presents significant challenges, particularly in balancing diverse cultural values and ensuring equitable protections for marginalized groups, including the LGBTQ community. This chapter examines how globalization impacts human rights protection and enforcement, with an emphasis on LGBTQ rights.<sup>51</sup>

The rise of digital technology has transformed human rights advocacy. Social media platforms, independent journalism, and digital activism have exposed human rights abuses worldwide. The Arab Spring (2010-2012), for instance, showcased how social media can be used to mobilize protests against authoritarian regimes.<sup>52</sup> Similarly, movements such as **#MeToo** and **#EndSARS** have used digital globalization to amplify voices against human rights violations.<sup>53</sup>

## **2.7 Globalization Has Advanced Human Rights in Several Ways:**

- a. **Enhanced Advocacy and Awareness:** The widespread use of digital technology and global media has brought human rights violations to international attention. This connectivity fosters global advocacy movements, such as those led by Amnesty International, that press governments and corporations to adhere to human rights standards.

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<sup>51</sup>Altman, Dennis. *Global Sex: Sexuality and Globalization*. Chicago: (7<sup>th</sup> ed., US. University of Chicago Press, 2001), P.34.

<sup>52</sup> Philip N. Howard, et al. *Opening Closed Regimes: What Was the Role of Social Media During the Arab Spring?*, 2011. P.98.

<sup>53</sup>Jason Burke. “#EndSARS Protests in Nigeria: A Fight against Police Brutality.” *The Guardian*, 21 Oct. 2020,

- b. **Strengthened International Norms:** The proliferation of international treaties and organizations, such as the United Nations and regional human rights bodies, reflects globalization's role in establishing common legal frameworks. For example, South Africa's 1996 Constitution drew heavily from international human rights principles.
- c. **Empowerment of Civil Society:** Globalization has enabled civil society groups to collaborate across borders, amplifying marginalized voices and holding state and non-state actors accountable. This has been vital in areas such as environmental and gender rights, where global norms challenge traditional power structures.<sup>54</sup>

Negative Effects of Globalization on Human Rights despite its benefits, globalization poses significant challenges:

- I. **Economic Inequalities:** Open trade often exacerbates income disparities between and within nations. In developing countries, economic globalization can compel governments to prioritize foreign investments, sometimes at the expense of labour rights, environmental protection, and social welfare standards. Economic globalization and open trade can fuel growth and innovation—but without strong governance, redistribution policies, and labor protections, they often **widen existing inequalities**. For developing countries, the challenge lies in **balancing global competitiveness with social justice and sustainable development**.
- II. **Erosion of Sovereignty:** The dominance of multinational corporations and financial institutions can weaken state control over human rights enforcement. Corporations may

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<sup>54</sup> David P. Forsythe, *Human Rights in International Relations*. (3rd ed., UK. Cambridge University Press, 2012), p. 209.

exploit weak labor and environmental laws in pursuit of profit, leading to a “race to the bottom” in regulatory standards.<sup>55</sup>

**III. Cultural Homogenization and Rights Conflicts:** The spread of dominant global cultures can undermine indigenous traditions and collective rights. For example, Western notions of individualism sometimes conflict with collectivist cultural practices, challenging the protection of community-based human rights, just like what is happening between US and South Africa. South African President is alleged to be allowing the killings of white farmers, while worst killings are taking place in US. Human rights are not experienced uniformly, and cultural context is critical for effective human rights protection.

**IV. Environmental and Health Impacts:** Global economic expansion frequently results in environmental degradation, disproportionately affecting vulnerable populations who rely on natural resources. Climate change, driven by industrialization, endangers fundamental rights like health, housing, and livelihood.

Sequel to the above premise, globalization in my own view has its merit considering the achievements of technological breakthrough the entire world has become a global village where crimes of international coloration can be detected via technology without having to travel anywhere in the world. The postulation of Karel Vasak regarding the generation of rights has become one of the most relevant postulations, especially First Generation Civil and Political Rights, focus: Individual freedoms and protection from state interference (e.g., freedom of speech, right to vote). First Generation Civil and Political Rights refer to fundamental human rights that primarily protect individuals from state interference and ensure individual liberty and participation in political life.

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<sup>55</sup>Organisation for Economic Co-operation and Development (OECD). (2000). *The Challenge of Globalisation for Human Rights*. <https://www.oecd.org> (accessed 25 May, 2025).

Rooted in Enlightenment thought and codified in foundational international documents like the International Covenant on Civil and Political Rights (ICCPR, 1966), these rights are often seen as "negative rights"—obligations on the state to refrain from interference rather than provide services. The First-Generation Rights includes: Freedom of Speech and Expression: Enables individuals to voice opinions without fear of government censorship or retaliation. Right to Vote and Political Participation: Ensures the ability to participate in free and fair elections, a cornerstone of democratic governance. Freedom of Assembly and Association: Protects the right to protest and join organizations, including trade unions and political parties. Right to a Fair Trial: Guarantees legal due process, presumption of innocence, and access to legal representation. Freedom of Religion and Belief: Protects personal belief systems and the right to practice religion freely. Freedom from Arbitrary Arrest or Detention: Requires that any deprivation of liberty follow established legal procedures.<sup>56</sup>

Second Generation Economic, Social, and Cultural (ESC) Rights focus on ensuring social welfare, equality, and dignified living conditions for all individuals. Unlike first-generation civil and political rights—which primarily protect individuals from state interference—second-generation rights often require positive action by the state to provide services and resources that promote well-being and inclusion. Key Features of Second-Generation ESC Rights, These rights are enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) and include: Right to Education: Every individual has the right to free and compulsory primary education, as well as access to secondary and higher education. Right to Health: Includes access to medical care, clean water, sanitation, and healthy living conditions. Right to Work and Fair Wages: Guarantees fair remuneration, safe working conditions, and the ability to form and join

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<sup>56</sup>Jack Donnelly. *Universal Human Rights in Theory and Practice*. (3rd ed., Cornell University Press, 2013), p. 30.

trade unions. **Right to Social Security:** Covers protections such as unemployment insurance, disability benefits, and old-age pensions. **Right to an Adequate Standard of Living:** Includes access to food, clothing, housing, and continuous improvement of living conditions. **Right to Participate in Cultural Life:** Individuals and communities have the right to preserve and participate in cultural heritage and identity. These rights promote substantive equality, aiming to reduce structural inequalities related to poverty, gender, race, and other forms of marginalization.<sup>57</sup>

Third Generation Rights, also known as Collective or Solidarity Rights, go beyond individual entitlements to focus on the rights of groups and peoples. These rights are rooted in the idea that certain human rights can only be realized through collective action and cooperation, especially in an increasingly interdependent world. Key Features of Third-Generation Rights includes, unlike first and second-generation rights, which are typically attributed to individuals, third-generation rights are group-oriented and often relate to global concerns such as peace, environmental protection, and sustainable development. Examples include: **Right to Self-Determination:** Peoples have the right to freely determine their political status and pursue their economic, social, and cultural development. **Right to Development:** The right of individuals and peoples to participate in, contributes to, and enjoy economic, social, cultural, and political development. **Right to a Healthy Environment:** Recognizes the need for environmental conditions that support well-being, often linked to indigenous rights and climate justice. **Right to Peace and Humanitarian Assistance:** Emphasizes global solidarity and the prevention of war, conflict, and suffering. These rights are articulated in documents like the Declaration on the Right to Development (1986) and the

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<sup>57</sup>Philip Alston, and Ryan Goodman. *International Human Rights*. (7<sup>th</sup> ed. UK. Oxford University Press, 2013), p. 237.

Stockholm and Rio Declarations on the Environment. However, they are less legally enforceable and more aspiration compared to earlier generations.<sup>58</sup>

Fourth Generation Rights often referred to as digital and Technological Rights have emerged in response to the rapid growth of digital technologies, artificial intelligence, and surveillance systems. These rights extend traditional human rights into new digital contexts, ensuring that individuals are protected in the information age. Features of Fourth Generation Digital and Technological Rights focus on individual autonomy, dignity, and equality in digital spaces. Key areas include: Right to Digital Privacy: Protection of personal data from unauthorized access, commercial misuse, or state surveillance. Right to Internet Access: Recognition that access to the internet is essential for exercising freedoms of expression, education, and participation in public life. Protection Against Digital Surveillance: Safeguards against mass surveillance by governments or private corporations, often without transparency or consent. Freedom of Expression Online: Ensuring that censorship, algorithmic bias, or misinformation does not undermine the right to speak freely in digital spaces. Cyber security and Protection from Online Harassment: Includes protection from cyber bullying, digital violence, and online discrimination. These rights are increasingly recognized by international bodies. For example, the UN Human Rights Council (2012) declared internet access a human right, and General Comment No. 25 (2021) by the Human Rights Committee addresses the right to privacy in the digital age.<sup>59</sup>

Fifth Generation Rights: Environmental Rights represent an emerging category of human rights that focus on the protection of the natural environment, the pursuit of sustainable development,

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<sup>58</sup>Andrew Clapham. *Human Rights: A Very Short Introduction*. (7<sup>th</sup> ed. UK. Oxford University Press, 2015), p. 95.

<sup>59</sup>Ronald J. Deibert, *Reset: Reclaiming the Internet for Civil Society*. (7<sup>th</sup> ed. House of Anansi Press, 2020), p. 45.

and rights related to climate change. These rights are grounded in the recognition that a healthy environment is essential to the realization of all other human rights, including the rights to life, health, food, and water. Key Focus Areas of Fifth Generation of rights aim to ensure that both current and future generations enjoy the benefits of a safe, clean, healthy, and sustainable environment. Critical elements include: Right to a Healthy Environment: Now recognized by the UN Human Rights Council (2021) and the UN General Assembly (2022), this right obligates states to prevent environmental harm and protect ecosystems. Right to Sustainable Development: Ensures that development meets the needs of the present without compromising the ability of future generations to meet theirs. Climate Justice and Climate Change Rights: Includes the responsibility of states to reduce emissions, address loss and damage, and protect vulnerable populations from climate impacts. Intergenerational Equity: Emphasizes the duty to preserve environmental quality for future generations. Environmental Defenders' Protection: Safeguards for individuals and communities that protect ecosystems from exploitation or degradation. These rights are often collective in nature and increasingly recognized in international treaties and declarations, though enforcement mechanisms remain limited.<sup>60</sup>

Sixth Generation Rights: Rights of Future Generations represent a forward-looking evolution in the field of human rights, aimed at ensuring that decisions made today do not jeopardize the rights, dignity, and well-being of future human beings. These rights go beyond environmental protection and encompass the broader goal of intergenerational justice, promoting sustainability in all aspects of life social, economic, cultural, technological, and ecological. Key Focus Areas of Sixth Generation Rights Intergenerational Equity: The core principle that future generations have a right

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<sup>60</sup> David R. Boyd, *The Environmental Rights Revolution: A Global Study of Constitutions, Human Rights, and the Environment*. (7<sup>th</sup> ed. UBC Press, 2012), p. 3.

to inherit a world that is not worse and ideally better than the one we live in today. Sustainability in Decision-Making: Public policy and legal frameworks should integrate long-term impacts, not just short-term benefits. Preservation of Natural and Cultural Heritage: Future generations have a right to benefit from humanity's cultural achievements and ecological resources. Technological and Ethical Responsibility: Decisions related to AI, biotechnology, and other powerful technologies must consider potential long-term risks. Global Commons Protection: Oceans, the atmosphere, and outer space should be protected as shared resources, not subject to depletion or monopolization. Legal and Institutional Developments; the UNESCO Declaration on the Responsibilities of the Present Generations toward Future Generations (1997) was a foundational document in this area. Countries like Wales (UK) have established legal frameworks such as the *Well-being of Future Generations Act (2015)*. The idea is gaining traction within international law and climate justice movements (e.g., *Youth4Climate, Fridays for Future*).<sup>61</sup>

Seventh Generation Rights related to Biotechnology and Genetics Focus: Bioethics, genetic privacy, and protection against genetic discrimination; the last generation of rights which happens to be the LGBTQ is fast gaining recognition in the western world but considering our culture in Africa, most African countries like Nigeria have laws that criminalize such act.<sup>62</sup>

Globalization has had a profound impact on several human rights beyond LGBTQ+ rights. While it has facilitated the promotion of universal human rights standards, it has also created new challenges. Here are some key areas where globalization has significantly influenced human rights:

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<sup>61</sup>Brown Weiss, Edith. *In Fairness to Future Generations: International Law, Common Patrimony, and Intergenerational Equity*. (7<sup>th</sup> ed. United Nations University Press, 1989), p. 17.

<sup>62</sup>Andorno, Roberto. *Principles of International Bioethics and Human Rights*. (1<sup>st</sup> ed. UNESCO Press, 2009), p.112.

**Labor Rights and Exploitation** Many corporations outsource labor to countries with weak labor laws, leading to sweatshop conditions, child labor, and forced labor. For instance, the garment industry in Bangladesh and Cambodia has faced repeated accusations of poor working conditions and wage exploitation. The International Labour Organization (ILO) has sought to address these issues through conventions like C182 (Worst Forms of Child Labour Convention), but enforcement remains weak in many regions<sup>63</sup>.

**Digital Privacy and Surveillance** the expansion of digital globalization has led to significant human rights concerns regarding privacy, data protection, and government surveillance. Countries such as China and Russia have been criticized for using surveillance technology to monitor citizens, suppress dissent, and limit freedom of expression<sup>64</sup>. Big Tech companies (Google, Facebook, Amazon) have also been scrutinized for mass data collection and privacy violations under the guise of improving services<sup>65</sup>. The European Union's General Data Protection Regulation (GDPR) was introduced to address these issues, setting a global precedent for digital privacy rights<sup>66</sup>.

**Environmental Rights and Climate Change** Global industrialization and economic expansion have led to environmental degradation, disproportionately affecting vulnerable populations. The oil industry in Nigeria's Niger Delta has caused severe pollution, leading to violations of local

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<sup>63</sup> International Labour Organization (ILO), *Worst Forms of Child Labour Convention* (adopted 17 June 1999, entered into force 19 November 2000) ILO Convention No 182.

<sup>64</sup> "China's surveillance state has grown more invasive, using advanced technologies to monitor and control citizens, particularly ethnic minorities and political dissidents." *Human Rights Watch*, "China's Surveillance State: Implications for Human Rights," 2021, p. 48.

<sup>65</sup> "Surveillance capitalism unilaterally claims human experience as free raw material for translation into behavioral data." Zuboff, *Shoshana. The Age of Surveillance Capitalism. Public Affairs*, (hardcover edition published by PublicAffairs 2019), p.8.

<sup>66</sup> "The GDPR strengthens individuals' rights and harmonises data protection rules across the EU, giving people more control over their personal data and making it easier to access and understand how their data is used." *European Commission*, "General Data Protection Regulation (GDPR)," 2018, p. 10.

communities' rights to clean water, health, and sustainable livelihoods<sup>67</sup>. Rising global temperatures and extreme weather events have resulted in climate refugees, with thousands forced to leave their homes due to environmental disasters<sup>68</sup>. The Paris Agreement (2015) aims to hold nations accountable for climate-related damages, linking environmental protection directly to human rights<sup>69</sup>.

Refugee and Migrant Rights Globalization has contributed to increased migration, but also led to the erosion of refugee protections. Many nations, particularly in Europe and North America, have imposed strict immigration policies, leading to human rights abuses at borders. The EU's handling of migrants in Libya has raised concerns over human trafficking and inhumane detention conditions<sup>70</sup>. The U.S.-Mexico border crisis has led to the detention and mistreatment of asylum seekers, violating international refugee protections<sup>71</sup>. The **Global Compact on Refugees (2018)** aims to improve burden-sharing, but implementation remains inconsistent<sup>72</sup>.

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67 "Oil pollution has caused devastating damage to the environment and the health and livelihoods of people in the Niger Delta." Amnesty International, *Nigeria: The Human Cost of Oil Pollution in the Niger Delta*, 2020, p.6.

68 United Nations High Commissioner for Refugees. *Climate Change and Displacement: A Global Challenge*. UNHCR, March 2022, p. 8.

69 The Paris Agreement (2015): Environmental Protection as a Human Rights Obligation. Adopted at the 21st Conference of the Parties (COP21) to the UN Framework Convention on Climate Change (UNFCCC), the Paris Agreement (2015) sets out a global framework to avoid dangerous climate change by limiting global warming to well below 2°C—and preferably 1.5°C—above pre-industrial levels. *United Nations, Paris Agreement, 2015, UN Doc. FCCC/CP/2015/L.9/Rev.1, p.1 (Preamble)*.

70 "EU policies are contributing to a cycle of extreme abuse of migrants in Libya, where detainees suffer torture, sexual violence, forced labor, and inhumane detention conditions." *Human Rights Watch, "EU Policies Contributing to Abuse of Migrants in Libya," 2021, p. 2*.

71 "Thousands of asylum seekers have been subjected to harsh border enforcement measures, often resulting in prolonged detention, lack of due process, and exposure to violence or exploitation—raising serious concerns under international refugee and human rights law." *UNHCR, "Asylum Seekers at the U.S.-Mexico Border: Rights and Challenges," 2023, p. 3*.

72 **United Nations General Assembly**. *Global Compact on Refugees. A/73/12 (Part II)*. New York: United Nations, August 2, 2018. P. 1.

## CHAPTER THREE

### INTERNATIONAL LEGAL AND INSTITUTIONAL REGIME

#### 3.1 Detailed Analysis of the UN's Role in Human Rights Protection

The UN plays a central role in the global effort to protect and promote human rights. Established in 1945 with the primary goals of maintaining international peace and security, developing friendly relations among nations, and advancing human rights, the UN has been a cornerstone of the modern human rights framework. This analysis explores the UN's contributions, mechanisms, and challenges in the area of human rights protection.<sup>73</sup>

The UN's role in human rights protection is rooted in its founding charter, the **UN Charter**, which explicitly commits member states to promote and respect human rights and fundamental freedoms.

Main documents and milestones include:

- a. **Universal Declaration of Human Rights (UDHR) (1948):** Adopted as a global standard for human rights, the UDHR articulates fundamental rights and freedoms that every person is entitled to, irrespective of race, religion, or nationality. The **UDHR (1948)** is a foundational document that outlines fundamental human rights and freedoms. Several key articles protect international human rights:

These articles provide a universal framework for protecting human rights worldwide.

- b. **International Human Rights Treaties:** The UN oversees the development and implementation of binding treaties such as the **International Covenant on Civil and**

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<sup>73</sup> Mark Mazower, *Governing the World: The History of an Idea, 1815 to the Present*. New York: (9<sup>th</sup> ed. Penguin Press, 2013), p. 45.

**Political Rights (ICCPR)** and the **International Covenant on Economic, Social, and Cultural Rights (ICESCR)**, collectively known as the International Bill of Human Rights.

**ICCPR (1966)** – This treaty focuses on fundamental freedoms and political rights, including the right to life, freedom of expression, fair trial rights, and freedom from torture or arbitrary detention.<sup>74</sup> It establishes obligations for states to respect and protect individual rights and allows individuals to file complaints through the Human Rights Committee (HRC).<sup>75</sup> **ICESCR (1966)** – This treaty guarantees essential human needs such as the right to work, education, healthcare, and an adequate standard of living.<sup>76</sup> The **Committee on Economic, Social, and Cultural Rights (CESCR)** oversees state compliance with these obligations<sup>77</sup>. Both documents are legally binding on ratifying states, ensuring accountability for human rights violations.

The UN has established several bodies and mechanisms specifically designed to monitor, protect, and promote human rights globally:

**c. OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR):**

Acts as the principal UN entity responsible for promoting human rights globally. Provides technical assistance to states, investigates violations, and works with governments, NGOs,

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<sup>74</sup>United Nations, *International Covenant on Civil and Political Rights* (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> (accessed 25 May 2025).

<sup>75</sup>UN Human Rights Committee, *Mandate and Functions* (2024) <https://www.ohchr.org/en/treaty-bodies/ccpr> (accessed 25 May 2025).

<sup>76</sup>United Nations, *International Covenant on Economic, Social and Cultural Rights* (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights> (accessed 25 May 2025).

<sup>77</sup>UN Committee on Economic, Social and Cultural Rights, *Overview of the CESCR* (2024) <https://www.ohchr.org/en/treaty-bodies/cescr> (accessed 25 May 2025).

and other stakeholders to strengthen human rights compliance. **OHCHR** serves as the leading entity within the United Nations system responsible for promoting and protecting human rights globally. Established in 1993, the OHCHR operates under a mandate to advocate for universal respect for all human rights, offer assistance to governments in fulfilling their human rights obligations, and address violations when they occur. **Recent Developments:**

- i. Budgetary Constraints Impacting Operations:** As of March 2025, the OHCHR has faced significant financial challenges due to reductions in funding from key contributors. Notably, the United States has cut foreign aid, leading to the termination of five OHCHR projects. This includes programs in Equatorial Guinea, Iraq, Ukraine, and Colombia, as well as a fund for indigenous peoples. The cessation of the program in Iraq, which supported torture victims and families of the disappeared, is particularly concerning. These funding cuts have raised alarms about the potential weakening of human rights initiatives globally.
- ii. Human Rights Concerns in Haiti:** The OHCHR has been actively monitoring the escalating crisis in Haiti. William O'Neill, the UN's human rights expert on Haiti, emphasized that addressing the country's security challenges is achievable with adequate support for local security forces and regional cooperation. He highlighted the necessity for international assistance, suggesting the deployment of 2,500 to 3,000 well-trained and equipped international police officers. O'Neill also called on neighboring countries, particularly the United States, to curb the flow of illegal arms into Haiti and urged a halt to deportations of migrants back to the country, citing concerns over safety and dignity.

- iii. Investigations into Bangladesh Protests:** In February 2025, the OHCHR released a fact-finding report on the protests that occurred in Bangladesh between July and August 2024. The investigation revealed that up to 1,400 individuals were killed during a three-week crackdown on student-led demonstrations against the former Prime Minister Sheikh Hasina. The report documented severe human rights violations, including summary executions and the targeting of unarmed protesters, with children comprising approximately 12-13% of the fatalities. The OHCHR has called for comprehensive investigations into these actions, suggesting they could amount to crimes against humanity.
- iv. Allegations against Israel and Hamas:** The OHCHR has expressed grave concerns regarding the conduct of both Israeli forces and Hamas militants. In a report presented to the Human Rights Council in February 2025, UN Human Rights Chief Volker Türk accused Israel of demonstrating an unprecedented disregard for human rights in its military operations in Gaza, citing consistent violations of international law. Concurrently, Hamas was accused of serious violations, including indiscriminate rocket fire into Israel, actions that could constitute war crimes. The report underscored the need for independent investigations into the violations committed by all parties involved.
- v. Critique of U.S. Policy Shifts:** Volker Türk has also voiced significant concerns about recent policy changes in the United States under President Donald Trump's administration. He highlighted a "fundamental shift" characterized by the reversal of longstanding equity and anti-discrimination measures, threats against the media and public officials, and actions that could undermine independent institutions. Türk emphasized the potential global implications of these shifts, particularly regarding the erosion of international norms and institutions.

These developments underscore the OHCHR's ongoing efforts to address complex human rights challenges worldwide, amidst financial constraints and evolving geopolitical landscapes.

- d. **HUMAN RIGHTS COUNCIL (HRC):**The **United Nations Human Rights Council (HRC)** is an **intergovernmental body** within the **United Nations (UN)** responsible for promoting and protecting human rights worldwide. Established in **2006**, it replaced the **UN Commission on Human Rights** and operates under the **UN General Assembly**. The **HRC's main purpose** is to **address human rights violations**, promote international human rights standards, and **recommend actions** to protect fundamental freedoms globally. It ensures that human rights are upheld and that states are held accountable for violations. The **Human Rights Council** plays a crucial role in ensuring global accountability for human rights violations and fostering international cooperation in protecting fundamental freedoms.<sup>78</sup>
- e. **TREATY BODIES:** Committees of independent experts monitor compliance with specific human rights treaties, such as the **Committee on the Elimination of Discrimination against Women (CEDAW)** or the **Committee against Torture (CAT)**.

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<sup>78</sup>Duties of the HRC:

1. **Monitoring Human Rights Situations** Conducts investigations into human rights violations worldwide. Issues reports and statements on critical human rights concerns.
2. **Reviewing Human Rights Records (Universal Periodic Review - UPR)** Every UN member state's human rights record is reviewed every four years. Encourages states to improve policies and address concerns.
3. **Issuing Resolutions and Recommendations** Passes resolutions on human rights issues and conflicts. Calls for international action, including sanctions or investigations.
4. **Overseeing Special Procedures** Appoints independent experts (Special Rapporteurs) to examine human rights topics. Experts investigate issues like freedom of speech, torture, and racial discrimination.
5. **Investigating and Responding to Human Rights Violations** Can set up fact-finding missions and Commissions of Inquiry. Recent inquiries include Gaza, Myanmar (Rohingya crisis), and Ukraine.
6. **Advising the UN and International Community** Recommends actions to governments, the UN Security Council, and other global bodies. Works with civil society organizations to support human rights defenders.
7. **Promoting Cooperation Between Nations** Encourages states to work together in protecting human rights. Facilitates dialogues and negotiations on complex human rights issues.

- f. **INTERNATIONAL CRIMINAL JUSTICE MECHANISMS:** The UN supports international tribunals and courts, including the **International Criminal Court (ICC)**, to prosecute crimes such as genocide, war crimes, crimes of aggression and crimes against humanity.

The UN promotes awareness and education on human rights through campaigns, partnerships, and events like **Human Rights Day**. It emphasizes the importance of rights-based approaches to development, linking human rights to the **Sustainable Development Goals (SDGs)**.<sup>79</sup>

The UN remains a pivotal institution in the global architecture of human rights protection. While it faces numerous challenges, its mechanisms, treaties, and advocacy efforts have profoundly shaped international norms and standards. Strengthening its capacity and ensuring greater cooperation among member states will be crucial to addressing future human rights challenges effectively.

The UN conducts field missions to monitor human rights in conflict zones or areas of concern. These missions involve: Reporting on violations. Supporting local institutions to build capacity for human rights protection. Providing emergency assistance to victims. Examples include the UN's work in post-conflict settings like Kosovo or its efforts in monitoring and addressing human rights concerns in Myanmar. Despite its significant role, the UN faces several challenges in human rights protection:

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<sup>79</sup>United Nations Office of the High Commissioner for Human Rights (OHCHR), *Human Rights and the 2030 Agenda for Sustainable Development*, 2015, p. 3.

**a. Political Dynamics:** Member states' conflicting interests and political alignments often hinder the UN's ability to respond effectively to violations. For example, the **Security Council's** veto power has sometimes obstructed action against egregious human rights abuses.

**b. Resource Constraints:** The UN often struggles with insufficient funding and resources, limiting its ability to effectively monitor and address global human rights issues.

**c. Sovereignty vs. Intervention:** The principle of state sovereignty creates tensions when addressing violations, as governments may resist UN involvement in domestic affairs.

**d. Implementation Gaps:** While the UN creates frameworks and mechanisms, enforcement largely depends on states, many of which lack the political will or capacity to implement human rights standards.

**e. Emerging Challenges:** Issues like digital rights, climate justice, and the rights of marginalized groups (e.g., LGBTQ+ individuals) require the UN to adapt its strategies continually.

### **3.2 In-Depth Look at Regional Systems In International Human Rights Protection (E.g., ECHR, ACHPR).**

My project attempts to explore the structure, functionality, and effectiveness of regional human rights systems, focusing on the European Court of Human Rights (ECHR) and the African Charter on Human and Peoples' Rights (ACHPR). It provides a comparative overview of these frameworks, highlighting their contributions to global human rights standards. My study showcases the strengths and weaknesses of both systems, it could benefit from a deeper engagement with critical socio-political factors influencing their effectiveness. It emphasizes the ECHR's robust enforcement mechanisms and the ACHPR's focus on collective rights, which reflects the socio-

cultural realities of Africa.<sup>80</sup> While my project delves into the political and economic factors that impede the effectiveness of these systems. For example, the ACHPR operates in an environment where state sovereignty and political instability often undermine compliance.<sup>81</sup> While the ECHR is often lauded for its binding judgments, my project glosses over criticisms regarding its backlog of cases, inconsistent enforcement by member states, and increasing politicization. This creates an imbalanced view.<sup>82</sup>

### **Landmark Cases in the ECHR**

One of the ECHR's greatest strengths is its ability to deliver binding judgments that set significant legal precedents. A notable case is *Loizidou v. Turkey (1995)*<sup>83</sup>, which clarified the Court's jurisdiction over territories under the effective control of a state, even outside its sovereign territory. This decision not only affirmed the rights of displaced individuals but also expanded the scope of the ECHR's jurisdiction.

This case demonstrated the Court's commitment to protecting individual rights against state overreach and established a precedent for handling cases related to conflict zones. The enforcement of this judgment also showcased the ECHR's ability to compel states to comply, with Turkey eventually paying compensation to the plaintiff.<sup>84</sup>

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<sup>80</sup>Hurst Hannum, *Rescuing Human Rights: A Radically Moderate Approach* (1<sup>st</sup> ed. Cambridge University Press, 2019), p.67.

<sup>81</sup>Makau Mutua, *Human Rights: A Political and Cultural Critique* (1<sup>st</sup> ed. University of Pennsylvania Press, 2002) p.78.

<sup>82</sup>KanstantsinDzehtsiarou, *European Consensus and the Legitimacy of the European Court of Human Rights* (1<sup>st</sup> ed. Cambridge University Press, 2015), p. 45.

<sup>83</sup>*Loizidou v. Turkey* (1995) 20 EHRR 99, Series A, No. 310.

<sup>84</sup> Philip Leach, *Taking a Case to the European Court of Human Rights* (3<sup>rd</sup> ed. Oxford University Press, 2021), p. 89.

## Landmark Cases in the ACHPR

The ACHPR, despite its limitations, has achieved notable successes through its soft-law approach and by addressing issues unique to the African context. The case *SERAC v. Nigeria (2001)*<sup>85</sup> stands out as a landmark decision. The African Commission held Nigeria accountable for violations of economic, social, and cultural rights arising from the exploitation of the Ogoni people's lands by multinational corporations.

This case highlighted the ACHPR's emphasis on collective and community rights, reflecting Africa's socio-political realities. While its recommendations were not enforceable, the decision influenced global discourse on corporate accountability and environmental justice.<sup>86</sup>

### 3.3 The Structural Issues in ACHPR And Backlog In ECHR

The ACHPR faces several institutional and structural challenges that undermine its effectiveness:

1. **Lack of Binding Enforcement Powers:** Unlike the ECHR, the ACHPR relies on the goodwill of member states to implement its decisions. States often ignore recommendations, as seen in cases like *Endorois v. Kenya*<sup>87</sup>, where the Kenyan government failed to restore the Endorois people's ancestral lands despite the Commission's ruling.<sup>88</sup>

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<sup>85</sup>*SERAC v. Nigeria*, Decision, Comm. 155/96 (ACmHPR, Oct. 27, 2001); (2001) AHRLR 60 (ACHPR 2001).

<sup>86</sup> Frans Viljoen, *International Human Rights Law in Africa* (1<sup>st</sup> ed. Oxford University Press, 2012), p. 320.

<sup>87</sup>*Endorois Welfare Council v Kenya*, Communication No 276/2003 (African Commission on Human and Peoples' Rights, 4 February 2010).

<sup>88</sup>Christof Heyns and Magnus Killander (eds), *Compendium of Key Human Rights Documents of the African Union* (5th edn, Pretoria University Law Press 2013), p. 114.

2. **Inadequate Funding:** The ACHPR's operations are severely hampered by limited resources. The Commission is dependent on contributions from member states and external donors, which compromises its independence and ability to function effectively.<sup>89</sup>
3. **Political Resistance:** Many African states prioritize sovereignty over regional accountability, creating an environment where non-compliance with ACHPR recommendations is normalized.

### **BACKLOG IN THE ECHR:**

The ECHR, while highly regarded, struggles with a significant backlog of cases. As of 2023, the Court reportedly had over 70,000 pending applications, many of which remain unresolved for years. Key reasons for this backlog include:

1. **High Volume of Cases:** The Court's accessibility allows individuals from all member states to file applications. While this is strength, it also results in an overwhelming number of cases, many of which are repetitive or inadmissible.
2. **Insufficient Resources:** Despite its wide mandate, the ECHR lacks the resources to process cases efficiently, leading to delays that undermine its credibility and accessibility.
3. **Inconsistent Compliance:** The backlog is exacerbated when states delay compliance with judgments, requiring follow-up actions that further strain the Court.<sup>90</sup>

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<sup>89</sup>Christof Heyns, "The African Regional Human Rights System," in *International Human Rights Law* (1<sup>st</sup> ed. Oxford University Press, 2018), p.497.

<sup>90</sup> A prime example is the *Pilot Judgment Procedure*, designed to address systemic issues in member states. While effective in theory, its application in cases like *Burmych v. Ukraine (2017)* revealed the limits of the Court's capacity to manage repetitive cases stemming from systemic problems. KanstantsinDzehtsiarou, *European Consensus and the Legitimacy of the European Court of Human Rights* (3<sup>rd</sup> ed. Cambridge University Press, 2015), p. 57.

These analyses above reveal that while both systems contribute significantly to regional human rights protection, they must overcome specific structural and procedural challenges to enhance their impact.

### **3.4 Discussion on the Effectiveness of International Courts and Tribunals**

International courts and tribunals play a pivotal role in upholding global justice by adjudicating disputes between states, enforcing international laws, and ensuring accountability for violations. Their effectiveness, however, is a subject of ongoing debate, influenced by recent developments, inherent challenges, and notable successes.<sup>91</sup>

The effectiveness of international courts and tribunals is multifaceted, marked by significant achievements in promoting global justice and notable challenges that impede their operations. Recent actions, such as the ICC's issuance of arrest warrants against high-profile political figures, demonstrate a commitment to impartial justice. However, political influences, resource constraints, and enforcement limitations continue to pose substantial obstacles. Addressing these challenges is essential to enhance the efficacy of international courts in upholding the rule of law and delivering justice on a global scale.

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<sup>91</sup>In November 2024, the International Criminal Court (ICC) issued arrest warrants for Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant, accusing them of war crimes and crimes against humanity against Palestinians. This unprecedented move against a democratically elected leader of a Western ally challenges perceptions of the ICC's pro-Western bias and underscores its commitment to impartial justice. The court also issued a warrant for Hamas leader Mohammed Deif for crimes against Israeli citizens, although Israel claims Deif has been killed. These actions highlight the ICC's resolve to hold individuals accountable, regardless of political status, and emphasize the importance of equal application of international law. [https://www.theguardian.com/world/live/2024/nov/21/international-criminal-court-icc-arrest-warrant-benjamin-netanyahu-yoav-gallant-mohamed-deif-israel-gaza-war-crimes?utm\\_source=chatgpt.com](https://www.theguardian.com/world/live/2024/nov/21/international-criminal-court-icc-arrest-warrant-benjamin-netanyahu-yoav-gallant-mohamed-deif-israel-gaza-war-crimes?utm_source=chatgpt.com) (assessed on 3<sup>rd</sup> August, 2025).

International courts and tribunals are judicial bodies established by states or international organizations to adjudicate disputes and enforce international law. They play a critical role in maintaining global order, resolving conflicts, and promoting accountability for international crimes. Here is an overview of some of the key types of international courts and tribunals, along with their purposes and examples.

## 1. INTERNATIONAL COURT OF JUSTICE (ICJ)

The ICJ, established in 1945 under the United Nations Charter, is the principal judicial organ of the United Nations. It resolves disputes between states and provides advisory opinions on international legal issues. It is based in **The Hague, Netherlands**, and serves as the **world's highest court for resolving disputes between states**.<sup>92</sup>Example of matters handled: In *Nicaragua v. United States (1986)*<sup>93</sup>, the ICJ ruled that the U.S. violated international law by supporting Contra rebels in Nicaragua.(See *UN Charter, Article 92-96*).<sup>94</sup>

## 2. AD HOC TRIBUNALS

Ad hoc tribunals are temporary courts established to address specific conflicts or situations.

**International Criminal Tribunal for the former Yugoslavia (ICTY)**: Tried individuals for war crimes committed during the Yugoslav Wars. **International Criminal Tribunal for Rwanda**

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<sup>92</sup>The ICJ's main role is to settle legal disputes between sovereign states and to provide advisory opinions on legal questions referred by UN organs and specialized agencies. Unlike the International Criminal Court (ICC), which prosecutes individuals, the ICJ only deals with cases involving states and international organizations.

<sup>93</sup>*Nicaragua v. United States*, ICJ Reports 1986, p. 14.

<sup>94</sup>*Gaza Genocide Case (2024–2025)*: South Africa filed a case against Israel, accusing it of violating the Genocide Convention in its military actions in Gaza. The ICJ issued provisional measures, ordering Israel to prevent genocidal acts. *Ukraine vs. Russia (2022–Ongoing)*: Ukraine brought a case accusing Russia of violating the Genocide Convention as justification for its invasion. *Maritime Disputes*: The ICJ has ruled on several cases regarding territorial waters and economic zones, affecting countries in the South China Sea and Africa.

**(ICTR):** Focused on prosecuting those responsible for the 1994 Rwandan Genocide. These courts focus on regional issues, particularly human rights. **European Court of Human Rights (ECHR):** Ensures compliance with the European Convention on Human Rights. **Inter-American Court of Human Rights:** Addresses violations of the American Convention on Human Rights. *(See European Convention on Human Rights, 1950).*

#### **4. Arbitration Tribunals**

Arbitration tribunals resolve disputes between states or between states and investors based on treaties or agreements. **Permanent Court of Arbitration (PCA):** Handles disputes involving states, private parties, or international organizations. *(See PCA, established by the Hague Convention, 1899)*

**5. Specialized Tribunals** Some tribunals address specific areas of international law. **International Tribunal for the Law of the Sea (ITLOS):** Adjudicates disputes under the **United Nations Convention on the Law of the Sea (UNCLOS).** *(See UNCLOS, 1982)*

#### **Effectiveness and Criticisms**

International courts and tribunals have had notable successes, such as holding individuals accountable for mass atrocities and settling state disputes. However, they face challenges:

**Lack of Enforcement Power:** Courts rely on states for enforcement; often leading to non-compliance. **One of the biggest challenges facing the United Nations (UN) is the lack of direct**

enforcement power **for its conventions and international agreements. While the UN can establish** legally binding treaties, **it depends on member states to implement and enforce them.**<sup>95</sup>

### **Examples of Non-Enforcement:**

Israel and Palestine Conflict (2024–2025): **The ICJ ordered Israel to prevent genocidal acts in Gaza, but no enforcement mechanism exists beyond diplomatic pressure.**

Russia’s Invasion of Ukraine (2022–Present): **Despite UN General Assembly resolutions condemning Russia, no direct enforcement actions have been taken.**

Myanmar and the Rohingya Crisis (2017–Ongoing): **The ICJ ruled that Myanmar must protect Rohingya rights, but violations continue without effective UN intervention.**

**Political Interference:** Some cases are hindered by the political interests of powerful states. One of the major obstacles to the effectiveness of the **United Nations (UN)** is **political interference by its member states**, particularly **powerful nations** that use their influence to block, manipulate, or weaken UN actions for their own interests. This interference **limits the UN’s ability to enforce international law, protect human rights,**

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<sup>95</sup>No Global Law Enforcement Body: The UN does not have a police force or military to directly enforce its conventions. It relies on member states to comply voluntarily or through pressure from international bodies.

State Sovereignty: Under international law, states are sovereign and cannot be forced to comply with UN decisions unless they agree. Countries can ignore or withdraw from treaties without immediate consequences.

Security Council Limitations: The UN Security Council can impose sanctions or authorize military action, but veto power (held by the U.S., China, Russia, France, and the UK) often blocks enforcement. Example: The Genocide Convention allows punishment for genocide, but UN action in cases like Rwanda (1994) and Myanmar (Rohingya crisis) was limited due to political disagreements.

Weak Sanctions and Accountability Mechanisms: Sanctions and diplomatic pressure are common enforcement tools, but they often fail to stop human rights violations. The International Court of Justice (ICJ) can issue rulings, but it has no power to enforce them—states must comply voluntarily.

Political Interests and Non-Cooperation: Countries often prioritize national interests over international obligations, leading to selective enforcement. Example: The U.S. withdrew from the Paris Climate Agreement (2017-2021) without consequences.

**and resolve conflicts fairly. Veto Power in the UN Security Council (UNSC)** The **five permanent members (P5)** of the UNSC—**United States, Russia, China, France, and the United Kingdom**—have **veto power**, allowing them to **block any resolution** that threatens their interests: **Russia vetoed resolutions condemning its invasion of Ukraine (2022–present). China has blocked actions against human rights abuses in Xinjiang. The U.S. has historically vetoed resolutions critical of Israel.** Political interference remains a **major clog in the UN’s effectiveness**, preventing it from fulfilling its mission of maintaining global peace and security.

**Jurisdictional Limits:** Courts often cannot address issues involving non-consenting states or individuals. The **United Nations (UN)** operates within specific **jurisdictional limits**, meaning its authority is restricted by state sovereignty, legal frameworks, and enforcement challenges. **These limits** hinder the UN’s ability to enforce human rights, resolve conflicts, and ensure compliance with international law.

International courts and tribunals are integral to upholding the rule of law on a global scale. Despite criticisms and challenges, they continue to contribute to justice, peace, and accountability in the international community.<sup>96</sup>

International conventions lack a centralized enforcement authority like domestic legal systems. Instead, their enforcement relies on a combination of mechanisms.

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<sup>96</sup>United Nations Charter, Articles 92-96. Rome Statute of the International Criminal Court, 1998. ICTY and ICTR Statutes, available via the United Nations. European Convention on Human Rights, 1950. Hague Convention for the Pacific Settlement of International Disputes, 1899. United Nations Convention on the Law of the Sea, 1982.

**a. National Implementation**

States are responsible for incorporating international conventions into their domestic legal systems and ensuring compliance. Example: The Kyoto Protocol required signatory countries to implement national policies to reduce greenhouse gas emissions.

**b. Monitoring Bodies**

Some conventions establish independent bodies to monitor state compliance. Example: The United Nations Framework Convention on Climate Change (UNFCCC) monitors national contributions to climate goals.

**c. Reporting Obligations**

States are often required to submit periodic reports on their implementation efforts. Example: The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) mandates states to report on measures taken to eliminate discrimination against women.

**d. Dispute Resolution Mechanisms**

Many conventions include provisions for resolving disputes between parties, such as arbitration or referral to international courts. Example: The United Nations Convention on the Law of the Sea (UNCLOS) allows disputes to be referred to the International Tribunal for the Law of the Sea (ITLOS).

**e. Sanctions and Incentives**

In limited cases, conventions may impose sanctions for non-compliance or provide incentives for adherence. Example: The World Trade Organization (WTO) allows for trade sanctions against states that violate trade agreements.

### **3.5 Enforcement Mechanism and the Effectiveness of International Convention.**

International conventions are treaties or agreements between states that establish legally binding obligations under international law. These conventions are fundamental to regulating state behavior and fostering international cooperation. However, their enforcement mechanisms and effectiveness are subjects of ongoing analysis and debate. While international conventions are vital for global governance, their effectiveness is limited by enforcement gaps, political dynamics, and the absence of a centralized authority. Strengthening monitoring mechanisms, fostering political will, and enhancing institutional support are essential for improving the impact of these agreements.

## CHAPTER FOUR

### COMPARATIVE STUDY AND EMERGING ISSUES

**4.1** Comparative Analysis and Lessons on international protection of human rights from foreign jurisdictions i.e. A Case Study of Nigeria, the UK, and the USA. The protection of human rights varies significantly across jurisdictions due to differences in legal frameworks, political structures, cultural contexts, and enforcement mechanisms. Analyzing the approaches in Nigeria, the United Kingdom (UK), and the United States (USA) provides critical insights into the strengths and weaknesses of human rights protection globally.<sup>97</sup>

#### **4.1.1 The United Kingdom (UK)**

The UK follows a dualist approach to international law, where international treaties must be incorporated into domestic law through legislation to become enforceable. The **Human Rights Act 1998** (c. 42) is an Act of Parliament of the United Kingdom which received royal assent on 9 November 1998, and came into force on 2<sup>nd</sup> October, 2000<sup>98</sup>. Its aim was to incorporate into UK law the rights contained in the European Convention on Human Rights. The Act makes a remedy for breach of a Convention right available in UK courts, without the need to go to the European Court of Human Rights (ECHR) in Strasbourg.<sup>99</sup>

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<sup>97</sup>Rhona KM Smith, "International Human Rights: Evolving Norms and Enforcement Mechanisms" (2010) 32 *Human Rights Quarterly* .p.1083.

<sup>98</sup>"*A Guide to the Human Rights Act 1998: Questions and Answers*"(PDF). *JUSTICE*. December 2000. Archived from the original(PDF) on 12 March 2002.

<sup>99</sup>Lammy Betten, (ed.).*The Human Rights Act 1998: What It Means – The Incorporation of the European Convention on Human Rights into the Legal Order of the United Kingdom*. (The Hague: Kluwer Law International 7<sup>th</sup> ed. M. Nijhoff Publishers, 1999), p. 304.

In particular, the Act makes it unlawful for any public body to act in a way which is incompatible with the convention, unless the wording of any other primary legislation provides no other choice. It also requires the judiciary (including tribunals) to take account of any decisions, judgment or opinion of the European Court of Human Rights, and to interpret legislation, as far as possible, in a way which is compatible with Convention rights<sup>100</sup>. However, if it is not possible to interpret an Act of Parliament so as to make it compatible with the convention, the judges are not allowed to override the Act of Parliament. All they can do is issue a declaration of incompatibility. This declaration does not affect the validity of the Act of Parliament: in that way, the Human Rights Act seeks to maintain the principle of parliamentary sovereignty, pursuant to the Constitution of the United Kingdom. However, judges may strike down secondary legislation. Under the Act, individuals retain the right to sue in the Strasbourg court.<sup>101</sup>

Human rights in the UK are primarily governed by the **Human Rights Act 1998**, which incorporates the **European Convention on Human Rights (ECHR)** into domestic law. UK courts can review laws for compatibility with the ECHR but cannot strike down Acts of Parliament, reflecting parliamentary sovereignty. Also, the UK courts have played a pivotal role in advancing rights related to privacy (*R (Miller) v Secretary of State for Exiting the EU*)<sup>102</sup>, freedom of expression, and protection from discrimination. As of March 2025, the United Kingdom continues to play a significant role in promoting and protecting international human rights through various initiatives and collaborations: Since July 2020, the UK has enforced the Global Human Rights Sanctions Regulations, targeting individuals and entities responsible for serious human rights

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<sup>100</sup>Shaun D Pattinson, (1 March 2015). "The Human Rights Act and the doctrine of precedent"(PDF). *Legal Studies*. 35 (1): p.142. doi:10.1111/lest.12049. ISSN 1748-121X. S2CID 29507544.

<sup>101</sup>Aileen Kavanagh, *Constitutional Review under the UK Human Rights Act* (1<sup>st</sup> ed. Cambridge University Press, 2009), p310.

<sup>102</sup>*R (Miller) v Secretary of State for Exiting the European Union* [2017] UKSC. 5.

violations, including extrajudicial killings, torture, and forced labor. By December 2023, sanctions had been imposed on 96 individuals and 11 organizations. In December 2023, to mark the 75th anniversary of the Universal Declaration of Human Rights, the UK, in coordination with the United States and Canada, announced sanctions against those involved in forced labor operations in Southeast Asia and government-linked officials in Belarus, Haiti, Iran, and Syria complicit in repressing individual freedoms.<sup>103</sup>

The UK has been an active participant in the UNHRC, collaborating with cross-regional groups to address human rights concerns globally. In recent years, the UK has led efforts to establish mechanisms promoting accountability, such as the Commission of Inquiry on Ukraine and the Independent International Fact-Finding Mission on Iran. The UK has also supported the creation of mandates for Special Rapporteurs, including on the situation of human rights in the Russian Federation, and has advocated for the suspension of countries failing to uphold human rights standards, exemplified by supporting Russia's suspension from the UNHRC in 2022 following its invasion of Ukraine.<sup>104</sup>

In 2007, Howard's successor as Leader of the Opposition, David Cameron, vowed to repeal the Human Rights Act if he was elected, instead replacing it with a Bill of Rights for Britain<sup>105</sup>.

Following the 2010 general election, the Conservative–Liberal Democrat coalition agreement said

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<sup>103</sup> US, UK, Canada sanction dozens on human rights anniversary, London (AFP) – Dozens of alleged human rights abusers around the world face new sanctions Friday under a coordinated action by the United States, Britain and Canada to mark the 75th anniversary of the Universal Declaration of Human Rights. [https://www.france24.com/en/live-news/20231208-us-uk-canada-sanction-dozens-on-human-rights-anniversary?utm\\_source=chatgpt.com](https://www.france24.com/en/live-news/20231208-us-uk-canada-sanction-dozens-on-human-rights-anniversary?utm_source=chatgpt.com). (accessed on 22<sup>nd</sup> June, 2025).

<sup>104</sup> Committees of Parliament UK. (2022). *Written Evidence: The UK defends our values... supporting Russia's suspension of UNHRC*. Retrieved from UK Parliament.

<sup>105</sup> "Cameron 'could scrap' rights act". *BBC News*. 25 June 2006. Retrieved 30<sup>th</sup> May, 2025.

that the Human Rights Act would be investigated<sup>106</sup>. In 2011, following controversial rulings from both the European Court of Human Rights (ECtHR) and the Supreme Court of the United Kingdom, David Cameron suggested a "British Bill of Rights". The government commission set up to investigate the case for a Bill of Rights had a split of opinion<sup>107</sup>. Judge Dean Spielmann, the President of ECtHR, warned in 2013 that the United Kingdom could not withdraw from the Convention on Human Rights without jeopardizing its membership of the European Union<sup>108</sup>.

The UK has historically been one of the leaders in promoting and protecting human rights internationally. However, recent legislative and political developments have prompted scrutiny and criticism from international bodies and human rights organizations. To maintain its commitment to human rights, the UK must ensure that its domestic laws and policies align with its international obligations. A major Challenge that I observed is the UK's exit from the European Union (Brexit) has raised concerns about weakening human rights protections, particularly due to proposed amendments to the Human Rights Act.<sup>109</sup>

#### **4.1.2 United States (USA)**

Since the 1970s, issues of human rights have become increasingly important in American foreign policy.<sup>110</sup> Congress took the lead in the 1970s.<sup>111</sup> Following the Vietnam War, the feeling that U.S. foreign policy had grown apart from traditional American values was seized upon by

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<sup>106</sup> Landale, James (20 May 2010). "Coalition deal: Tories give more ground". *BBC News*.

<sup>107</sup> Travis, Alan; Wintour, Patrick (18 March 2011). "Deadlock likely on commission pondering a British bill of rights". *The Guardian*. London.

<sup>108</sup> "UK's withdrawal from human rights law would be 'political disaster'". *The Guardian*. 4 June 2013.

<sup>109</sup> Human Rights Act 1998, UK Parliament.

<sup>110</sup> Joe Renouard, *Human Rights in American Foreign Policy: From the 1960s to the Soviet Collapse* (U of Pennsylvania Press, 2016), p. 324.

<sup>111</sup> Crabb, Cecil V.; Pat Holt. *Invitation to Struggle: Congress, the President and Foreign Policy* (2nd ed.. Michigan: Congressional Quarterly, 1992). p. 187–211. [ISBN 978-0-87187-622-5](#).

Representative Donald M. Fraser, leading the Subcommittee on International Organizations and Movements, in criticizing Republican Foreign Policy under the Nixon administration. In the early 1970s, Congress concluded the Vietnam War and passed the War Powers Act. As "part of a growing assertiveness by Congress about many aspects of Foreign Policy";<sup>112</sup> The United States has played a significant role in the development and promotion of international human rights norms. However, its commitment to these norms has been characterized by a complex interplay of leadership, selective engagement, and domestic legal constraints. This work critically examines the U.S.'s role in the international protection of human rights, highlighting key legal instruments, domestic legislation, and areas of concern. The U.S. was instrumental in drafting the UDHR in 1948, with Eleanor Roosevelt chairing the drafting committee. This document laid the groundwork for subsequent international human rights treaties.<sup>113</sup> The U.S. signed the ICCPR in 1977 and ratified it in 1992. However, it did so with significant reservations, declarations, and understandings, including a declaration that the treaty is not self-executing. This means that, without implementing legislation, individuals cannot invoke the ICCPR in U.S. courts. Consequently, the treaty's domestic impact has been limited. Since the end of World War II, the United States has had a grand strategy which has been characterized as being oriented around primacy, "deep engagement", and/or liberal hegemony.<sup>114</sup> Human rights in the USA are entrenched in the **Constitution**, particularly in the **Bill of Rights**, and through statutes like the **Civil Rights Act 1964**. The USA also ratifies international treaties selectively, often with reservations to preserve sovereignty. In recent times the Despite these efforts, recent developments have presented

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<sup>112</sup>Forsythe David, *Human Rights and U.S. Foreign Policy: Congress Reconsidered*. (1<sup>st</sup> ed. Gainesville: University Press of Florida, 1988),p.23, [ISBN 978-0-8130-0885-1](#). *Human Rights and U.S. Foreign Policy: Congress Reconsidered*.

<sup>114</sup> Stephen G Brooks and William C Wohlforth, *America Abroad: The United States' Global Role in the 21st Century* (3rd ed, Oxford University Press 2016), p. 77.

challenges to the U.S.'s role in international human rights protection: Funding Cuts Impacting Humanitarian Efforts: Significant cuts in U.S. foreign aid have led to the termination of several United Nations human rights projects, including programs supporting torture victims in Iraq and initiatives in Equatorial Guinea, Ukraine, and Colombia. Criticism over Aid Reductions: U.N. human rights experts have criticized the U.S. and other nations for abruptly cutting humanitarian aid to Myanmar, exacerbating the humanitarian crisis in the region. Sanctions in Response to Human Rights Violations: The U.S. has imposed visa restrictions on Thai officials involved in the deportation of Uyghurs to China, demonstrating a commitment to addressing human rights abuses. Judicial Activism: U.S. courts, particularly the Supreme Court, have a robust history of protecting rights through landmark rulings, e.g., *Brown v. Board of Education* (racial desegregation)<sup>115</sup> and *Roe v. Wade*<sup>116</sup> (abortion rights, later overturned). Rising polarization, restrictive voting laws, and the curtailment of abortion rights highlight ongoing challenges to human rights protections.<sup>117</sup>

The United States officially maintains that it supports democracy and human rights through several tools. Examples of these tools are as follows:

- A published yearly report by the State Department entitled "Advancing Freedom and Democracy",<sup>118</sup> issued in compliance with ADVANCE Democracy Act of 2007 (earlier the report was known as "Supporting Human Rights and Democracy: The U.S. Record" and was issued in compliance with a 2002 law).

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<sup>115</sup> *Brown v Board of Education* 347 US 483 (1954).

<sup>116</sup> *Roe v Wade*, 410 U.S. 113 (1973).

<sup>117</sup> Civil Rights Act 1964 and relevant U.S. Supreme Court rulings.

<sup>118</sup> U.S. Department of State. (n.d.). *Advancing Freedom and Democracy*. Retrieved May 20, 2025, from <https://www.state.gov/advancing-freedom-and-democracy/> (accessed on 22<sup>nd</sup> June, 2025).

- A yearly published "Country Reports on Human Rights Practices".
- In 2006 (under President George W. Bush), the United States created a "Human Rights Defenders Fund" and "Freedom Awards".
- The "Human Rights and Democracy Achievement Award" recognizes the exceptional achievement of officers of foreign affairs agencies posted abroad.
- The "Ambassadorial Roundtable Series", created in 2006, are informal discussions between newly confirmed U.S. Ambassadors and human rights and democracy non-governmental organizations.
- The National Endowment for Democracy, a private non-profit created by Congress in 1983 (and signed into law by President Ronald Reagan), which is mostly funded by the U.S. Government and gives cash grants to strengthen democratic institutions around the world.

The United States is a member of many international organizations. It is a founding member of the United Nations and holds a permanent seat on the United Nations Security Council. The United States is also a member of other global organizations, including the World Trade Organization. Regional organizations in which the United States is a member include NATO, Organization of American States, the Organization for Security and Co-operation in Europe, the United States–Mexico–Canada Agreement, and the Asia-Pacific Economic Cooperation. As the largest economy in the world, the United States is also a member of organizations for the most developed nations, including the OECD, the Group of Seven, and the G20.<sup>119</sup>

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<sup>119</sup> See the United States as a founding UN member, a permanent member of the UN Security Council, and participant in global and regional bodies such as WTO, NATO, OAS, OSCE, USMCA, APEC, OECD, the G7, and the G20.

While the U.S. continues to influence global human rights protection, legal inconsistencies weaken its position. To enhance its credibility and compliance: Ratify outstanding human rights treaties (e.g., CEDAW, CRC) Align domestic policies with ICCPR and CAT obligations Accept extraterritorial application of treaty obligations where effective control exists, re-engage consistently with multilateral human rights institutions Such measures would reaffirm the United States' legal and moral leadership in the international human rights system.<sup>120</sup>

#### **4.1.3 Nigeria**

Nigeria has had a long and evolving relationship with international human rights law. Since gaining independence in 1960, it has formally committed to numerous international and regional human rights instruments and has incorporated human rights protections into its domestic legal framework. However, enforcement and compliance have remained inconsistent due to political instability, military rule, and weak institutions.<sup>121</sup>

Independence Constitution (1960) and Republican Constitution (1963) both included rudimentary civil liberties but no formal bill of rights aligned with international human rights standards. Nigeria became a member of the United Nations (UN) in 1960, thus accepting the principles of the Universal Declaration of Human Rights (UDHR, 1948). In Treaty Commitments, Nigeria in 1967 ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Nigeria began participating in international forums related to human rights, though it remained largely inactive in enforcement.<sup>122</sup>

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<sup>120</sup> Marko Milanović. *Extraterritorial Application of Human Rights Treaties: Law, Principles, and Policy*. (9<sup>th</sup> ed. UK. Oxford University Press, 2011), p. 51.

<sup>121</sup> Philip Aka. *Human Rights in Nigeria's External Relations: Building the Record of a Moral Superpower*. (1st ed., Bloomsbury Academic (Lexington Press)), December 2016), p. 45.

The period of 1966–1999 was marked by military dictatorships, during which civil and political rights were often suspended. The 1979 Constitution introduced a Bill of Rights based on the African Charter on Human and Peoples’ Rights (ACHPR) and the **ICCPR**, though enforcement was minimal. In 1983: Nigeria ratified the African Charter on Human and Peoples’ Rights (Banjul Charter) and domesticated it through the African Charter on Human and Peoples’ Rights (Ratification and Enforcement) Act, Cap A9, LFN 2004. Under the military regimes of Generals Buhari, Babangida, and Abacha, widespread human rights abuses occurred, including arbitrary arrests, torture, suppression of the press, and extrajudicial killings (e.g., execution of Ken Saro-Wiwa, 1995).

Democratic transition and Legal Reforms (1999–Present) the return to democracy led to the 1999 Constitution, which includes a robust Chapter IV: Fundamental Rights (closely aligned with the ICCPR). These rights are justifiable, giving citizens legal standing to sue for violations in Nigerian courts. Nigeria has since ratified numerous key treaties: International Covenant on Civil and Political Rights (ICCPR) – ratified 1993 International Covenant on Economic, Social and Cultural Rights (ICESCR) – ratified 1993 Convention Against Torture (CAT) – ratified 2001 Convention on the Rights of the Child (CRC) – ratified 1991, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – ratified 1985.

Human rights in Nigeria are guaranteed under Chapter IV of the 1999 Constitution, which outlines fundamental rights such as life, dignity, and freedom from discrimination. Nigeria has ratified numerous international human rights treaties, including the African Charter on Human and Peoples' Rights, but domestic enforcement is limited. **Judicial Limitations:** While courts have

upheld rights in cases like *Fawehinmi v. Abacha* (1996)<sup>123</sup>, systemic corruption, weak judicial independence, and political interference undermine enforcement. Conflict and Insecurity: Human rights violations, including extrajudicial killings, arbitrary detention, and restrictions on freedom of expression, are exacerbated by Boko Haram insurgency, separatist agitations, and state crackdowns. Progress: The #End SARS movement highlighted public demand for accountability in policing, leading to the disbandment of the SARS unit and promises of reform. Nigeria in my personal opinion is still trying her best compared to the rate of protection in the other western countries, an NYSC member being a citizen was castigated and intimidated for expressing her personal opinion on the state of the nation, many more have been happening with impunity, when we are not under a military government, human rights have been swept under the carpet to a great extent thank God for fearless Judges who remains the last hope of every common man.

Despite extensive legal commitments, Nigeria faces major obstacles in realizing human rights protections: Weak enforcement institutions (e.g., police brutality, impunity) Legislative inertia: Some international treaties have not been fully domesticated into Nigerian law (e.g., CEDAW, ICESCR) Judicial limitations: Although Chapter IV rights are justifiable, Chapter II (Directive Principles) are not enforceable in court. Persistent violations: Arbitrary detentions, press restrictions, and the use of military force against civilians (e.g., #EndSARS protests, 2020) continue to draw criticism from international bodies.

Nigeria submits periodic reports to UN treaty bodies but often with significant delays. Universal Periodic Review (UPR) under the UN Human Rights Council has highlighted areas for improvement, including gender rights, prison reform, and security sector accountability.

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<sup>123</sup>*Fawehinmi v. Abacha* (1996) 9 NWLR (Pt. 475), 710.

Nigeria has made significant legal commitments to international human rights standards through treaty ratification, constitutional reforms, and regional cooperation. However, the gap between legal obligations and practical enforcement remains wide. Systemic reforms are needed to strengthen domestic implementation, ensure accountability for violations, and fulfill Nigeria's role as a regional leader in human rights protection.

The comparative analysis reveals the importance of strong legal frameworks, independent institutions, and active civil societies in protecting human rights. For Nigeria, leveraging lessons from the UK and USA while addressing its unique challenges can foster a more robust human rights regime. However, the interplay between domestic realities and international obligations remains critical to advancing human rights protections.

## **CHAPTER FIVE**

### **SUMMARY, RECOMMENDATIONS AND CONCLUSION**

#### **5.1 Summarizing key findings and the overall contribution of the thesis.**

The research explores the global mechanisms for the protection of human rights, emphasizing the roles of international legal frameworks, treaties, institutions, and the interaction between national and international laws. It examines the scope and efficacy of treaties like the Universal Declaration of Human Rights and conventions addressing specific rights. The analysis also evaluates international institutions such as the United Nations Human Rights Council (UNHRC) and the International Criminal Court (ICC), assessing their enforcement capabilities and operational limitations. Furthermore, the study investigates how national legal systems interact with international norms, either reinforcing or undermining global human rights protections.

#### **5.1.1 Findings:**

##### **A. Effectiveness of Legal Frameworks and Treaties**

International treaties such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and regional instruments like the European Convention on Human Rights and the African Charter on Human and Peoples Rights establish comprehensive standards. While these treaties provide a robust legal foundation, enforcement is inconsistent due to varying national commitments and limited binding mechanisms in certain regions. Challenges include states' selective compliance and reservations that dilute treaty obligations.

## **B. Strengths and Weaknesses of International Institutions**

The UNHRC fosters dialogue and raises awareness about human rights but often struggles with political bias and limited enforcement authority. The ICC prosecutes severe violations, such as war crimes and crimes against humanity, yet faces jurisdictional challenges and lacks universal membership, with major countries like the U.S., China, and Russia not being parties. Both institutions contribute to accountability but require stronger mechanisms for impartiality and broader support.

## **C. Interplay between National and International Laws**

Effective human rights protection depends on harmonizing international obligations with domestic laws. Nations with strong rule of law and independent judiciaries are more likely to implement international norms effectively.

Conversely, authoritarian regimes and states prioritizing sovereignty over international obligations often undermine global human rights efforts, highlighting the need for strategies to align national and international systems.

### **5.2 Recommendations:**

1. **Strengthening Judicial Independence:** Ensuring the judiciary is insulated from political pressures to improve human rights adjudication.
2. **Institutional Reforms:** Enhancing police accountability and security sector governance, particularly in addressing systemic abuses.

3. **Incorporating Treaties:** Enacting legislation to domesticate international treaties, such as the African Charter on Human and Peoples' Rights, for direct enforcement.
4. **Public Awareness:** Promoting legal literacy among citizens to enable them to claim and defend their rights effectively.
5. **International Cooperation:** States must collaborate to establish stronger enforcement mechanisms for human rights violations, particularly in multinational corporate operations.
6. **Local Empowerment:** Supporting local initiatives ensures that global human rights frameworks respect cultural diversity while maintaining universal standards.
7. **Sustainable Development:** Economic policies must integrate environmental and social safeguards to protect marginalized communities from exploitation. Globalization has emerged as both a driver and a challenge for the protection and enforcement of human rights globally, with LGBTQ rights epitomizing this duality. While international networks and advocacy have advanced inclusivity, cultural resistance and economic disparities underscore the need for nuanced and intersectional approaches. Global collaboration that respects cultural diversity while upholding universal human rights principles is essential for ensuring the dignity and equality of LGBTQ individuals worldwide.

### **5.3 Conclusion.**

The international protection of human rights remains a critical yet evolving challenge, shaped by the dynamic interplay between global frameworks, national legal systems, and the enforcement capabilities of international institutions. In the context of Nigeria, the UK, and the USA, the contrasting realities illustrate the need for a nuanced and adaptive approach to human rights protection.

In Nigeria, significant gaps persist in aligning domestic laws with international human rights obligations, exacerbated by weak enforcement mechanisms and sociopolitical instability. Issues such as police brutality, gender-based violence, and limited accountability highlight the urgent need for comprehensive legal reform and stronger institutional capacity to uphold international standards.

The UK, as a party to regional instruments like the European Convention on Human Rights, demonstrates a robust commitment to international human rights norms. However, recent debates over the Human Rights Act and Brexit-related tensions raise concerns about potential regression in rights protections, emphasizing the importance of safeguarding established frameworks amidst political shifts.

In the USA, while the constitutional framework provides a strong foundation for human rights, challenges such as racial inequality, immigration policies, and the inconsistent application of international treaties underscore the complexity of balancing sovereignty with global commitments. The U.S.'s selective engagement with international institutions, such as its non-participation in the ICC, further limits its contribution to global human rights enforcement.

In a world marked by globalization and transnational challenges, these case studies underscore the need for enhanced collaboration between nations and international bodies. The future of human rights protection hinges on the ability to reconcile national sovereignty with international norms, foster inclusive multilateralism, and strengthen accountability mechanisms. As nations like Nigeria strive for greater alignment with international standards, and as the UK and USA navigate political and institutional changes, a renewed commitment to human dignity and justice is essential to advancing the global human rights agenda.

## BIBLIOGRAPHY

### Textbooks

- Alston, P., & Weiler, J. H. H. *The European Union and human rights*. Oxford University Press, 1999.
- Altman, D. *Global sex: Sexuality and globalization*. University of Chicago Press, 2001.
- Asikia Karibi-Whyte. *International protection of human rights*. Student's Companion Series, 1998.
- Christof Heyns & Killander. *Compendium of Key Human Rights Documents of the African Union*. PULP, 2013.
- Christof Heyns. "The African Regional Human Rights System." In *International Human Rights Law*. Oxford University Press, 2018.
- Dzehtsiarou, K. *European Consensus and the Legitimacy of the European Court of Human Rights*. Cambridge University Press, 2015.
- Eric Posner. *The Twilight of Human Rights Law*. Oxford University Press, 2014.
- Forsythe, D.P. *Human Rights in International Relations*. Cambridge University Press, 2012.
- Frans Viljoen. *International Human Rights Law in Africa*. Oxford University Press, 2012.
- Glendon, M. A. *A world made new: Eleanor Roosevelt and the Universal Declaration of Human Rights*. Random House, 2001.
- Hannum, H. *Rescuing Human Rights: A Radically Moderate Approach*. Cambridge University Press, 2019.
- Henkin, L. *The age of rights*. Columbia University Press, 1990.

- Hurst Hannum. *Rescuing Human Rights: A Radically Moderate Approach*. Cambridge University Press, 2019.
- J. B. Pritchard. *Ancient Near Eastern Texts*. Princeton University Press, 1969.
- John Locke. *Two Treatises of Government*. Cambridge University Press, 1690.
- KanstantsinDzehtsiarou. *European Consensus and the Legitimacy of the European Court of Human Rights*. Cambridge University Press, 2015.
- Keck, M. E., &Sikkink, K. *Activists beyond borders: Advocacy networks in international politics*. Cornell University Press, 1998.
- Knox, J. H. *Climate Change and Human Rights*. Oxford University Press, 2018.
- Knox, J. H. *Human Rights Principles and Climate Change*. In *Reimagining Climate Change* (pp. 239-257). University of California Press, 2009.
- Lynn Hunt. *Inventing Human Rights*. W.W. Norton & Company, 2007.
- MakauMutua. *Human Rights: A Political and Cultural Critique*. University of Pennsylvania Press, 2002.
- Mazower, M. *Governing the world: The history of an idea, 1815 to the present*. Penguin Books, 2013.
- Michel Villey. *Roman law and Human Rights*. University of Pennsylvania Press, 1983.
- Neuer, H. *Selective justice: The human rights council and bias*. Institute for Policy Studies, 2017.
- Philip Alston and Ryan Goodman. *International Human Rights*. Oxford University Press, 2013.
- Philip Leach. *Taking a Case to the European Court of Human Rights*. Oxford University Press, 2021.

Posner, E. *The twilight of human rights law*. Oxford University Press, 2014.

Raman, S. *Digital rights and the future of human rights institutions*. Cambridge University Press, 2020.

Rosa Freedman. *The United Nations Human Rights Council: A Critique and Early Assessment*. Routledge, 2013.

Schabas, W. A. *An introduction to the International Criminal Court*. Cambridge University Press, 2020.

Schabas, W. A. *Genocide Trials and Tribulations*. Cambridge University Press, 2008.

Simmons, B. *Mobilizing for human rights: International law in domestic politics*. Cambridge University Press, 2009.

Supriya Raman. *Digital Rights and the Future of Human Rights Institutions*. Cambridge University Press, 2020.

Telford Taylor. *The Anatomy of the Nuremberg Trials*. Alfred A. Knopf, 1992.

Zuboff, Shoshana. *The Age of Surveillance Capitalism*. PublicAffairs, 2019.

## **Journals**

Alston, P. "Reconceiving the UN Human Rights Regime: Challenges Confronting the New UN Human Rights Council" (2006). *Melbourne Journal of International Law*, 7(1), 185-224.

Davenport, C., & Armstrong, D. A. "Democracy and the Violation of Human Rights: A Statistical Analysis from 1976 to 1996." (2004) *American Journal of Political Science*, 48(3), 538-554.

Deibert, R. J. "The Road to Digital Unfreedom: Three Painful Truths About Social Media." (2019) *Journal of Democracy*, 30(1), 25-39.

- Hathaway, O. A. “Do Human Rights Treaties Make a Difference?” (2002). *Yale Law Journal*, 111(8), 1935-2042.
- Helfer, L. R., & Voeten, E. “International Courts as Agents of Legal Change: Evidence from LGBT Rights in Europe.” (2014) *International Organization*, 68(1), 77-110.
- Howard, Philip N., et al. “Opening Closed Regimes: What Was the Role of Social Media During the Arab Spring?” (2011).
- John H. Knox “Human Rights, Environmental Protection, and the Sustainable Development Goals.” (2015). *24 WASH. INT’L L.J.* 517.
- Kathryn Sikkink, Hun Joon Kim. “The Justice Cascade: The Origins and Effectiveness of Prosecutions of Human Rights Violation” (2013) *Annual Review of Law and Social Science*, 9, 269-285.
- McGregor, L. “The Impact of Digital Technologies on Human Rights” (2019). *International & Comparative Law Quarterly*, 68(2), 305-342.
- Ted, C., & EZE, A. “Exploring the benefits of pre-trial conference procedure to Judicial proceedings in Nigeria.” (2015) *European Centre for Research Training and Development UK*, 3(4).

## **Articles**

- Amnesty International. “Nigeria: The Human Cost of Oil Pollution in the Niger Delta”, (2020).
- Clean Clothes Campaign “Exploitation in the Global Garment Industry”, (2022).
- Human Rights Watch “China’s Surveillance State: Implications for Human Rights” ,(2021).
- Human Rights Watch “EU Policies Contributing to Abuse of Migrants in Libya”,(2021).
- UNHCR “Asylum Seekers at the U.S.-Mexico Border: Rights and Challenges”, (2023).
- UNHCR “Climate Change and Displacement: A Global Challenge”, (2022).
- United Nations “Global Compact on Refugees”, (2018).

## Online Materials

Human Rights Watch. (2017). Sexual Exploitation by UN Peacekeepers in the DRC and CAR. Retrieved from <https://www.hrw.org>.(accessed 25 May 2025).

International Criminal Court. (2009). Warrant of Arrest for Omar al-Bashir. Retrieved from <https://www.icc-cpi.int>(accessed 25 May 2025).

International Criminal Court. (2019). Acquittal of Laurent Gbagbo. Retrieved from <https://www.icc-cpi.int>.(accessed 25 May 2025).

Obanya, V., “Dotting The I’s and Crossing The T’s in Landlord, Tenant Relationship: Odutola v. Papersack Nigeria Limited in Perspective”, Retrieved from <http://legallines.blogspot.com.ng/2013/02/dotting-is-and-crossing-ts-in-landlord.html> (accessed 25 May 2025).

The United Nations and the International Protection of Human Rights, Retrieved from <https://scholarlycommons.law.cwsl.edu/cgi/viewcontent.cgi?article=1935&context=cwilj>(accessed 25 May 2025).

UN Committee on Economic, Social and Cultural Rights. (2024). Overview of the CESCR. Available at: <https://www.ohchr.org/en/treaty-bodies/cescr>(accessed 25 May 2025).

UN Human Rights Committee. (2024). Mandate and Functions. Available at: <https://www.ohchr.org/en/treaty-bodies/ccpr>.(accessed 25 May 2025).

United Nations MINUSCA. (2014). Stabilization and Peacekeeping in CAR. Retrieved from <https://www.un.org/en/peacekeeping>.(accessed 25 May 2025).

United Nations Peacekeeping. (2011). UNOCI’s Role in Côte d’Ivoire Crisis. Retrieved from <https://www.un.org/en/peacekeeping>.(accessed 25 May 2025).

United Nations. (1966). International Covenant on Civil and Political Rights. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>(accessed 25 May 2025).

United Nations. (1966). International Covenant on Economic, Social and Cultural Rights. Available at: <https://www.ohchr.org/en/instruments->

[mechanisms/instruments/international-covenant-economic-social-and-cultural-rights](#).(accessed 25 May 2025).

United Nations. (1994). Resolution 955 Establishing the International Criminal Tribunal for Rwanda. Retrieved from <https://www.un.org>.(accessed 25 May 2025).

United Nations. (2018). UN Measures to Prevent and Address Sexual Exploitation and Abuse. Retrieved from <https://www.un.org>.(accessed 25 May 2025).

United Nations-African Union Mission in Darfur (UNAMID). (2007). UNAMID Mandate and Objectives. Retrieved from <https://www.un.org/en/peacekeeping>.(accessed 25 May 2025).