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ASSESSING THE CHALLENGES IN THE APPLICATION OF THE PROVISIONS OF HUMAN RIGHTS IN THE 1999 CONSTITUTION OF NIGERIA (AS AMENDED)

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ABSTRACT

The concept of human rights, has gained universal acceptance or recognition over the years and it has been a widely debated issue in the world today. Human rights provisions are enshrined in most international Instruments like the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political rights (ICCPR), the international Covenant on Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples rights (ACHPR). This paper examines the Economic and Social rights which are part of Human rights and notes the difficulty faced by state parties in the actualization of these rights. Since independence Nigeria has had a number of Constitutions the present one being the 1999 Constitution (as amended). This paper notes that while the fundamental Human Rights provisions in chapter 4 of the 1999 Constitution (as amended) are enforceable the economic and social rights enshrined in chapter 2 of the 1999 constitution (as amended) are not enforceable. This paper notes the challenges which undermine the application of these Human Rights provisions in the 1999 Constitution (as amended) and suggests appropriate measures to address them.

Keyword: Human Rights, UDHR, ICCPR, Constitution, Nigeria.