



Enforcement Strategies in Kenyan Domestic Courts: A Policy Analysis

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Abstract

Enforcement mechanisms for human rights law in domestic courts have been a subject of increasing interest due to their impact on protecting individuals' rights and promoting justice. The study employs qualitative analysis of court decisions and relevant legal literature to assess the implementation and outcomes of human rights enforcement in Kenya's domestic courts. A key finding is that while there has been a trend towards more proactive enforcement, significant challenges persist, particularly in cases involving marginalized communities. The analysis reveals that despite some improvements, judicial discretion remains a critical factor affecting the effectiveness of human rights enforcement in Kenyan courts. Recommendations include strengthening training for judges and legal practitioners on human rights law, enhancing public awareness about court processes, and integrating more robust oversight mechanisms.

Keywords: Kenya, Sub-Saharan, Human Rights Law, Jurisdictional Challenges, Legal Pluralism, Empirical Research, Judicial Activism

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