



Enforcement Mechanisms in Domestic Courts of Kenya: A Survey

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Abstract

This study examines the enforcement mechanisms for human rights law in domestic courts of Kenya. A survey was conducted among a sample of judges, lawyers, and court staff to gather insights into their experiences and perceptions regarding enforcement processes in human rights cases. The findings indicate that while there is some variation in the application of legal remedies across different courts, judicial discretion significantly influences outcomes. Specifically, 60% of respondents reported instances where judges used their discretionary powers to mitigate harsher judgments. Despite challenges such as limited resources and procedural inefficiencies, judicial discretion plays a crucial role in ensuring human rights compliance within the Kenyan legal system. Recommendations include enhancing judicial training on human rights law, improving court infrastructure, and promoting public awareness of their rights to facilitate better enforcement mechanisms.

Keywords: *African jurisprudence, human rights law, judicial review, legal enforcement, court procedure, legal compliance, governance structures*

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