

APPLICABILITY OF FUNDAMENTAL HUMAN RIGHTS OF NIGERIANS DURING THE COVID-19 PANDEMIC IN NIGERIA ENVIRONS

Adeola Olufunke Kehinde*

Abstract: *One cannot discuss enjoyment of fundamental human rights without a safe and healthy environment. The 1999 Constitution of the Federal Republic of Nigeria is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria, in effect, the provisions of the 1999 Constitution of the Federal Republic of Nigeria shall be obeyed at all times and in all situations even though there are exceptions to the rights. It has been observed that during the Covid-19 Pandemic in Nigeria, the provisions of the Constitution were suspended with respect to the fundamental human rights of Nigerians which affected the citizens in diverse ways as shall be discussed in this paper. The paper examined the effects of the suspension of these rights on Nigerians during Covid-19 pandemic lockdown imposed by the government while revealing the non-preparedness of Nigeria in emergency situations and proffers adequate recommendations.*

Keywords: *Covid-19 pandemic, fundamental human rights, Nigeria environs, Nigeria Constitution, lockdown*

INTRODUCTION

This paper examines the impact of Covid -19 pandemic on Nigerians with regards to the enjoyment of their fundamental human right as enshrined in Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria (as amended).¹ It has been observed that during the Covid-19 lockdown, many of the fundamental human rights of Nigerians are violated and this has a lot of negative effects on Nigerians. The primary duty of any responsible government across the globe is to protect and defend its Constitution; thus, all provisions of the Constitution should be obeyed and the rights be enjoyed by all citizens regardless of tribe, age, religious affiliation, educational level and so on except in some circumstances which are regarded as exceptions to the general rule stated in the same law. It has been observed that during the pandemic, the provisions of the Constitution were suspended as a result of the emergency situation and the need to contain the virus, the question now is that despite the suspension of these rights, were citizens adequately catered for? Were measures put in place to ensure that the suspension of the rights do not adversely affect the citizens or were measures put in place to reduce the effect which the suspension may have on the citizens? The answer to the above questions is No as we shall discuss further in the paper.

Covid-19 epidemic broke out in Wuhan China sometimes in 2018. The virus began to spread across the globe by the year 2019 which made the World Health Organization declare it a pandemic and a Public Health Emergency of International Concern. Fever, breathing problems, a cough, and invasive lesions on both lungs are all signs of a coronavirus infection. Viral pneumonia can result from the virus spreading to the lower respira-

* Adeola Olufunke Kehinde, Ph.D. Senior Lecturer, Faculty of Law, Federal University Oye Ekiti, Ekiti State, Nigeria. ORCID: 0000-0002-1554-6247.

¹ The 1999 Constitution of the Federal Republic of Nigeria, Cap C23, LFN 2004.

tory system. Dyspnea and respiratory distress syndrome, which can emerge after an incubation period of up to two weeks, are symptoms that patients experience in severe cases. Despite having a lower fatality rate, the virus has significantly more patients with infection than the corresponding cases of Severe Acute Respiratory Syndromes (SARS) and Middle East Respiratory Syndromes (MERS). Strong actions were taken right away by Wuhan local authorities to characterize and control the epidemic after realizing it was an emergency. These actions included isolating suspected cases for treatment, closely monitoring contacts, collecting epidemiological and clinical data from patients, and developing diagnostic and treatment protocols. In response to the pandemic, the Chinese government immediately put up a lot of measures to contain the spread of the deadly virus by restricting international travels, limiting the number of flights to China while at the same time ensuring absolute denial of entry of foreigners whose visas and residence permits were already granted before the pandemic broke out. The government also took steps to discourage Chinese people from returning from overseas. It also responded to the pandemic by implementing a lockdown, when it was discovered that some people tested positive for the coronavirus, despite showing no symptoms. Other mandatory actions taken by the municipal and provincial governments supported by the central government include; case detection and contact tracing, quarantine guidance and information to the public, detection kit development and so on.

As a result of the spread and declaration by the World Health Organization, various countries across the globe saw it as a national emergency indeed considering the rate at which the virus spreads and began to come up with various measures to combat and contain the dreaded virus. Part of the measures put in place in containing the virus was to introduce a total lockdown where people were restricted from moving from one place to the other except those on essential duties. The same is the story in Nigeria, the government also introduced total lockdown and people could not go to their offices, markets, various places of work and the total economy was completely grounded.

This paper analyzes the enforcement of Covid-19 lockdown in Nigeria vis a vis the breach of fundamental human rights of Nigerians. It was observed that during the Covid-19 lockdown, virtually all fundamental human rights of Nigerian were violated as the government was concerned with the containment of the virus neglecting the existing rights of Nigerians as enshrined in the Constitution that needs to be adequately protected.

Fundamental Human Rights are rights that citizens of a country enjoy without any form of discrimination be it age, race, sex, religion and so on; such rights are to be guaranteed by the government and the government must ensure that the rights are protected except as provided for in the Constitution. The Universal Declaration of Human Rights (UDHR) was adopted by the United Nation General Assembly in 1948; it was the first legal document which sets out the fundamental human rights to be protected across the globe that is, universally. The Universal Declaration of Human Rights is the foundation of all international human rights law. Without this instrument, we cannot successfully talk about enjoyment of human right in any part of the world.²

² OHCHR Universal Declaration of Human Rights In: *United Nations Human Rights Office of the High Commissioner* [online]. [2022-07-14]. Available at: <<https://www.ohchr.org/en/universal-declaration-of-human-rights>>.

Countries across the globe are under obligations and duty bound under international law to respect, protect and fulfill human rights. In effect, the states are expected to stay away from interfering with the enjoyment of such rights by citizens. The government is expected to ensure that no individual or group of people abuses the human right of other people and the state is expected to take necessary actions to ensure facilitation of enjoyment of these human rights.³

The case is not different in Nigeria, the fundamental human rights of Nigerians are contained in Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria and are covered by some sections of the Constitution.⁴ The rights that will be discussed in this article include right to dignity of human person,⁵ right to personal liberty,⁶ right to fair hearing⁷ right to freedom of thought, conscience and religion,⁸ right to peaceful assembly and association⁹ and right to freedom of movement.¹⁰

It must however be pointed out that these fundamental human rights are not absolute; there are exceptions to the general rule. One of the exceptions to the right to personal liberty is contained in Section 35 (1) (e) of the Constitution. It is noted that even though the exception exists, the government failed woefully in the area of providing palliatives to her members so as to cushion the effect of the lockdown. As earlier mentioned in the paper, it shows the non-preparedness of the Nigerian government in emergency situations.

I. METHODOLOGY

The paper makes use of the doctrinal research approach. Legal theories are the focus of doctrinal study, and legal precedents and decisions from appellate courts serve as the data sources. It is library research that uses both primary and secondary sources. Statutes, the Constitution, Acts, and Laws are the primary sources, whereas books, articles, and other materials are secondary sources. The 1999 Constitution of the Federal Republic of Nigeria and the Administration of Criminal Justice Act (2015) are two of the key sources examined in this article. Books, articles, and journals that are pertinent to the topic of this research are among the secondary sources. The world has become both a global village and a worldwide room thanks to the internet. There is no information needed that cannot be obtained from the internet. Thus, the internet is of tremendous help in putting this article together.

II. VARIOUS MEASURES PUT IN PLACE BY NIGERIA GOVERNMENT TO CURTAIN COVID-19

Upon realizing the great calamity, the coronavirus may bring upon the country and in response to the attack, the Nigeria Centre for Disease Control (NCDC) in conjunction with

³ *Ibid.*

⁴ Sections 33-43 of the Constitution.

⁵ *Ibid.*, Section 34.

⁶ *Ibid.*, Section 35.

⁷ *Ibid.*, Section 36.

⁸ *Ibid.*, Section 38.

⁹ *Ibid.*, Section 40.

¹⁰ *Ibid.*, Section 4.

the Presidential Task Force on Covid-19 set up by the Presidency to curtail the pandemic came up with some Regulations to ensure that the virus is contained.¹¹

The Nigeria Centre for Disease Control (NCDC) through the National Emergency Operations Centre (EOC) has continued to lead the national public health response in Nigeria with oversight of the Presidential Task Force on Covid-19, while working closely with all states of the Federation to support their response activities to the pandemic. Several measures have been instituted by the Federal Government of Nigeria through the PTF-COVID-19 together with the Federal Ministry of Health to contain the spread of the disease and protect the health of Nigerians. This includes an initial lockdown of non-essential activities; closure of schools, religious houses, recreation centers, clubs, a ban on international flights and so on.¹²

The President of the Federal government by the power conferred on him by the Quarantine Act¹³ in its various sections¹⁴ declared covid-19 a dangerous infectious disease and made the regulation¹⁵ in order to contain the spread of the disease. The Regulation instantly imposed a lockdown in three different states of Nigeria, that is, Lagos, Ogun and FCT. The president based on the advice by the Federal Ministry of Health and NCDC directed the cessation of all movements across the above mentioned states and FCT for initial period of 14 days commencing from 11pm 30th March 2020.¹⁶ Citizens are to stay in their homes, all businesses closed and all travels postponed;¹⁷ movement of all passenger aircrafts also suspended both commercial and private jets.¹⁸ All these are emergency measures put in place in response to covid-19 pandemic by the Nigerian government. This regulation can be argued to be ineffective as a result of implementation mechanism which is not included in the Regulation and adequate punishment prescribed for violators of the said Regulation put in place by the President. A careful examination of the seven sectioned Regulation showed there the said Regulation is inadequate as a result of the identified issue above.

It must however be noted that along the line, when the government discovered that it could no longer keep people indoor as a result of its inability to provide for the needs of the people as earlier planned since most people live on daily earned stipends, the lockdown was eased. In 2021, the President again by the powers conferred on him by the Quarantines Act¹⁹ made another Regulation titled Coronavirus Disease (COVID-19) Health Protection Regulation 2021. Part 1 of the Regulation talks about restriction on gatherings. It provides that at all gatherings, a distance of two meters should be maintained between persons.²⁰ It further limited numbers of gatherings to 50 in an enclosed place and in case of religious houses, 50% capacity of the auditorium shall not be exceeded.²¹ The Regulation

¹¹ Section 1 (2) Covid-19 Regulations 2020.

¹² NCDC Public health advisory on Covid-19 In: *NCDC* [online]. [2022-07-14]. Available at: <<https://covid19.ncdc.gov.ng/advisory/>>.

¹³ Quarantine Act Cap Q2 LFN 2004.

¹⁴ Sections 2, 3 and 4 Quarantine Act Cap Q2 LFN 2004.

¹⁵ Covid-19 Regulations 2020.

¹⁶ Section 1 (1) Covid-19 Regulations 2020.

¹⁷ Section 1 (2) Covid-19 Regulations 2020.

¹⁸ Section 3 Covid-19 Regulations 2020.

¹⁹ Quarantine Act Cap Q2 LFN 2004.

²⁰ Section 1 Coronavirus Disease (COVID-19) Health Protection Regulation 2021.

also provided for using of face masks in public places such as churches, mosques, malls, market places etc., washing of hands and the use of hand sanitizers mandated. Thermometers are to be provided and if anyone's temperature is above 38 degrees Celsius, the person should be denied entry.²² This Regulation upon careful perusal can be said to be more effective than its counterpart of 2020 because it provided for offences and punishments.²³ It provides that noncompliance with the Regulation is an offence and punishments were rightly prescribed for such violations. The 42 sectioned Regulation also provided for enforcement mechanism.²⁴ However, it has been observed that these laws were not adequately enforced as expected and violators of these Regulations were not sanctioned. In depth consideration of these Regulations show that the rights of Nigerians were violated as will be later highlighted in this paper. Apart from these two Regulations, the Presidential Task Force on Covid-19 in conjunction with NCDC as empowered by the president of Nigeria regularly come up with different guidelines and Protocols to contain the virus as the need arises.

III. IMPACT OF COVID-19 ON NIGERIANS' FUNDAMENTAL RIGHTS

As experienced across the globe, Covid-19 pandemic affected the economy of all countries of the world, Nigeria not excluded. The first case of the pandemic was recorded in Nigeria on 27th February 2020. The recorded case was that of an Italian citizen who works in Nigeria and returned from Milan, Italy to Lagos, Nigeria on the 24th of February 2020. He was confirmed positive by the Lagos University Teaching Hospital, part of the Laboratory Network of the Nigeria Centre for Disease Control. Immediately this was detected, contact tracing of the people on the same flight with him was initiated by the Lagos State Government and the Nigerian Centre for Disease Control (NCDC).²⁵

As it is across the globe, the pandemic ravaged Nigeria and the government had to put up several measures to combat the pandemic which include but not limited to closure of borders and airports, lockdown, wearing of face masks and so on, it was observed that during the pandemic, most of the fundamental human rights as enshrined in the 1999 Constitution of the Federal Republic of Nigeria were not respected and people's rights were trampled upon as a result of the pandemic. These rights will be examined one after the other and the implications of the violation will be highlighted.

As earlier mentioned, the fundamental human rights are contained in sections 33 to 43 of the Constitution and these rights are referred to as justiciable rights. The first right to be considered is the right to personal liberty as contained in Section 35 of the Constitution.²⁶ The Constitution provides that every person shall be entitled to his personal liberty and no person shall be deprived of such liberty except in some instances provided by the Con-

²¹ Section 2 Coronavirus Disease (COVID-19) Health Protection Regulation 2021.

²² Section 5 Coronavirus Disease (COVID-19) Health Protection Regulation 2021.

²³ Sections 31-34 Coronavirus Disease (COVID-19) Health Protection Regulation 2021.

²⁴ Part 5 of the Coronavirus Disease (COVID-19) Health Protection Regulation 2021.

²⁵ ALAGBOSO, C., ABUBAKAR B. The First 90 Days: How has Nigeria Responded to the COVID-19 Outbreak? In: *Nigeria Health Watch* [online]. 2. 6. 2020 [2022-07-14]. Available at: <<https://nigeriahealthwatch.com/the-first-90-days-how-has-nigeria-responded-to-the-covid-19-outbreak-covid19naijaresponse/>>.

²⁶ Section 35 of the 1999 Constitution of the Federal Republic of Nigeria.

stitution which include but not limited to execution of the sentence or order of a court in respect of a criminal offence of which he has been found guilty,²⁷ by reason of his failure to comply with the order of a court or in order to secure the fulfillment of any obligation imposed upon him by law,²⁸ for the purpose of bringing him before a court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence;²⁹ in the case of persons suffering from infectious or contagious disease, persons of unsound mind, persons addicted to drugs or alcohol or vagrants, for the purpose of their care or treatment or the protection of the community;³⁰ the exceptions go on and on. Despite these exceptions, the government should have made adequate provisions for the citizens so as to effectively and adequately cushion the effect of the lockdown on them as was obtainable in other parts of the world where lockdown was imposed, this was not the case in Nigeria, people were kept indoors for weeks and no adequate provision was made for their well-being especially the feeding aspect. Despite the fact that Covid-19 pandemic made a lockdown necessary, millions of low-income households were left struggling with hunger as a result of the lockdown's abruptness since the government only gave Nigerians 24 hours' notice. The Nigerian government, on the other hand, the government was only able to give monetary assistance to 3.6 million low-income households throughout the lockdown, a negligible number in a nation where 95.9 million people endure extreme poverty. The government's incapacity to help the needy is a result of the long-standing absence of a working, national social welfare system and non-preparedness for emergency situations.³¹ Because there were no well-organized social investment programs to mitigate the impacts of lockdown, social inequality and suffering increased, making it impossible for people who worked in the informal economy to follow the Covid-19 principles.³²

People showed their level of annoyance during the aforementioned lockdown due to the government's inability to provide for them. Some Lagos State citizens bemoaned the starvations brought on by the president's order to stay at home. The majority of the locals, who work as artisans and traders, complained that they had lost their jobs and were struggling to make ends meet. Speaking in Lagos at the time, a man named Mr. Bidemi said it was okay for the government to impose lockdown in order to stop the coronavirus from spreading, but palliative measures should be made available for the populace. Lagos residents have demanded that economic stimulus or palliative care were urgently needed to lessen the impact of the lockdown.³³ For a number of demographics, including essential

²⁷ Section 35(a) of the 1999 Constitution of the Federal Republic of Nigeria.

²⁸ Section 35 (b) of the 1999 Constitution of the Federal Republic of Nigeria.

²⁹ Section 35 (c) of the 1999 Constitution of the Federal Republic of Nigeria.

³⁰ Section 35 (e) of the 1999 Constitution of the Federal Republic of Nigeria.

³¹ YOMI, K., Ordinary Nigerians are filling the country's major social welfare gaps amid coronavirus. In: *Quartz* [online]. 24. 4. 2020 [2023-03-09]. Available at: <<https://qz.com/africa/1843839/nigerias-coronavirus-lockdown-is-hitting-poor-families-hard>>.

³² OKOLIE, A., NNAMANI, K., ONONOGBU, A., NWOKE, I., NZEKWE, I., IKE, C., NGOKA, R., OKORO, C., EKWU, H., The neoliberal state and management of the COVID-19 Pandemic in Nigeria. *Africa Review*. 2022, Vol. 1, No. 29. Doi: 10.1163/09744061-tat00005.

³³ ODITA, S., AWODIPE, T., OLATUNJI, K. Lagos residents lament hunger during lockdown, await covid-19 relief. In: *Guardian Newspaper* [online]. 3. 4. 2020 [2022-12-12]. Available at: <<https://guardian.ng/news/lagos-residents-lament-hunger-during-lockdown-await-covid-19-relief/>>.

employees, detainees, children, the elderly, and the disabled, lockdowns have had tragic effects.³⁴

The pandemic's effects on human rights have been acknowledged to be extensive and global. Movement restrictions, lockdowns, and quarantine confinement are only a few of the restrictions that have had a significant immediate impact.³⁵ It has also been argued that the ability of a country to manage emergency situations depends on the level of preparedness of such a country for such emergencies. Nigeria in her case was not prepared for the pandemic and that affected the manner in which the lockdown was managed across the country.³⁶

The section³⁷ further provides that any person who is arrested or detained in accordance with subsection (1) (c)³⁸ shall be brought before a court of law within a reasonable time, reasonable time was explained to mean in a case of an arrest or detention in any place where there is a court of competent jurisdiction within a radius of forty kilometers, a period of one day and in any other case, a period of two days or such longer period as in the circumstances may be considered by the court to be reasonable.³⁹ It was however noted that during the Covid-19 pandemic in Nigeria, the right was not protected, the right to personal liberty was breached as a result of the lockdown introduced for the purpose of containment of the virus. In fact, the cells in the police stations and other security offices and divisions were congested as a result of non-arraignment of suspects as within the time provided by the Constitution. Anyone who is arrested for one crime or the other is expected to be taken to a court of competent jurisdiction within 24 hours of his arrest but this was not so during the pandemic. It was noted that the whole administration of justice was affected during the pandemic since those whose trials have been on before the lockdown remained in prison custody as a result of the pandemic. The situation further revealed that the judicial system in Nigeria is not yet in a level it is expected to be infrastructurally and in terms of Information Communication Technology (ICT). If the ICT were to be in place, it would have been possible to conduct trials through electronic means as it was done in some countries during the pandemic. It is a popular saying that justice delayed is justice denied, it can be safely concluded that since trials were delayed during the pandemic, justice was denied in one way or the other as people were kept in the custody indefinitely till the lockdown was relaxed by the Nigerian government and the situation was just quite unfortunate.

Another right that was breached during the pandemic is the right to fair hearing as contained in Section 36 of the Constitution.⁴⁰ This is also a right that is linked with the judicial

³⁴ GIACOMO, C., JEFFREY, K. The state of human rights in a (post) COVID-19 world. *Journal of Human Rights*. 2022, Vol. 21, No. 3, pp. 246-262, Doi: 10.1080/14754835.2022.2051450.

³⁵ DOROTA, A. Human Rights During Covid-19 and Securitisation of Health. *Nordic Journal of Human Rights*. 2021, Vol. 39, No. 3, pp. 205-223, Doi: 10.1080/18918131.2021.1965367.

³⁶ KELECHI, E., NGOKA, R., OKOYE, K., NWOKE, H. The Nigerian state and the realities of managing COVID-19 pandemic: whither political restructuring and economic diversification? *African Identities*. 2022. Doi: 10.1080/14725843.2022.2028603.

³⁷ Section 35 (4) of the 1999 Constitution of the Federal Republic of Nigeria.

³⁸ Section 35 (1) (c) of the 1999 Constitution of the Federal Republic of Nigeria.

³⁹ Section 35 (5) (a) and (b) of the 1999 Constitution of the Federal Republic of Nigeria.

⁴⁰ Section 36 of the 1999 Constitution of the Federal Republic of Nigeria.

system in Nigeria. The section provides to the effect that person shall be entitled to fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality.

Section 40 of the Constitution⁴¹ provides to the effect that every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests. It was observed that during the Covid-19 pandemic, the right was suspended by the government and no one enjoyed the right. Churches, mosques, recreation centers, clubs and all were completely shut, there was no social gathering at the time. No one was allowed to gather or assemble as a result of the pandemic. The lockdown affected a lot of things as people who already prepared to celebrate their marriages, and other events were coerced to postpone them indefinitely till the lockdown was eased.

Section 41⁴² of the Constitution provides to the effect like every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereto or exit therefrom. During the lockdown imposed by the government, there was no freedom of movement, people were not allowed to move from one place to another, except in case of medical emergency as spelt out by Nigeria Centre for Disease Control (NCDC). Interstate travels were completely banned except in emergency cases as stipulate by the above mentioned body.

Making reference to international laws, International human rights law makes adequate provision for obligations which States who are parties to it must mandatorily respect. Once a state becomes a party to international treaties, such assumes obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights.

The first one to mention here is the Universal Declaration of Human Rights (UDHR) of 1948 which is a milestone document in the history of human rights. It is a document which has 30 Articles which is expected to be respected by states. Article 13 provides that everyone has a right to freedom of movement and residence within the borders of each state.⁴³ It goes further to provide that everyone has a right to freedom of peaceful assembly and association,⁴⁴ these rights were violated throughout the entire world where lockdown was imposed in order to contain the spread of covid-19. As mentioned above, people's right to freedom of movement and association were not respected in Nigeria during the pandemic. The instrument went further to provide that everyone has a right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and necessary social services,⁴⁵ it has been observed that this right was also suspended during Covid-19 pandemic lockdown in Nigeria. Others that will be mentioned are: International Covenant on Economics,

⁴¹ Section 40 of the 1999 Constitution of the Federal Republic of Nigeria.

⁴² Section 41 of the 1999 Constitution of the Federal Republic of Nigeria.

⁴³ Article 13 (1) Universal Declaration of Human Right 1948.

⁴⁴ Article 20 (1) Universal Declaration of Human Right 1948.

⁴⁵ Article 25 (1) Universal Declaration of Human Right 1948.

Social and Cultural Rights of 1966 and International Covenant on Civil and Political Rights 1966 among others. It was observed that most of the provisions of these instruments were not honored during the lockdown as a result of containment of the spread of the deadly virus.

IV. OTHER EFFECTS OF COVID-19 ON NIGERIANS

The effect on agriculture too as at that time cannot be overemphasized. A lot of farm produce got spoilt as a result of the ban on the freedom of movement. There was no means of transporting farm produce to cities for purchase by the consumers, thus, all these items got spoilt in the farm where they were harvested. If these items were to be preserved in the farms, the government did not make available the required equipment to preserve these items. This also shows the non-preparedness of Nigeria as a country for emergency situations. In fact, a result of lockdown, there was no transport system for majority of the farmers to be in the farm in order to harvest their produce, this also led to destruction of farm produce.

There are so many other effects of Covid-19 that will be briefly mentioned in this article before recommendations are made. According to the world bank, by the year 2022, people living in poverty in Nigeria, that is, those living below 1 USD per day, would have increased drastically, it would have risen from 40.1% it was in 2019 to 45.2%; by implication, this shows that 100.9 million people would be living in poverty in Nigeria as a result of the pandemic.⁴⁶ Covid-19 pandemic has indeed in the practical sense resulted in high level of poverty in Nigeria, the lockdown imposed by the government which affected the right to freedom of movement led to poverty as there are so many Nigerians who earn their living through daily activities and as a result of the lockdown, majority were unable to move round to earn their living and the government was unable to meet the needs of people in terms of palliatives, thus leading to poverty; people really found it hard to get what they would eat on daily basis.

Nigeria's statistics bureau in its report stated that Nigeria's economy contracted by 6.1% in the second quarter of the year 2020, the decline is Nigeria's steepest in the last 10 years. Just as with so many other countries across the globe, the sharp drop in Nigeria's GDP growth is largely down to the slowdown in economic activity after the country resorted to a lockdown back in April 2020 to curb the spread of the virus which led to violations of some fundamental human rights which is the crux of this paper.⁴⁷

Another major impact of Covid-19 in Nigeria that will be mentioned is the impact on education sector. During the Covid-19 experience in Nigeria, all schools were shut as a result of the Regulation put in place by the president of the Federal Republic of Nigeria in order to curtail the spread of the virus among the children, it became difficult for learning exercise to continue and the Academic calendar was affected by this and this really had a great impact on the sector.

⁴⁶ World Bank, Number of poor people in Nigeria to reach 95 million in 2022 – World Bank. In: *Premium Times Nigeria* [online]. 3. 3. 2022 [2022-07-14]. Available at: <<https://www.premiumtimesng.com/business/business-news/520849-number-of-poor-people-in-nigeria-to-reach-95-million-in-2022-world-bank.html>>.

⁴⁷ YOMI, K. How has the coronavirus pandemic affected Nigeria's economy? In: *World Economic Forum* [online]. 28. 8. 2020 [2022-07-14]. Available at: <<https://www.weforum.org/agenda/2020/08/africa-largest-economy-worst-contraction-in-a-decade/>>.

V. RECOMMENDATIONS AND CONCLUSION

Human rights are rights which shall be enjoyed at all times by citizens without any form of restrictions except in situations set out as exceptions as contained in the Constitution. It is hereby recommended that the Nigeria government should always be on the alert and be ready in emergency situations so as to be able to secure the safety of the citizens. Secondly, fundamental human rights of citizens should by all means always be ensured in all situations. The issue of education should not be traded for anything, despite the pandemic and the lockdown, educational sector should still be effective by making use of online classes; it is quite unfortunate that internet facility in Nigeria is extremely poor, sometimes there may be no network in some areas or the facility may be slow and many more. Nigeria should work more in ensuring that there is internet facility across the country to assist in such situations. The same goes for the judicial system, the internet is the major reason why trials are not conducted online and persons charged with various offences had to be kept in custodies longer than the prescribed time by the Constitution.

In conclusion, the paper examined the fundamental human rights of Nigerians and how some of the rights were violated during covid-19 pandemic lockdown in Nigeria. It shows the non-preparedness of the country in emergency situations by not being able to provide adequate palliative for the citizens which led to hunger and many more, the paper identified that the lockdown led to poverty among the citizens.