



LEGAL AND INSTITUTIONAL LANDSCAPE MAPPING REPORT

**Bridge to Justice Project
Nigeria, Ghana, Cameroon
and Sierra Leone**



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1. Introduction

This report presents a detailed legal and institutional landscape mapping across Nigeria, Ghana, Cameroon and Sierra Leone, undertaken to inform programme design under the Bridge to Justice Project. The mapping was developed through a structured analytical process examining how law operates in practice, rather than how it is framed in statutory or policy documents. The objective is to provide a technical basis for designing interventions that strengthen access to justice for key populations and people living with HIV within complex and often restrictive environments.

The analysis recognises that access to justice in these contexts is shaped by an interaction of legal frameworks, enforcement practices, institutional behaviour, and social conditions. Formal law is only one component. The way institutions interpret, enforce or disregard legal provisions, combined with stigma, fear of exposure and weak accountability systems, determines whether legal remedies are available, effective or avoided entirely. This report therefore prioritises operational realities, institutional patterns and risk environments over formal doctrinal analysis



2. Analytical Framework and Approach

The landscape mapping was conducted through a comparative analytical framework focused on four core dimensions: legal frameworks and enforcement practices, institutional behaviour and state engagement, access to justice pathways, and risk environments affecting both communities and legal practitioners. This approach allowed for a structured examination of how legal systems function in practice and how individuals navigate or avoid those systems.

The methodology combined country-level analysis with cross-country synthesis. Each country's context was assessed individually to identify specific legal and institutional characteristics.

These findings were then examined comparatively to identify shared structural patterns, divergence in institutional behaviour and variation in levels of movement lawyering development. This dual approach provides both depth and comparability, ensuring that programme design can respond to both regional trends and country-specific realities.

3. Country-Level Analysis

3.1 Nigeria

Nigeria presents a multi-layered enforcement environment in which statutory law interacts with religious structures, informal policing and strong social norms. The operational reality of law enforcement extends beyond formal legal provisions, particularly in regions where additional policing mechanisms influence behaviour and regulate morality. This creates overlapping systems of control that significantly increase risk for key populations and people living with HIV.

Nigeria's legal framework includes the Same Sex Marriage (Prohibition) Act, 2014, which criminalises same-sex relationships, public displays of same-sex affection, and the operation or support of organisations perceived to be associated with such relationships. In Northern states, provisions under Sharia penal codes further criminalise same-sex conduct, with severe penalties.



Although Nigeria's HIV and AIDS (Anti-Discrimination) Act, 2014 provides protections for people living with HIV, the broader criminalisation framework and stigma associated with same-sex relationships continue to expose key populations, including PLHIV, to discrimination, harassment and barriers to accessing services

A critical structural issue identified in Nigeria is the weakness of evidence systems. Law enforcement practices frequently involve invasive measures such as phone searches, surveillance of private communications and forced deletion of potential evidence. These practices undermine the integrity of legal processes and create significant barriers to litigation. Without credible evidence, legal claims become difficult to sustain, reducing the effectiveness of formal justice mechanisms.

Institutional engagement remains uneven. While there are identifiable points of engagement, including collaboration with national human rights institutions, enforcement gaps and delays in justice delivery continue to limit outcomes. At the same time, Nigeria demonstrates a relatively advanced level of movement lawyering development, characterised by strategic litigation, institutional advocacy and community-linked legal interventions. This indicates both the potential for impact and the persistence of structural constraints.



3.2 Ghana

Ghana's legal landscape is shaped by an evolving political and legislative environment. The presence of active legislative processes affecting key populations introduces a dynamic layer of legal risk, where outcomes remain uncertain and subject to political negotiation. This requires legal strategies that are both responsive and anticipatory.

Ghana's Criminal Offences Act, 1960 (Section 104) criminalises "unnatural carnal knowledge," which has been interpreted to include consensual same-sex conduct. While enforcement has historically been inconsistent, the existence of this provision contributes to stigma and creates a legal basis for discrimination. Ongoing legislative efforts to introduce more expansive anti-rights laws have heightened risk and uncertainty. These legal and policy dynamics affect access to justice and services for key populations, including people living with HIV.

Legal barriers in Ghana extend beyond criminalisation. Administrative processes, particularly those related to identity documentation and recognition, create indirect but significant constraints.



Institutional behaviour reflects a combination of formal neutrality and informal resistance, with state actors often avoiding direct engagement while allowing restrictive practices to persist.

A key feature of the Ghanaian context is the importance of early engagement with legislative processes. Legal intervention cannot be limited to post-enactment litigation. Instead, it requires continuous monitoring of policy developments, identification of potential allies within institutions and strategic engagement aimed at influencing outcomes before they are formalised. This shifts the role of lawyers from reactive actors to proactive participants in governance processes.

3.3 Cameroon

Cameroon operates within a highly centralised political structure in which executive influence extends across the judiciary and other state institutions. This concentration of power significantly constrains the operational space for rights-based legal work. Judicial independence is limited, with institutional processes frequently shaped by political considerations, affecting both case outcomes and professional risk.

Cameroon criminalises same-sex conduct under Section 347-1 of the Penal Code, which provides for imprisonment and fines. Enforcement has been documented to include arrests based on suspicion, appearance or perceived identity, often without clear evidentiary basis. This legal environment, combined with stigma and limited judicial independence, exposes individuals to heightened risk.

The criminalisation framework also contributes to discrimination against people living with HIV, particularly where identity and health status intersect.



Legal practitioners and community actors face direct exposure to enforcement risks, including arrest, detention and institutional sanctions. This environment creates a deterrent effect, reducing the willingness of lawyers to engage in sensitive cases and limiting the availability of legal support for affected communities.

An additional structural dimension is the Anglophone-Francophone divide, which affects access to resources, representation and participation in national and international platforms. This internal fragmentation has direct implications for the programme design, as it requires deliberate attention to inclusion, language and regional representation. The Cameroonian context therefore requires foundational capacity building, cautious engagement strategies and a focus on creating safe entry points for legal intervention.

3.4 Sierra Leone

Sierra Leone presents a legal environment influenced by predominantly conservative social and cultural norms, particularly in relation to issues affecting key populations and people living with HIV. Existing legal provisions may be invoked to reinforce prevailing moral expectations. While enforcement is not always systematic, actions by law enforcement are often shaped by these social and cultural attitudes, with legal provisions used at times to justify interventions driven by stigma or perceived moral violations.

Sierra Leone retains colonial-era provisions under the Offences Against the Person Act, 1861, including Section 61, which criminalises “buggery,” and related provisions on “gross indecency.” While enforcement is not consistently systematic, these laws remain in force and can be invoked. Their continued existence contributes to stigma and creates a legal backdrop that enables discrimination and limits access to justice for key populations, including people living with HIV.



Legal practitioners themselves may be subject to harassment or arrest when providing support to affected communities. This introduces an additional layer of risk, where those responsible for facilitating access to justice are also exposed to enforcement actions. The result is a constrained environment in which legal intervention is both necessary and risky.

Despite these constraints, local adaptation strategies have emerged. These include the use of digital tools to facilitate access to health services and reduce physical exposure to risk. Such approaches demonstrate the capacity for innovation within restrictive environments and highlight the importance of integrating legal support with practical, context-sensitive solutions.

4. Cross-Country Analysis

The comparative analysis reveals a set of shared structural challenges across all four countries. These include stigma, criminalisation, weak evidence systems, delays in judicial processes and institutional barriers that limit effective access to justice. These factors interact to create environments in which individuals are often reluctant to pursue legal remedies, particularly where doing so may increase visibility or exposure to risk.

At the same time, there are clear differences in levels of movement lawyering development. Nigeria and Ghana demonstrate relatively advanced engagement, with evidence of structured legal interventions, institutional engagement and sustained advocacy. Cameroon and Sierra Leone, in contrast, operate at a more foundational level, where core elements such as legal framing, professional language, values alignment and risk management require further development.

These differences are not merely descriptive but have direct implications for programme design. A uniform approach would fail to account for variation in capacity, readiness and institutional context. Effective intervention requires alignment with the specific conditions within each country, including both constraints and existing strengths.

5. Programmatic Implications

The findings of the landscape mapping indicate that programme design must adopt a differentiated approach that reflects varying levels of readiness across participating countries. In Nigeria and Ghana, interventions will focus on strengthening existing capacity, deepening strategic litigation skills and expanding engagement with institutions. These contexts already demonstrate a level of maturity that allows for more advanced forms of legal intervention.

In Cameroon and Sierra Leone, the priority is foundational capacity building. This includes strengthening understanding of movement lawyering principles, developing appropriate professional language, building risk awareness and establishing basic frameworks for legal engagement. Without this foundation, advanced training is unlikely to produce consistent or sustainable outcomes.



Across all contexts, programme design will integrate practical skills development. This includes evidence gathering in constrained environments, risk assessment, client protection and strategic engagement with state actors. In addition, strengthening collaboration between legal practitioners and community actors ensures that legal interventions are informed by lived realities and aligned with community needs.

The mapping also highlights the importance of working within existing systems. While parallel structures may provide short-term support, long-term impact requires engagement with institutions, including human rights bodies, legislative actors and administrative systems. Programme design will therefore balance caution with strategic engagement, identifying opportunities for influence without exposing participants to undue risk.

6. Conclusion

The legal and institutional landscape mapping confirms that access to justice for key populations and people living with HIV is shaped by the legal, institutional and social dynamics identified across the four countries. While there are shared regional challenges, each country presents a distinct configuration of legal, institutional and social dynamics.

The findings provide a technical foundation for programme implementation under the Bridge to Justice Project. By aligning interventions with actual operating environments, the project is positioned to move beyond theoretical training and support practical, context-specific legal work. The emphasis on differentiation, risk awareness and institutional engagement ensures that programme design is both realistic and capable of producing meaningful outcomes across diverse contexts.





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