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**SCHOOL OF LAW**

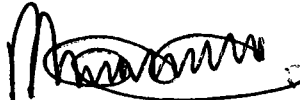
<b>COURSE NAME:</b>	Human Rights Law
<b>COURSE NUMBER:</b>	LA325
<b>TIME ALLOWED:</b>	Three (3) Hours
<b>READING TIME:</b>	Ten (10) Minutes
<b>NUMBER OF PAGES:</b>	Two (2)
<b>NUMBER OF QUESTIONS ON PAPER:</b>	Five (5)
<b>NUMBER OF QUESTIONS TO BE ANSWERED:</b>	Three (3)
<b>MARK ALLOCATED FOR EACH QUESTION:</b>	Twenty percent of Total Grade
<b>TOTAL MARKS FOR THIS EXAMINATION:</b>	Sixty percent of Total Grade
<b>MATERIALS PERMITTED IN EXAMINATION ROOM:</b>	None.

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**SPECIAL INSTRUCTIONS**

1. There is **no compulsory question** in this examination. You are free to choose **ANY three out of five**. They carry equal value.
2. Where there are sub-parts to any question, please answer all the sub-parts, except where otherwise stated.
3. Do not bother to write the questions on your answer script. It wastes your time.
4. Do not open the next page of this question paper until you are told to do so.
5. Do not attempt to take this question paper out of the examination room. You are to leave it in your answer booklet.
6. This is a law examination. **Support your answers with relevant legal principles, instruments and case law** relating to Human Rights Law, as may be necessary. Extraneous references are not helpful here.
7. Be calm. **Take note of the operative words in your questions**. Let your mind focus on how best to respond to the questions of your choice. Best wishes!

**QUESTIONS START ON THE NEXT PAGE.**

Approved  
  
25/4/06

### QUESTION ONE (TWENTY MARKS)

- (a) Define and explain the term “Cultural Relativism”. **Ten marks.**
- (b) To what extent is *kastom* (or customary law) an impediment to the realisation of human rights in the South Pacific? Draw on experiences and inferences from one USP or South Pacific country. **Ten marks.**

### QUESTION TWO (TWENTY MARKS)

- (a) Describe the characteristics/attributes of human rights. **Five marks.**
- (b) Discuss, in analytical detail, the idea that human rights are a product of sustained political, social and economic struggles, across diverse human societies, through the ages. **Fifteen marks.**

### QUESTION THREE (TWENTY MARKS)

Describe the normative frameworks and institutional mechanisms applicable to a United Nations’ human rights treaty. To what extent do the procedures and structures under this treaty guarantee the effective protection of the rights contained in your selected treaty?

### QUESTION FOUR (TWENTY MARKS)

Assume that you have been asked to assist the Ministry/Department of Foreign Affairs in your home country in the task of producing the final version of the proposed human rights charter for the states of the South Pacific.

- (a) Highlight the issues that you will consider in determining the desirability of a regional human rights system for the South Pacific. **Ten marks.**
- (b) From the experiences of existing regional human rights systems around the world, what would be their strengths and weaknesses that should inform the establishment and operations of a new regional human rights system? Suggest a framework of the normative standards and institutional mechanisms for this new regional human rights system. **Ten Marks.**

### QUESTION FIVE (TWENTY MARKS)

“Conceived as *a common standard of achievement for all peoples and all nations*, the Universal Declaration of Human Rights has become just that: a yardstick by which to measure the degree of respect for, and compliance with, international human rights standards.” - United Nations, Fact Sheet No. 2 (Rev. 1), *The International Bill of Human Rights*, Geneva, June 1996.

Critically examine the veracity of the above assertion in relation to the situation of human rights in **any** South Pacific country in contemporary times, highlighting the core challenges to the effective realisation of the promise of the “international bill of human rights”, and suggesting a domestic approach towards that goal.

**THE END.**