



SCHOOL OF LAW

COURSE NAME: Advanced Special Topic: International Human Rights Law

COURSE NUMBER: LA428

TIME ALLOWED: Three (3) Hours

READING TIME: Ten (10) Minutes

NUMBER OF PAGES: Three (3)

NUMBER OF QUESTIONS ON PAPER: Six (6)

NUMBER OF QUESTIONS TO BE ANSWERED: Four (4)

MARK ALLOCATED FOR EACH QUESTION: Twenty Five Marks

TOTAL MARKS FOR THIS EXAMINATION: Fifty percent of Total Grade

MATERIALS PERMITTED IN EXAMINATION ROOM: None.

SPECIAL INSTRUCTIONS

1. There is **no compulsory question** in this examination. You are free to choose ANY four out of six. 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.
6. This is a law examination. **Support your answers with legal principles and resources** relating to this subject. 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
[Signature]*

QUESTION ONE (TWENTY-FIVE MARKS)

“Understandings of the Universal Declaration have inevitably changed over time. Appreciation of that change, as well as of the continuities in understanding, illuminate the general evolution of the human rights movement as well as changing perceptions of international law.” – Henry J. Steiner & Philip Alston, *International Human Rights in Context: Law, Politics, and Morals*, Second Edition, 2000, p. 146.

Critically analyse the above statement in the light of your understanding of contemporary developments in the field of human rights. As a guide, you should focus your essay on the history, promise, and manifold impact of the named instrument up to the present day.

QUESTION TWO (TWENTY-FIVE MARKS)

Evaluate the significance of ANY TWO of the following to human rights and freedom in the modern world:

- (a) The American Declaration of Independence. **12 ½ Marks.**
- (b) The French Declaration of the Rights of Man and Citizen. **12 ½ Marks.**
- (c) The Geneva Conventions. **12 ½ Marks.**
- (d) The International Bill of Human Rights. **12 ½ Marks.**

QUESTION THREE (TWENTY-FIVE MARKS)

- (a) Define the term “cultural relativism.” **Ten Marks.**
- (b) With appropriate illustrations from the South Pacific region, examine the significant challenges to the realisation of the promise of the Universal Declaration of Human Rights as “a common standard of achievement.” **Fifteen Marks.**

QUESTION FOUR (TWENTY-FIVE MARKS)

Assume that you are the head of the treaties division in your home country and you have just been assigned 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. **Fifteen Marks.**

QUESTION FIVE (TWENTY-FIVE MARKS)

- (a) Describe "the Paris Principles." Assess the importance of these principles to the effective implementation of human rights at the national level. **Ten marks.**
- (b) In analytical detail, evaluate the terms of the establishment, powers and functions, composition, appointment, and operations of a national human rights institution of a state in the South Pacific, highlighting how this institution compares to the international standards relating to those terms. **Fifteen Marks.**

QUESTION SIX (TWENTY-FIVE MARKS)

- (a) Examine the institutional mechanisms put in place for the protection and enforcement of the Bill of Rights in the Constitution of your home country. **12 ½ marks.**
- (b) What are the obstacles to an effective culture of human rights in your home country? Focussing on states and non-state actors, present a pragmatic proposal on strengthening the efficacy of human rights in that country. **12 ½ marks.**

THE END.