

JUR1710 Exam Autumn 2021

I.SHORT ANSWER:

Answer EVERY question in this short-answer section (answer all four questions). Each question is worth 10% of your total examination grade (the entire short-answer section is, therefore, worth 40% of your total examination grade). Remember to refer to relevant international “case law” in your answer.

1. Describe briefly the requirement that companies/businesses should act with due diligence according to the UN Guiding Principles for Business and Human Rights?

2. In what ways can states limit human rights according to international human rights law when taking measures to combat COVID-19?

3. Which are the main differences between the UN treaty-based and UN Charter-based procedures in monitoring human rights and climate change?

4. Explain what the European Court of Human Rights in the Handyside v. the United Kingdom judgment of 1976, ser.A, No.24, p.49. meant when stating that “(t)he domestic margin of appreciation ...goes hand in hand with a European supervision”? (see Smith, p.85)

II. ESSAY QUESTION:

The Answer of the essay question is worth 60% of your total examination grade. As a general guideline, remember that it is quality not quantity that is graded. Remember to take into account relevant international “case law” in your answer.

China has ratified more than 20 human rights treaties but does generally not accept any individual complaints procedures under these treaties. Take the Tashi Wangshuk’s case as your point of departure for comparing and assessing the effectiveness of (a) the UN Charter-based and (b) UN treaty-based institutions in “enforcing” the respect for the human rights of minorities and indigenous peoples in China.

The case study (video) is available in CANVAS (module 1-video case study) and below

<https://www.youtube.com/watch?v=7HGZXcBq87c&t=41s>