

jus5710 exam h20

JUS 5710 høst/autumn 2020

Max 3000 words.

Short questions:

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. What are the implications of the European Court of Human Rights describing the European Convention on Human Rights as ‘a living instrument, which must be interpreted in the light of present-day conditions’?
2. Compare and assess the procedures of the Committee on the Elimination of Discrimination Against Women (CEDAW) and the Human Rights Committee considering the Human Rights Committee’s case Sandra Lovelace against Canada, Communication No. 24/1977, U.N. Doc. CCPR/C/OP/1 at 83 (1984), if it was considered by the Committee in 2020.
3. Describe briefly the possibilities, according to international human rights, for limitations to freedom of expression of the 2019-2020 Hong Kong protesters, “the Anti-Extradition Law Amendment Bill Movement»?

4. In the 2018 concluding observations on China, the Committee on the Elimination of Racial Discrimination (CERD) recommended China to ensure the official recognition of all ethnic groups in its territory and the political representation of persons belonging to these groups. The CERD noted that in 2010, there were over 640,000 people who did not belong to one of the 56 recognized ethnic groups. Considering this recommendation, describe briefly what is the function and importance of a definition of a minority or an indigenous people in international law.

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.

In response to the coronavirus disease 2019 (COVID-19) pandemic, 107 countries, had implemented national school closures by March 18, 2020. China and Norway were among these countries. The WHO Director-General noted on March 12, 2020, that “all countries must strike a fine balance between protecting health, preventing economic and social disruption, and respecting human rights”. [\[1\]](#)

Part 1: Discuss and assess whether this measure of “national school closure” respect international human rights law with respect to People’s Republic of China (China) and Norway. Part 2: Which institutions could address violations of human rights with respect to these measures.

[\[1\]](#) See Viner, Russell M, et.al «School closure and management practices during coronavirus outbreaks including COVID-19: a rapid systematic review», *Lancet Child Adolesc Health* 2020; 4: 397–404 Published Online April 6, 2020 [https://doi.org/10.1016/S2352-4642\(20\)30095-X](https://doi.org/10.1016/S2352-4642(20)30095-X), pp.397, 402.