

# UiO : Det juridiske fakultet

Universitetet i Oslo

## EXAM

### JUS5710 - International Human Rights Law: Institutions and Procedures - Autumn 2016

Date: 6 December

Time: 10:00

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**The language of examination for this course is English: students may answer in English ONLY, answers in any other language than English will be given an F (F for fail).**

## 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). As a general guideline, each answer should be no more than half a page. Maximum: one page.

1. What is the principle of “free, prior and informed consent”?
2. What are admissibility criteria?
3. What is meant by saying that the prohibition of torture is absolute in international law?
4. What are the differences and similarities between State obligations under the two international Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights?



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### ESSAY QUESTION

Answer **ONE** of the questions in this essay section (worth 60% of your total examination grade). Each question has equal weight toward the exam 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 answers.

#### Question I:

The right to life is one of the fundamental human rights. Describe and analyze the development of the content of the right taking into account **both** universal and regional levels, **and** give your opinion on the adequacy of these developments. In your answer, you should refer to the practice of regional and international institutions to assist in your explanation.

#### Question II:

The protection of the rights of minorities has a long history in international law while the development of the rights of indigenous peoples is a more recent phenomenon. Describe and analyze the differences in the protection of minority rights and of indigenous peoples' rights in international law at universal and regional levels, taking into account **both** the developments of the content **and briefly** the institutional aspects of the rights.

Students taking **MA level exam** should also address the links to the right to development.

#### Question III:

China has ratified more than 20 human rights treaties but does generally not accept any individual complaints procedures under these treaties. Taking the Chinese example into account, compare the institutions and the procedures of the Human Rights Council with the UN treaty bodies and make an evaluation of their effectiveness in promoting the respect for human rights. Remember to take into account relevant international “case law” to assist in your answer.

