

i Information

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 a F (F for fail).

This exam consists of two parts. Part one is worth 40% of your total grade. Part two is worth 60% of your total grade.

1 Short answer

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 take into account relevant international “case law” in your answer. As a general guideline, each answer should be no more than one page.

1. What is meant by and 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.
3. Describe briefly the gradual prohibition of the “death penalty” in international law.
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

Fill in your answer here

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 the 2018 concluding observations on China, the Committee on the Elimination of Racial Discrimination (CERD) recommended China to establish an independent and effective functioning national human rights institution (NHRI), in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Just a few months earlier, the Committee on the Rights of the Child (CRC) recommended that the Norwegian NHRI (and/or the Ombudsman for Children) changed its (their) mandate to receive, investigate and address complaints by children, in all areas that concern them, in a child-sensitive manner. Both these two recommendations relate to the role of NHRI, compare and assess the role and functions of the NHRIs with regard to the institutions and procedures of the Human Rights Council and the UN treaty bodies, and make an evaluation of their effectiveness in promoting the respect for human rights. In your answer you should take China and Norway as examples.

FYI: China has ratified more than 20 human rights treaties, among those six of the core UN human rights treaties but not the International Covenant on Civil and Political Rights. China has not accepting any of the individual complaint procedures. Norway has ratified all core UN human rights treaties except for the Convention for the Protection of All Persons from Enforced Disappearance, but has neither accepted the complaints procedure in Optional Protocol to the Convention on the Rights of the Child nor the complaints procedure under the Convention on the Elimination of All Forms of Racial Discrimination.

2 **Essay**

Fill in your answer here