

JUS5710/JUR1710
International Human Rights Law: Institutions and Procedures
2 December 2015

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).

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 one page. Maximum: two pages.

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. Describe briefly the gradual prohibition of the “death penalty” in international law.

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 freedom of expression and opinion is one of the fundamental human rights included in a majority of constitutions of the world. Describe and analyse 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 jurisprudence from 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. Describe and analyze the development of and the differences in the protection of minority and indigenous peoples’ rights in international law, taking into account **both** the developments of the content **and** 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, describe the institution and the procedures of the Human Rights Council and make an evaluation of its effectiveness in “enforcing” the respect for human rights **compared to** the UN treaty bodies.