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**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
MID TERM EXAMINATION - APR 2023**

Semester : Semester IV - 2022 -23 - BAL - 2021

Course Code : LAW304

Course Name : Sem VI - LAW304 - Human Rights

Program : BA LLB Honors

Date : 15-APR-2023

Time : 2:00PM - 3:30PM

Max Marks : 60

Weightage : 30%

Instructions:

- (i) Read all questions carefully and answer accordingly.
 - (ii) Question paper consists of 1 part.
 - (iii) Scientific and non-programmable calculator are permitted.
 - (iv) Do not write any information on the question paper other than Roll Number.
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ANSWER ALL THE QUESTIONS

(6 X 10 = 60M)

1. The philosopher and economist, Amartya Sen, considers that "Human rights can be seen as primarily ethical demands...". Elucidate the concerns of human rights in the light of above statement.
(CO1) [Comprehension]
2. "The Universal Declaration of Human Rights R refers to the "inherent dignity and...equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world." Discuss UDHR with the help of relevant provisions.
(CO1) [Comprehension]
3. In the leading European case of Aydin v. Turkey, a seventeen-year-old woman suffered rape and various other forms of abuse while being held in custody. The European Court of Human Right found that the treatment she suffered at the hands of the authorities, particularly the rape, constituted torture in violation of article 3 of the European Convention on Human Rights (ECHR). Elucidate the mechanism for Human Right Protection.
(CO2) [Comprehension]
4. Like Article 15(8) of the Covenant of the League of Nations, Article 2(7) was inserted in the United Nations Charter (UN Charter) to limit the authority of the organisation in respect of disputes which are essentially within the domestic jurisdiction of the member states. After 50 years of the establishment of United Nations (UN), today it seems that the importance of the domestic jurisdiction clause has reduced considerably, if it has not already become a misnomer in the context of the UN practice. Discuss the domestic Jurisdiction clause.
(CO2) [Comprehension]

5. Sonu was about 22 years old. He was taken from his home in police custody at about 8:00 A.M. on 01.01.23 by the Sub-Inspector of Police of the Police Outpost in connection with the investigation of an offence of theft. He was detained at the Police report on 02.01.23, at about 2:00 P.M., and the mother of the deceased, Sweety came to know that the dead body of her son was found on the railway track. There were multiple injuries on the body and his death was unnatural, caused by those injuries. The petitioner, alleged in her letter dated 02.04.23, which was treated as a writ petition under Article 32 of the Constitution & it was a case of custodial death since Sonu died as a result of the multiple injuries inflicted to him while he was in police custody and thereafter his dead body was thrown on the railway track. It was prayed in the petition that award of compensation be made to her, for contravention of the fundamental right to life guaranteed under Article 21 of the Constitution.

Consider yourself as a Judge and decide by citing relevant International and Domestic provisions.

(CO1) [Application]

6. Amnesty International, founded in 1961, is perhaps the first NGO to have its existence thrust onto the world stage by winning the Nobel Peace Prize (in 1977). Amnesty International's struggle on behalf of "prisoners of conscience" initially focused on victims of free speech, torture by police and prison authorities, and similar violations of civil rights. Members of the organization, who pay annual contributions, have been encouraged to write thousands of letters to governments in order to secure the release of prisoners wrongfully detained.

As a Lawyer, give legal advice to the marginalized group for protection of their Human Rights.

(CO1) [Application]