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**PRESIDENCY UNIVERSITY
BENGALURU**

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

Semester : Semester VI - 2022 -23 - BAL - 2021

Course Code : LAW304

Course Name : Sem VI - LAW304 - Human Rights

Program : BA LLB Honors

Date : 18-MAY-2023

Time : 2.00 PM - 3.30 PM

Max Marks : 60

Weightage : 30%

Instructions:

- (i) Read all questions carefully and answer accordingly.
 - (ii) Question paper consists of 3 parts.
 - (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. "This Internationally acclaimed international instrument provides a generally acceptable path for man's inalienable rights and has had a remarkable influence on further developments, at both the international and domestic levels. It has truly been a "path-maker" of International human rights." In light of the statement, discuss the expansion of Human rights with abovementioned Instrument.
(CO1) [Comprehension]
2. "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.". Discuss the domestic Jurisdiction clause.
(CO2) [Comprehension]
3. "Privacy, in its simplest sense, allows each human being to be left alone in a core which is inviolable. Yet the autonomy of the individual is conditioned by his/her relationships with the rest of society Those relationships may and do often pose questions to autonomy and free choice. The overarching of state and non-state entities regulated aspects of social existence which bear upon the freedom of the individual".

Argue for or against in the light of above-mentioned aspect of human right with the help of relevant International and Domestic Provisions.

(CO1) [Application]

4. In 1955, Hermione Granger (1913–2005), a department store worker, boarded a bus in Hogwarts, Alabama, and sat in the fifth row, as the first four rows were traditionally reserved for whites. After white passengers filled up the first four rows, and more people boarded, Mr. Draco Malfoy, the bus driver asked those in the fifth and sixth rows to move back, as was customary. Three African Americans moved, but Hermione refused. A volunteer for the National Association for the Advancement of Coloured People (NAACP), which had filed the Brown case, she wanted to know what rights she had – and she wanted to know right then. Accordingly, she was arrested. Her arrest was then discussed by the NAACP, including African American pastors in town. The group asked one Albus Dumbledore, Reverend name in the town to lead a protest by African Americans to boycott all buses in town following such practice.

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

(CO1) [Application]

5. 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]

6. 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]