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**Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Winter Semester**: VIII,VI

**Course Code**: LAW304

**Course Name**: Human Rights

**Program & Sem**: BA/BBA/BCom LLB

**Date**: 01.07.2024

**Time**: 9:30am-12:30pm

**Max Marks**: 100

**Weightage**: 50 %

**Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Explain the procedures for implementation of the African Charter on Human and People’s Rights. (C.O.No. 2) [Comprehension]
2. “The provisions concerning civil and political rights run throughout the ICCPR like a golden thread.” Elucidate. (C.O. No. 2) [Comprehension]

1. How far Maneka Gandhi v UOI (AIR 1978 SC 597) case contributed for development of human rights jurisprudence in India? (C.O.No. 1) [Comprehension]

1. Examine the constitutional provisions that explicitly recognize and protect human rights. Discuss the various kinds of rights covered, under Indian Constitution such as civil, political, economic, social, and cultural rights with the help of interpretation of Article 21. (C.O. No. 1) [Comprehension]

1. The Indian judiciary plays a vital role in protecting human rights. As an independent and impartial institution, it ensures the enforcement of fundamental rights guaranteed by the Indian Constitution. The judiciary acts as a guardian and interpreter of these rights, providing a mechanism for individuals to seek justice and redress for violations. Discuss the role of the Indian Judiciary. (C.O. No. 1) [Comprehension]

1. "The Holocaust effectively encompassed a plan conceived by the Nazi regime, known as the Final Solution to the Jewish Problem, whereby it sought to exterminate the Jewish population of Europe" In light of the above, discuss the concept of Genocide with reference to International Provisions and instances.   (C.O.No. 1) [Comprehension]

**Part B**

**Answer any 4 Questions. Each question carries 10 marks. (4Qx10M=40M)**

1. Suppose a citizen has been denied a government job despite meeting all the eligibility criteria, and it is suspected that the selection process was unfair and influenced by corruption. Advise the citizen on the appropriate writ to be filed in order to challenge the decision and seek redress. Discuss the grounds on which a writ can be filed by the citizen and the relief that can be sought. (C.O.No. 3) [Analyse]
2. Analyze the existing legal framework including institutional machinery related to protection of children. Evaluate their adequacy and effectiveness in addressing the issue. (C.O.No.2) [Analyze]
3. Examine the legislation that establishes the National Human Rights Commission and defines its mandate and powers. Evaluate the extent of its jurisdiction, powers and functions to recommend actions. (C.O.No. 2) [Comprehension]
4. Has the creation of a specific mechanism to defend women's human rights, such as CEDAW, been helpful for the broader advancement of women's human rights? Explain.

(C.O.No. 3) [Comprehension]

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. (C.O.No. 1) [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. (C.O.No. 2) [Comprehension]

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

1. In the hypothetical nation named "Republica," a notable surge has been observed in the population of homeless individuals. Insufficient measures have been taken by the government to cater to the requirements of the affected populace, leading to a breach of their basic human rights. Individuals experiencing homelessness encounter discriminatory practices, limited availability of fundamental resources, harassment from law enforcement officials, and are deprived of their entitlement to adequate housing and respect. A cohort of human rights advocates and legal experts have resolved to commence a public interest litigation (PIL) before the Supreme Court of Republica, in order to safeguard the rights of individuals who are homeless, in light of the aforementioned circumstances. You are the lawyer representing the human rights advocate. Advice. (The laws of Republica shall be read in accordance with the laws of India). (C.O.No. 3) [Application]
2. Betty Ross, is a visually impaired 16 year old individual who recently started attending a local school in Karnataka. She takes the help of a White cane/stick for mobility and navigation. However, Betty encounters some difficulties with the school administration regarding her rights as a person with a disability.  
     
   As an advocate, suggest to Betty how can she ensure that her rights as a visually impaired person are protected within the School environment in light of existing Legal Provisions and principles. (C.O.No. 3) [Application]
3. You have been closely following the human rights situation in Myanmar, particularly regarding the Rohingya Muslim population. There have been widespread reports of human rights violations, including violence, displacement, and discrimination against the Rohingya community.  
     
   As a law student, discuss the International legal actions or mechanisms you can consider to address human rights violations against Rohingya Muslims and role of India in the same.

(C.O.No. 4) [Application]