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PRESIDENCY UNIVERSITY BENGALURU

**SET - B**

SCHOOL OF LAW

**END TERM EXAMINATION – MAY/JUNE 2024**

**Semester :** Semester VI - 2021

**Course Code :** LAW4006

**Course Name :** Human Rights Law and Practice

**Program :** BA LLB Honors

**Date :** June 20, 2024

**Time :** 01.00pm to 04.00pm

# Max Marks : 100

**Weightage :** 50%

# Instructions:

1. *Read all questions carefully and answer accordingly.*
2. *Question paper consists of 3 parts.*
3. *Scientific and non-programmable calculator are permitted.*
4. *Do not write any information on the question paper other than Roll Number.*

**PART A**

**ANSWER ANY FOUR QUESTIONS 4Q X 5M = 20 MARKS**

1. Examine the comprehensiveness of the constitutional provisions that recognize international human rights standards and treaties with the help of case laws.

(CO1) [Knowledge]

1. 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) [Knowledge]

1. Discuss the reasoning and key arguments presented by the Supreme Court of India in its judgment decriminalizing consensual same-sex relations in the Navtej Singh Johar case.

(CO1) [Knowledge]

1. Examine the process of drafting and negotiating the Arab Regional Convention on Human Rights, highlighting the involvement of member states and civil society organizations.

(CO2) [Knowledge]

1. What are the categories of minorities recognized under the National Commission for Minorities Act, 1992? Discuss the composition and functions of the National Commission for Minorities as outlined in the Act.

(CO3) [Knowledge]

1. Evaluate the impact of Public Interest Litigation on Indian society, governance, and public policy, citing examples of PIL cases that have led to systemic reforms or social change.

(CO3) [Knowledge]

**PART - B**

**ANSWER ANY FOUR QUESTIONS 4Q X 10M = 40 MARKS**

1. 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, analyze the International legal actions or mechanisms you can consider to address human rights violations against Rohingya Muslims and role of India in the same.

(CO4) [Application]

1. Ahmed, a young man, is arrested by the police on suspicion of theft. Ahmed claims that he is innocent, but the police do not believe him. He is taken to the police station where he is subjected to custodial violence. The police beat him and force him to confess to the crime. Ahmed is traumatized by the experience and fears for his safety. Ahmed has been arrested without any evidence and subjected to custodial violence. He is now facing false accusations and fears that he will not receive a fair trial. He needs to find a way to protect his rights and seek justice. Therefore, he approaches you, a lawyer for legal assistance. Advise.

(CO3) [Application]

1. Analyze the human rights violations in Bangaldesh focusing on the challenges faced by civilians in the country.

(CO4) [Application]

1. Analyse the Indian judicial system's implementation of prisoners' rights in practise. Examine the current legislation, guidelines, and legal rulings that protect inmates' rights and evaluate their success in providing humane treatment, a fair trial, and prisoner rehabilitation.

(CO2) [Application]

1. Critically analyze the Protection of Human Rights Act, 1993 in India, with a focus on its strengths, weaknesses, and the challenges faced in its implementation. Assess the effectiveness of the Act in promoting and protecting human rights, and propose potential reforms or improvements to address the gaps and enhance its impact

(CO2) [Application]

1. Analyze the existing legal framework including institutional machinery related to protection of children. Evaluate their adequacy and effectiveness in addressing the issue.

(CO2) [Application]

**PART C**

**ANSWER ANY TWO QUESTIONS 2Q X 20M = 40 MARKS**

1. A group of environmental activists of Greenfield is alleging that a large industrial corporation is polluting the Greenfield river. This river is the main source of drinking water for the city. The group wants to file a suit. in the Supreme Court of India. Advise.

(CO3) [Analysis]

1. Imagine you are an advocate for disability rights, and you encounter a case where a public school is refusing admission to a child with a disability. Outline the steps you would take to file a complaint under the Persons with Disabilities Act, 1995, and the legal arguments you would use.

(CO2) [Analysis]

1. A dispute arose from incidents in the village of Dragonstone. Daenerys, along with several other individuals, belonging to the dominant caste, was accused of attacking members of the marginalized Lannister community, including a man named Jaimie Lannister. The attacks were allegedly prompted by Jaimie Lannister attempting to access a public water tank, a right denied to him and his community by the dominant caste members. The marginalized community wants to file a complaint. Advise.

(CO2) [Analysis]