

ZIMBABWE EZEKIEL GUTI UNIVERSITY

(ZEGU)

FACULTY OF LAW

HUMAN RIGHTS LAW (LLB209)

EXAMINATION – MAY/JUNE 2018

14 JUNE 2018

3 HOURS

Instructions

- i. Write legibly
- ii. Answer two questions from Section A and two questions from Section B
- iii. Question 1 in Section A is compulsory
- iv. All questions carry 25 marks

NB: DO NOT TURN OVER THE QUESTION PAPER OR COMMENCE WRITING UNTIL INSTRUCTED TO DO SO.

Question 1 This question is compulsory

Discuss the three categories of human rights and justifications for such categorisation. Your answer must illustrate the key debates around categorisation of human rights. (25)

Question 2

Discuss the admissibility criteria of the African Commission for Human and Peoples' Rights and the strengths and weaknesses of such criteria. (25)

Question 3

With reference to treaties and case law, discuss how the Zimbabwean courts have domesticated international human rights instruments? (25)

SECTION B

Question 4

Describe the burden of proof in claims of torture. In your answer, be sure to explain not only the initial burden of proof of the complainant, but also any further burdens on the 'defendant' or others (25)

Question 5

Describe briefly the institutions and procedures of the United Nations Charter-based system, including special procedures, for the protection and promotion of human rights and make an evaluation of their effectiveness in "enforcing" the respect for human rights. In your answer, you may wish to refer to jurisprudence from regional and international institutions to assist in your explanation. (25)

Question 6

With reference to case studies, discuss the assertion that the ICC is unfairly targeting African countries. (25)

END