



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW, BUSINESS INTELLIGENCE & ECONOMICS

DEPARTMENT OF LAW & LEGAL SERVICES

EXAMINATION PAPER

MODULE CODE : LLB324
MODULE TITLE : HUMAN RIGHTS & INTERNATIONAL HUMANITARIAN LAW
DURATION : 3 HRS
LEVEL : 3.2
DATE : 26 SEP 2024

INSTRUCTIONS TO CANDIDATES:

1. Answer 4 questions. Answer all questions in Section A and any 2 from Section B.
2. Each question carries twenty-five (25) marks.
3. Number of marks for part questions are shown in brackets.
4. Start each question on a new page.
5. This paper consists of two (2) pages
6. Answer sheets are provided

SECTION A – COMPULSORY

Question 1

You are approached by the residents of Minana Gardens which is a gated community in Harare. They allege that the City of Harare has failed to supply water in their area for a continuous period of two years. In contrast, other communities surrounding Minana Gardens have access to a constant supply of water. Your clients want the City of Harare to supply them with 10 000 litres of portable water per week. Write a legal opinion on your clients' prospects of success.

[25 marks]

Question 2

- a. With the aid of examples compare perfidy and ruses of war. [10]
- b. Explain the circumstances in which a civilian is considered as taking a direct part in hostilities, and the consequences of such participation? [15]

[25 marks]

SECTION B – ANSWER ANY TWO QUESTIONS

Question 3

Two covenants born out of one Universal Declaration of Human Rights are the International Covenant on Civil and Political Rights, 1966 (ICCPR) and the International Covenant on Economic, Social and Cultural Rights, 1966 (ICESCR). For many observers the key difference between the two covenants is Article 2(1) of the ICESCR and Article 2(2) of the ICCPR. With reference to the rights enshrined therein, evaluate the necessity of these distinctions.

[25 marks]

Question 4

Compare the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2005 (Maputo Protocol) to the Convention on the Elimination of all Forms of Discrimination Against Women, 1979 (CEDAW).

[25 marks]

Question 5

Analyse the extent to which the Geneva Convention relative to the Treatment of Prisoners of War illustrates the link between humanitarian law and human rights law.

[25 marks]

Question 6

Differences in culture, religion, social, and political contexts mean human rights cannot be characterised as universal. Evaluate this statement in consideration of the key theoretical foundations.

[25 marks]

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