



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW

DEPARTMENT OF PUBLIC LAW

EXAMINATION PAPER

COURSE CODE : LLB310
COURSE TITLE : Human Rights and International Humanitarian Law
DURATION : 3 Hours
DATE : 21 NOV 2019

INSTRUCTIONS TO CANDIDATES:

1. Answer FOUR questions only.
2. Choose at least two question from each section.
3. Each question carries 25 Marks.
4. Start each question on a new page of your answer sheet.

SECTION A:

Question 1

Discuss the contribution of the following institutions in the protection and promotion of human rights in Zimbabwe:

- (i) The police
- (ii) The Zimbabwe Human Rights Commission
- (iii) The government
- (iv) The courts
- (v) Southern African Development Community (SADC) **(25 marks)**

Question 2

Zimbabwe currently faces critical water shortages, particularly in the urban areas. This problem has impacted on the enjoyment and realisation of human rights. Identify the main classes of human rights affected and measures that the government must put in place to safeguard those human rights. **[25 marks]**

Question 3

Identify and discuss the relationship between traditional cultural practises that are common in Zimbabwean culture and human rights. In your answer, illustrate the meaning of the terms 'universality of human rights' and 'cultural relativism'. **(25 marks)**

Question 4

Identify and critically discuss the main problems faced by Zimbabwe's rural population in the enforcement and realisation of their human rights. Your answer must proffer recommendations on how these problems can be addressed by the state. **(25 marks)**

SECTION B

Question 5

'The prosecution of serious violations of international humanitarian law is strongly connected to international politics which is fundamentally influenced and controlled by the global superpowers.' Discuss **(25 marks)**

Question 6

“Most African wars prove difficult to regulate due to the informal, unstructured and irregular nature of warfare, which involves the participation of civilians on some occasions.” Discuss. **(25 marks)**

Question 7

Write brief notes on the following concepts showing their importance in the law of armed conflict:

- (a) the principle of distinction **5 marks**
- (b) the principle of military necessity **5 marks**
- (c) the concept of direct participation in hostilities **10 marks**
- (d) command responsibility **5 marks**

Total 25 marks

Question 7

Examine the major problems caused by private military security companies in international humanitarian law. **[25 marks]**

Question 7

How does the Constitution of the Zimbabwe 2013 balance the right of an individual to private property with the rights of communities to access resources? Use case law to illustrate your answer. **[25 marks]**

*****END OF QUESTION PAPER*****