



Riara School of International Relations & Diplomacy
SEPTEMBER - DECEMBER 2019 TRISEMESTER
RIR 206: INTERNATIONAL HUMAN RIGHTS LAW
INSTRUCTOR: TEDDY MUSIGA

DATE: 9TH DECEMBER 2019

TIME: 2 HOURS

GENERAL INSTRUCTIONS:

Students are NOT permitted to write on the examination paper during reading time.
This is a closed book examination. Text book/Reference books/notes are not permitted.

SPECIAL INSTRUCTIONS:

- 1 Write your REGISTRATION NO. Clearly on the answer booklet(s).
- 2 Answer Question One and ANY other TWO questions.
- 3 Questions in all sections should be answered in answer booklet(s).
- 4 Marks allocated to each question are shown at the end of the question.
- 5 PLEASE start the answer to EACH question on a NEW PAGE.
- 6 For the questions, write the number of the question on the answer booklet(s) in the order you answered them.
- 7 Write your answers in paragraph form unless stated otherwise.
- 8 Keep your phone(s) SWITCHED OFF at the front of the examination room.
- 9 Keep ALL bags and caps at the front of the examination room and do not refer to any unauthorized material before or during the course of the examination.
- 10 You are only allowed to leave the examination room 30minutes to the end of the Examination.

SECTION A: QUESTION ONE COMPULSORY (30 MARKS)

QUESTION ONE

- a) Discuss any five elements/ characteristics of human rights **(10 Marks)**
- b) The International Human Rights system imposes certain obligations on states in their relations with their citizens and other subjects. Identify and critically analyse, whilst giving examples in appropriate cases, the nature of human rights obligations of states. **(20 Marks)**

SECTION B: ANSWER ANY TWO QUESTIONS (40 MARKS)

QUESTION TWO

- a) With the aid of examples, discuss the notions of universalism versus cultural relativism and how they have affected the acceptance of human rights across the globe. **(10 Marks)**
- b) Using appropriate examples, discuss the levels of protection of human rights **(10 Marks)**

QUESTION THREE

- a) Using appropriate examples, discuss the concepts of the progressive realization of human rights **(10 Marks)**
- b) Using appropriate examples, discuss the concept of the minimum core obligation of socio economic rights. **(10 Marks)**

QUESTION FOUR

- a) Discuss the major classifications of human rights and explain whether there is need to continue classifying human rights as such in the 21st century. **(10 Marks)**
- b) Using appropriate examples, write short notes on the following:
- i. Limitation of rights **(5 Marks)**
 - ii. Binding nature of human rights **(5 Marks)**

QUESTION FIVE

In recent years, Kenya has witnessed a rapid growth within the private sector providing services such as health, education and water. Discuss whether those private sector operators are capable of having human rights obligations akin to states and whether the obligations to provide those services can shift directly from the state to the private operators **(20 Marks)**