

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Human Rights
Semester- VIII (Batch: 2018-23)

End Semester Online Examination: May 2022

Date: 11th May, 2022

Duration: 8 hours

Max. Marks: 50

Instructions:

- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks: 600 -700 words.

Marks

- Q.1 Libya welcomed a new beginning after 42 years of authoritarianism. The toppling of the “Leader of the Revolution” marked the end of an erratic regime that relied on repression to guarantee its rule over the people. In Libya, popular demonstrations initiated a chain reaction that led to regime change: the controversial application of the *responsibility to protect*, authorised NATO’s military campaign in Libya, which, in turn, ‘morphed almost ineluctably into’ regime change. (10)
- Examine the role of the international community and the United Nations Security Council [UNSC] on the principle of the Right to Protect [R2P], humanitarian intervention and human rights.
- Q.2 The relationship of state responsibility to human rights is more important for the law of human rights. Unfortunately, the principles of state responsibility have often remained *terra incognita* for human rights lawyers. (10)
- Discuss the State Responsibility and related principles applicable to the protection of human rights.
- Q.3 ‘Many scholars in 1947 were of the view that any generalised human rights regime might encounter cultural differences. Further, it was argued that “values and standards are relative to the culture from which they derive.” Discuss the possible factors that inhibit States from enacting Universalism of human rights. (10)
- Q.4 The only contentious cases the ICJ can hear are cases between States. Individuals have no right to direct access. This is an important difference between the ICJ and other human rights institutions that allow some types of direct access. This limitation reflects the State-centered view of international law. However, it does not mean that energetic and imaginative counsel can never get individual clients’ situations before the Court. Still, it is a significant limitation. Discuss. (10)
- Q.5 ‘The obligation of a state to protect human rights includes actions by non-state actors (such as corporations) within its territory that violate human rights. In relation to the activities of corporations, states have been found by the human rights treaty dispute settlement bodies to be in breach of their obligations. In a few cases, the state was in (10)

breach of its obligations under the relevant human rights treaty because its acts or omissions (including its acquiescence) enabled the corporations to act as it did.'

Defend the issue of Corporate Social Responsibility (CSR) which creates an obligation on the State under human rights law.
