

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: **Human Rights and International Humanitarian Law**
Semester-VI (Batch: 2013-18)

Mid Semester Test: Feb-Mar. 2016



Date: 2nd March, 2016

Duration: 2 hours

Max. Marks: 30

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.
- **Bare act is not allowed.**

- | | Marks |
|---|-------|
| Q.1 Should human rights, to be considered as part of general international law (<i>be identified preferably as part of customary international law</i>), or as part of general principal of law? Or does the best approach consist in seeing human rights as listed in the Universal Declaration of Human Rights? Discuss with illustrations in context with freedom of religion, custom, tradition and Universalism. | (07) |
| Q.2 On one hand the potential of the procedure established by <i>Protocol No. 16</i> to the European Convention of human rights is in the light of its very clear objectives and on other hand, <i>preliminary ruling procedure (preliminary reference)</i> , the most important procedure for legal practitioners and courts, equally have certain concrete objectives. However, there is a potential danger to the functioning of the European Community (EC) legal system as a whole if the law is not applied uniformly by the Member States. In the above context, examine the European system for the protection and promotion of human rights. | (07) |
| Q.3 Answer the following. | (2x3= |
| (a) Do individuals have obligation for the protection of Human Rights? Justify by an illustrations. | 06) |
| (b) Is there any hierarchy among human rights? Clarify with hypothetical situation. | |
| Q.4 Note on following. | (2x5= |
| (a) Substantive obligations of the state | 10) |
| (b) The concept and an understanding on right to <i>Self Determination</i> | |
