

## Exam questions Methodology Course (HUMR 5191), Spring 2014, Extended Exam

Below please find two 'situations'. Choose one of them and use it as a departure point for writing a text that contains the following elements:

- 1 Deduce a human rights-relevant research question from the situation described.
- 2 Explain briefly why you believe this research question is plausible and researchable.
- 3 Elaborate a research plan for answering the chosen research question (or exploring the relevant issues).
- 4 Give a sketch of the resulting research in the form of an outline of an essay or thesis, i.e., a text that demonstrates your methodological and editing abilities rather than answering the question as such.

### **Situation 1**

Gardariki and Maliy are two neighbouring States which have traditionally had close political and economic relations. Their cultures are also very similar. There is a large minority of ethnic Gardarikians concentrated in the south and eastern part of Maliy. Gardariki is vast and exercises a considerable degree of political and economic influence in the region. Despite the overall friendly relations, there have been a number of political and economic disputes between the countries in recent years. Those disputes relate to the economic assistance which Gardariki gives to Maliy, which the leadership of Gardariki believes entitles them to exercise a lot of influence in the way Maliy conducts its international relations. Notably, the governments of both countries are often criticised for their weak human rights record.

During the last year there have been a lot of protests against the pro-Gardariki government of Maliy. The protesters occupy the main square in Maliy's capital, Sambat, and ask for the government's resignation. After a stand-off of a few weeks, government forces intervene and forcefully dispel the crowd. Many protesters are injured and tens of them are killed when fire is open with live ammunition. These actions by the Maliyan government are internationally condemned. The protesters return in even larger numbers and take over the governments' buildings. The Maliyan president flees to Gardariki and asks them to intervene in Maliy to restore the legitimate government. In the meanwhile, the situation in Maliy becomes even more tense, with the Gardarikian minority wondering whether their rights will be respected and whether a federative structure of the State would be more appropriate for that purpose. The media are full of contradictory reports which have helped sour relations between the peoples of Maliy.

Gardariki maintains a large military base in Maliy, in an area where ethnic Gardarikians are the majority. The local government of that province declares their independence, which is immediately recognised by Gardariki. The international community is very concerned, but it wants to avoid a full confrontation. Many

meetings are held between high officials of Gardariki and the more prominent members of the international community to try to reach an agreement. Nevertheless, the positions of the parties concerned seem to be quite far apart and their interpretations of commitments taken during the meetings differ considerably.

Maliy seizes the European Court of Human Rights with a request for indicating provisional measures under Rule 39 of the Rules of the Court. The President of the Court calls upon both States concerned to refrain from taking any measures, in particular military actions, which might entail breaches of the Convention rights of the civilian population, including putting their life and health at risk, and to comply with their engagements under the Convention, notably in respect of Articles 2 (right to life) and 3 (prohibition of inhuman or degrading treatment). Both States are also asked to inform the Court as soon as possible of the measures taken to ensure that the Convention is fully complied with.

## **Situation 2**

Armoria is low- to middle-income country comparatively hardly hit by the HIV/AIDS epidemic. Over the last 20 years a rising percentage of the population has been diagnosed as HIV positive and even though of late the death rate has fallen, accompanied by a lessening of the speed with which it has been spreading, the disease in question continues to be the perhaps most formidable threat to the general health situation in Armoria.

Since it gained independence from colonial power 50 years ago, Armoria has succeeded in building a comparatively stable democratic political system and a reasonably robust economy, thanks to general political stability and abundant natural resources. The population consists of two large and several smaller ethnic groups, the largest two adhere to different religions and speak very different languages; however, by most standards a large majority identifies with the present government system in so far as it incorporates clear measures of group representation. From time to time there are signs of ethnic conflict, notably in the area of health-related and religious custom, however, social and economic disparities, typically tied to patterns of uneven rural/urban development, appear to be as important for the way people participate in politics.

The HIV/AIDS epidemic now affects some 15 % of the population. This means shortage of qualified manpower in many sectors, not least government itself, and increasing poverty in the hardest hit areas as breadwinners become ill and die leaving their children alone. There is disagreement about the origins of HIV/AIDS in Armoria, some claim it began in urban, homosexual and ethnically mixed areas (with international presence as well), others claim it first appeared among indigenous groups in remote areas. On the popular level, there is also strong disagreement about the nature of the disease and the manners through which it spreads even if the national health system officially follows the standards for diagnostics and treatment as defined and recommended by the WHO.

The country's health system is in effect a mix of basic government-run and government-sponsored religious institutions on the one hand, and on the other, private institutions which are also often run by organised religion. When the HIV/AIDS epidemic first hit, hospitals and clinics were reluctant to offer their services, in some instances citing the health dangers their own personnel would risk, and in others references to the lifestyle of the victims (homosexuality and drug addiction). As the disease spread and became better known, and as health personnel gained access to internationally developed treatments, more and more hospitals and clinics started to offer help. But with that the care of HIV/AIDS patients also came to be an increasingly heavy burden on the national health budget, forcing large cuts in other areas of the health service. Recently the government has announced a major overhaul of the entire system and there is intense debating about the pros and cons of universal coverage vs. individual insurance systems. Both moral and economic arguments are heard. References to what divine powers have to say moreover vary with religion and ethnicity, and references to economic fairness vary with social class and political ideology. In these debates, almost all groups frequently resort to human rights to back their arguments in so far as Armoria has signed all major conventions and made only a few reservations in the area of family law.