

Below please find three ‘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. The maximum length of the assignment is 5,000 words including footnotes.

Situation 1

Belmondia is a middle-income country in the tropics. A mixed geography, including seemingly pristine jungles, mineral-rich mountain areas, agriculturally fertile plains as well as coastal areas with rich marine resources has provided the basis for a long history of human settlement, state-building, trade, colonisation and ultimately modernity as a nation-state, belmondia is a member of the UN. Over the last decades its national economy has modernised and industrialised rapidly with concomitant increases in consume of energy and raw materials. There has also been rapid population growth. Population-wise Belmondia is rather heterogeneous; alongside a majority population of mixed native and colonial ancestry there are also several indigenous groups. Thus within the national boundaries several religious, cultural and legal traditions co-exist. Still, the European-derived political-administrative system tends to dominate the way the state apparatus works.

The present government of Belmondia aims at continuing the country’s rapid economic growth, led by strong exports of raw materials like oil, minerals and tropical agriculture and complemented by a growing industrial sector. In addition to the strains caused by rapid urbanisation, particularly in the capital, the development plans of the government necessitate a continuing extraction of energy and minerals in areas of the country that also is the home of several indigenous peoples as well as to a peasant population that is also considered indigenous by many observers. Particularly in the latter group many people migrate to the cities in order to escape poverty and cultural marginality. The government is thus faced with conflicting demands: on the one hand fighting poverty and on the other hand respecting cultural variation and biological diversity, as well as responding to pollution and climatic change.

By most standards, Belmondia is a democracy; it enjoys a functioning multiparty system in a presidential system as well as strong and independent media. To carry out its plans, the government needs the backing of a majority of the political parties in the parliament. Among the parties some are ethnically and/or territorially based.

Situation 2

A big consultancy firm based in Albion has been using government development funds to pursue policies of privatisation of public services in several developing countries. Over the last five years, this firm has spent more than USD 500 million of Albion's aid money. The implementation and results of several projects financed by this money have been extensively debated and critiqued in Albion as well as in the recipient countries.

A report produced by an international NGO found that electricity consumers in Astena, one of the recipient, developing countries, faced price increases of up to 45% because of a controversial energy privatisation programme supported by this consultancy firm from Albion. In another developing country, Altea, local civil society organisations reported that the country's minerals extraction law, drafted with the support of this firm, had undermined labour rights.

Situation 3

Despite the considerable number of treaty and customary international human rights law norms and the judicial and quasi-judicial mechanisms that have been established since the end of the Second World War, ensuring accountability for serious human rights violations remains a challenge for affected societies and for the organised international community. On the normative side, the 1966 International Covenant on Civil and Political Rights, the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the 2006 International Convention for the Protection of All Persons from Enforced Disappearance (CPED) impose a number of legal obligations upon Member States, including the obligation to prosecute or extradite. On the institutional side, several international and internationalized courts have been established to investigate and prosecute mass atrocity crimes. Since the adoption of the Statute of the International Criminal Court (ICC) in 1998, 124 States have ratified it, whereas others are considering becoming a part of it. This permanent international court has jurisdiction over genocide, war crimes, and crimes against humanity.

Many countries affected by armed conflicts have engaged in transitional justice efforts. The right to truth has been hailed as a human right by the Inter-American Human Rights system. Altea is one of these countries that have gone through a long armed conflict between the government forces and rebel armed groups. After years of internationally facilitated negotiations between the government of Altea and the main rebel group, namely the Revolutionary Armed Forces (RAF), finally in 2016 the parties agreed to a comprehensive peace agreement, which was put to a national referendum for approval. Regrettably, the peace agreement was narrowly defeated (50.2 to 49.7 percent). While many were expecting for fighting to erupt again, 41 days of extensive consultations between government negotiators, RAF, and representatives of sectors that supported the "No" vote in the referendum brought about a new peace agreement. Main changes between the two peace agreements include the following:

1. Penalties for those found guilty of committing war crimes are specified more clearly. The original accord stated that guerrillas and others convicted of war crimes, who fully confess their deeds and make reparations to victims, may serve from five to eight years in conditions of "effective restriction of liberty." While the accord stated that

this term “will not be understood as jail or prison,” it left the definition up to the judge in each case.

2. The scope of the Special Peace Jurisdiction, the justice system set up to try war crimes and crimes against humanity committed during the conflict, will be reduced somewhat. This judicial structure will now have ten years to operate, with the possibility of adding five more years. It will have no foreign judges among its 38 magistrates and 13 auxiliaries, as the original accord contemplated, though ten foreign legal experts will be able to serve as observers. Proponents of the “no” vote had urged that this “special jurisdiction” be fully subordinate to Altea’s existing legal system, and not separate from it. The decisions of the judicial panels of the Special Peace Jurisdiction can be appealed before Altea’s Constitutional Court.