

EXAM

HUMR 5508

Human rights and Diversity – Leading Cases and Core Dilemmas 29 April- 9 May 2022

This exam has two sections: Short questions and Essay question. The “instructions for assignment” apply to the home exam as a whole (e.g. only one list of references for the entire exam and a limit of 5000 words). For the short answer section apply the guidelines for structure only in part: sect.(4) and (5) including correct references.

SHORT QUESTIONS

Answer EVERY question in this section. The entire short-answer section is worth 25% of your total examination grade. As a general guideline, each answer should be about 1 page. In your answers, you should take into account relevant human rights instruments, the practice of human rights bodies and the case law at regional and universal levels, and applicable theory.

Short Questions:

1. Explain the difference between a “minority” and an “indigenous people” in international law.
2. How could the Human Rights Committee address the right to self-determination as included in Article 1 of the ICCPR?

ESSAY

Your essay shall address ONE of the two themes below, and is worth 75% of your total examination grade. As a general guideline, remember to take into account relevant practice and case law from human rights organs as well as applicable theory and other literature.

1. What are the main ongoing debates on the rights of indigenous peoples? Present your observations and critical review on selected key issues according to your concerns linked to domestic and international practice.
2. A pluralistic society presents challenges to human rights law mainly in the fields of freedoms of religion and belief, language use in education or public life, maintenance of distinctive culture and way of life, and non-discrimination on ethnic origin and gender. Based on your observations of the international and domestic normative frameworks and jurisprudence on the rights of indigenous peoples and minorities, you may choose between the theme of ‘individual v. group rights’, or of ‘special v. equal protection’ of human rights, or take on both predicaments, and present your arguments.