

UNIVERSITY OF SWAZILAND

267

FACULTY OF SOCIAL SCIENCE

DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION

JULY 2011

TITLE OF PAPER: LAW OF HUMAN RIGHTS

COURSE CODE: L507

TIME ALLOWED: THREE (3) HOURS

- INSTRUCTIONS:**
- (a) ANSWER ANY FOUR QUESTIONS, INCLUDING QUESTION 1 WHICH IS COMPULSORY.
 - (b) EACH QUESTION CARRIES A TOTAL OF 25 MARKS.
 - (c) THE CONTENT OF YOUR ANSWERS, CLARITY OF EXPRESSION AND LEGIBILITY OF YOUR HANDWRITING ARE ALL EXTREMELY ESSENTIAL.

Question One (Compulsory)

The Constitution of Swaziland provides for the protection of women's rights and further introduces an affirmative action provision. Discuss the application of these provisions in the Swaziland context practically.

(25 Marks)

Question Two

The prohibition on torture is one of the cornerstones of any democratic society. The state of Swaziland has constitutional provisions outlawing torture, cruel and degrading treatment. The state has also aligned itself with international instruments prohibiting torture. In a short essay, make an assessment of Swaziland's implementation of its constitutional provisions and international obligations in relation to torture.

(25 Marks)

Question Three

You are in a bus to Manzini when a member of the public strikes a conversation with you. She tells you that the state of Swaziland has not signed or ratified the Rome Statute, and that because of that fact, perpetrators of violence and crimes against humanity as well as other human rights violations cannot be brought before the International Criminal Court (ICC) for trial. Your task is to enlighten this person on the possibility of having such perpetrators of human rights violations in Swaziland tried before the ICC.

(25 Marks)

Question Four

Compare the Inter-American human rights system to the African human rights system.

(25 Marks)

Question Five

Disability rights have come a long way. In not more than three pages, briefly trace their development from the days of the medical model to the rights-based approach.

(25 Marks)

Question Six

Articulate the protective mechanisms of the Convention on the Rights of the Child, and whether this mechanism can be of any use to the Swazi child.

(25 Marks)