

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION
JULY 2012

285

TITLE OF PAPER: LAW OF HUMAN RIGHTS
COURSE CODE: L507
TIME ALLOWED: THREE (3) HOURS
INSTRUCTIONS: (a) ANSWER ANY FOUR QUESTIONS.
(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.

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Question One

With clear illustrations, differentiate between international armed conflict and non-international armed conflict.

(25 Marks)

Question Two

Write short notes on the following:

- (a) The principle of *non-refoulement*. **(10)**
- (b) Limitation of rights. **(15)**

(25 Marks)

Question Three

Discuss the admissibility criteria for matters submitted before the African Court on Human and Peoples' Rights.

(25 Marks)

Question Four

The new Swaziland Constitution was hailed by the Minister for Justice and Constitutional Affairs, Mgwagwa Gamedze during the United Nations' UPR Process in Geneva in October 2011, as containing strong provisions for the protection of the rights of women. In fact the provisions in the Constitution are viewed by many as equal to affirmative action provisions. Given the current situation on the rights of women in Swaziland, would you agree with the Minister's assertions?

(25 Marks)

Question Five

Swaziland has been largely referred to, albeit erroneously, as a homogenous society. This perception somehow spilled over to governance and the political and legal arrangements of the state of Swaziland.

(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)