

**UNIVERSITY OF SWAZILAND**

**FINAL EXAMINATION**

**2016**

**TITLE OF PAPER**

**HUMAN RIGHTS AND  
CHILD PROTECTION**

**COURSE NUMBER**

**IDE-CPS104**

**TIME ALLOWED**

**3 HOURS**

**TOTAL MARKS**

**100**

**INSTRUCTIONS:**

- 1. THIS PAPER CONSISTS OF 5 QUESTIONS. ANSWER ANY 4 QUESTIONS.**
- 2. DO NOT WRITE ANY ANSWER ON THE EXAMINATION PAPER.**
- 3. WRITE ALL YOUR ANSWERS IN THE BOOKLETS PROVIDED.**

## QUESTION 1

**Read the case study below and answer the set questions. Do not add to the facts in the case study.**

A man (Sipho) aged 33 years impregnated a 14 year-old teenager (Lungile) following a two-year relationship which began when the minor was barely 12 years old.

The young girl (Lungile) has been forced to drop out of school as a result of her pregnancy. The minor fell pregnant last year while attending Grade VI, aged 13.

Sipho admitted to have begun having an illicit affair with Lungile two years ago. Lungile is now six months pregnant and has been forced to drop out of school as a result of the pregnancy. She now hides inside her home and no longer walks around freely within the community as her stomach continues to bulge due to the pregnancy.

It has been established that Sipho took advantage of the impoverished child when she employed her to work in his house as his maid doing house chores.

Community members have stated that poverty could be the driving force behind this whole issue. They noted that the Sipho's homestead was one of the best in the area, as it has electricity, while the girl was from a very impoverished background.

According to a source close to the matter, although the entire community, including traditional leaders are aware of the issue, no one has taken the necessary legal steps to resolve the matter.

(a) What are the children's rights involved in this case?

[10 marks]

(b) Identify the parties involved in this case and give reasons why you think so.

[5 marks]

(c) As a development facilitator, what solutions can you suggest for this case?

[10 marks]

**[TOTAL MARKS 25]**

## QUESTION 2

- (a) What is the significance of the Universal Declaration of Human Rights of 1948? [5 marks]
- (b) Distinguish between a treaty and a declaration providing examples of such instruments? [5 marks]
- (c) Is there a distinction between legal rights and moral rights? Using examples from experiences from working with children state clearly what each set of rights mean. [15 marks]

**[TOTAL MARKS 25]**

## QUESTION 3

**Read the case study below and answer the set questions. Do not add to the facts in the case study**

A local newspaper has reported that a ten year old boy has been forced to abandon school and made to herd his family's cattle as he is caught up in a family conflict. His maternal grandparents say that he cannot go to school as long as his father fails to pay a fine for making their daughter, who is the boy's mother, pregnant. The father of the child is unable to pay the fine of five cattle and at the same time wants his son to go to school. The boy's mother feels helpless in the circumstances.

- a) Identify the rights that have been infringed and their source(s). [10 marks]
- b) As someone who deals with children issues in the local social welfare office, discuss how best you can resolve this matter. [10 marks]
- c) As a development facilitator state how you can assist the mother of the boy. [5 marks]

**[TOTAL MARKS 25]**

#### QUESTION 4

1. (a) As a development facilitator what does rights based response mean to you?  
[5 marks]
- b) How have you applied the following human rights based principles as you work with children?
  - i) Accountability
  - ii) Civic Participation
  - iii) Non – discrimination
  - iv) Empowerment of people

[5 marks each]

**[TOTAL MARKS 25]**

2. State any measures taken by the Government of Swaziland towards the realisation of the protection of children's rights. State how far they do so. Your answer should refer to, for instance, laws and policies pointing out how these seek to address the issue of children's rights.

**[TOTAL MARKS 25]**