

UNIVERSITY OF SWAZILAND

FINAL EXAMINATION

MAY 2017

TITLE OF PAPER

**HUMAN RIGHTS AND CHILD
PROTECTION**

COURSE NUMBER

IDE-CPS104

TIME ALLOWED

3 HOURS

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.

Sifiso is a 13 year old boy who lives in Lomahasha. He has to stop going to school because he has to look after his younger brother and sister. Both his parents died a year ago due to HIV/AIDS related illnesses. He was left with no money as his parents had spent all of their money on medication. His uncle now claims the land on which Sifiso's parents were settled by the local traditional authority as his own, as a result Sifiso and his siblings have no where to stay.

Sifiso has approached a local education authority asking them to waive his and his sibling's school fees but was told that this was not possible. A local AIDs organisation is unable to assist because its mandate was limited to assuring care and support for people living with HIV. They then turned to a local NGO for assistance and this NGO had a long list of children that needed the NGO's support.

Sifiso has resorted to look for employment and has been employed as a labourer in a local sugar cane farm.

Answer the following questions:

- (a) Identify five (5) of the rights which are infringed by the human rights abuses in this case study. (5 marks)
- (b) Briefly describe how these rights have been infringed and discuss who is responsible for the protecting and enforcing these rights. (10 marks)
- (c) By approaching a local NGO for assistance, in this dispute, what would be possible rights based response that can be taken up? (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 state clearly what each set of rights mean. (15 marks)

(TOTAL MARKS 25)

QUESTION 3

Discuss five legal instruments that serve as a source of children's rights, stating how these protect and promote children's rights. Your answer should include at least two (2) domestic (laws of Swaziland) that are a source of children's rights

(TOTAL MARKS 25)

QUESTION 4

- (a) What do you understand by human rights based approach? (5 marks)
- (b) Discuss the four basic human rights standards that an organisation should follow in applying human rights based approach interventions. Drawing examples from your experience of working with children and youth. (20 marks)

(TOTAL MARKS 25)

QUESTION 5

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

A disabled boy of seven years has been forced to quit school because his parents have neglected him due to his disability. The boy now roams around with no fixed place of abode and relies on good Samaritans for food and shelter. Other children, within the community, do not want to play or make friends with him because of his disability as a result he is always alone.

You are a concerned member of the community and involved with a Non-Governmental Organization that deals with children.

- a) Identify five (5) of the rights that are being infringed. (5 marks)
- b) Who are the parties to this problem and how best can you assist the affected parties? (15 marks)
- c) How can the State/ Government intervene to resolve the matter in such a way that children's rights are protected? (5 marks)

(TOTAL MARKS 25)