

**UNIVERSITY OF SWAZILAND**

**FINAL EXAMINATION**

**2018**

**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.**

Minenhle is a 9 year old orphan who lives with her grandparents in Lomahasha. Both her parents died when she was seven years old and she was doing grade 2 at a local school. Her grandparents are not able to provide for all her needs including adequate meals and as a result some local households engage her to do various house chores in return for a meal. Minenhle has had to drop out of school because there is no one to pay for her fees. Other children in her community refuse to socialize with her as they suspect that she has an incurable illness. Her grandparents have approached a local NGO for help but the NGO is unable to assist due to the fact that they are many orphans in the area that it takes care of. As a result the grandparents have approached the Social Welfare with a view to have Minenhle put up for adoption.

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 case, what would be possible rights based response that can be taken up? (10 marks)

**(TOTAL MARKS 25)**

## QUESTION 2

- (a) What does the duty to fulfill human rights mean? (5 marks)
- (b) How can the media help to promote a human rights approach? (5 marks)
- (c) In your own words state what the principle of best interest of a child means and state how you have applied or can apply this principle in your work with children. (15 marks)

**(TOTAL MARKS 25)**

## QUESTION 3

- (a) The Convention of the Rights of the Child is based on four (4) pillars. Identity and discuss all the pillars. (20 marks)

- (b) How does the African Charter on Human and People's Rights differ from other regional human rights treaties? (5 marks)

**(TOTAL MARKS 25)**

#### QUESTION 4

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 5

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

Nolwazi is a ten year old girl who has had to drop out of school due to ill-health. Her parents have persistently refused to take her to hospital in order for her to receive the much needed help as, they argue, this is against their religious beliefs. Nolwazi has no friends to talk to or play with as the other children do not want to come near her as they have been told by their parents that they might end up contracting Nolwazi's illness if they did so. Nolwazi is often seen all by herself and even her parents are failing to ensure that she is properly cared for.

You are a concerned member of the community and involved with a Non-Governmental Organisation 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)**