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4 SEM LLB 3 HR & IL

2008

(December)

HUMAN RIGHTS AND INTERNATIONAL LAW

Paper : 403

Full Marks - 80

Time - Three hours

The figures in the margin indicate full marks of the questions.

FIRST HALF

Answer question No. 1 and any *two* from the rest.

1. Write briefly on any *two* of the following : $7 \times 2 = 14$
 - (a) Internally displaced persons
 - (b) Prisoners of war
 - (c) Rights of woman
 - (d) The right of self-determination.

2. Discuss the Supreme Court decision on Sebastian Hongray Vs Assam.

Has the Supreme Court discussed the criminal liability of the offenders in its verdict? Examine this aspect giving judicial reasoning.

13

3. Examine the merits and the demerits of the Protection of Human Rights Act, 1933. What is the recommendation of NHRC about Section 19 of the aforesaid Act? Comment.

13

4. Describe the civil, cultural and political rights guaranteed in Part III of the Constitution of India.

13

5. Define the term "refugee".

What role is being played by UNHCR in protecting the interests of a refugee?

13

6. What protections are entitled to a POW under the 3rd Geneva Convention? Can a state refuse to grant POW status to captured enemy soldiers?

13

SECOND HALF

Answer question No. 7 and any *two* of the following.

7. Write short notes on any two of the following :

7×2=14

(a) International Tribunal

(b) War crimes

(c) UNESCO

(d) International Military Tribunal

(e) West Rand Central Gold Mining Co. Ltd. V R.

8. "Customs" and "Treaties" are the primary sources of International Law. Explain. 13
9. What are the ingredients of a state? Discuss the various types of states and non-state entities. 13
10. Discuss briefly the various peaceful means of settlement of disputes. 13
11. What is the relationship between Municipal Law and International Law? Explain the attitude of Dualism in the light of developing International Law of the day. 13
12. Give the facts of the case and principles involved in the case of
The Paquete Habana, 1899 175 US 677. 13