

**UNIVERSITY OF COLOMBO, SRI LANKA**

**FACULTY OF LAW**

**MASTER OF LAWS DEGREE EXAMINATION - 2017 (OLD SYLLABUS)**

**HUMAN RIGHTS LAW**

(Three Hours)

Total number of questions: 04

Answer any **TWO** questions **only**.

(Candidates will be penalized for illegible handwriting)

1. "In today's world, human rights are characteristically imagined as a movement involving international law and institutions, as well as a movement involving the spread of liberal constitutions among states. Internal developments in many states have been much influenced by international law and institutions, as by pressures from other states trying to enforce international law. Internal or comparative approaches to human rights law and the international aspects of human rights are now inseparably and complexly intertwined and reciprocally influential with respect to the growth of human rights norms."

Drawing from at least three philosophical approaches to human rights law, discuss critically the accuracy or otherwise of the above statement.

2. The mechanisms for respect and promotion of human rights within the United Nations have expanded over the years thereby developing a robust and effective system for the protection of human rights globally.

Do you agree? Evaluate the above statement by drawing from at least three different mechanisms for human rights within the United Nations.

3. The right to equality and the prohibition on discrimination is at the heart of human rights law. It has laid the foundation for the development of international human rights law and has paved the way for increased respect for human rights across the globe. Contemporary political developments however pose a serious threat to the wide consensus that has hitherto existed on the right to equality and the prohibition on discrimination.

Discuss the validity of the above statement on the basis of an analysis of the right to equality and the prohibition of discrimination.

4. "The struggle of international protection and promotion of human rights is the ideological conflict of universalism and cultural relativism. The concept of universalism holds that each human being possesses certain inalienable rights simply because he or she is a human. On the other hand, cultural relativism is the assertion that not only human beings but also cultures which unite and bring them together possess certain rights because human values vary a great deal according to different cultural perspectives."

The Parliamentary Steering Committee on Constitutional Reforms invites you to submit an informed critique of the different arguments which are put forward by the proponents of the concept of universalism and those which are supportive of the concept of cultural relativism. Provide your own recommendations with reasons for such recommendations.

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