Q1. “All human beings are born free and equal in dignity and rights” article 1, Universal Declaration of Human Rights (UDHR). The UDHR is the common standard of achievement for all peoples and all nations in the pursuit of human rights promotion and protection. It has given rise to a range of other international agreements that are legally binding on the countries that ratify them such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Together, these three instruments form the International Bill of Human Rights.

   a) Discuss the two covenants, noting how they expand on the rights contained in the UDHR and what enforcement mechanisms if any are there to facilitate their implementation (20 marks)

   b) How has the International Bill of Rights influenced Kenya’s own Bill of Rights? Illustrate while citing at least 5 relevant legal provisions (10 marks)

Q2. Whenever international humanitarian laws are unclear or controversial, principles of international humanitarian law are applied to aid in interpretation of the law. Discuss 5 (five) of these principles and cite their provision in law (20 marks)

Q3. The African human rights system has evolved laying out an elaborate normative foundation as evidenced by various instruments of the AU accompanied by a number of continental organs whose sole mandate is the protection and promotion of human rights.
a) Prior to the evolution of the African human rights system, there already existed an elaborate universal human rights framework. What then informed the need for an African human rights system? (2 marks)

b) The African Charter on Human and Peoples’ Rights (African Charter) is the pivotal human rights instrument in Africa. What are its unique features? (4 marks)

c) Two continental organs have a mandate dedicated to the enforcement of the African Charter. Discuss these organs and their respective mandates. (14 marks)

Q4. International humanitarian law applies only to armed conflicts, which are predominantly categorized as international and non-international.

a) Which are the situations that amount to an international armed conflict? Cite relevant laws (8 marks)

b) Which laws apply to non-international armed conflict? (8 marks)

c) Is there a distinction between armed conflict and terrorism? Explain (4 marks)

Q5. Write brief explanatory notes on the following:

a) How to identify combatants and non combatants (5 marks)

b) State reporting and the mechanism in place to ensure the veracity of reports (5 marks)

c) Henry Dunant’s contribution to modern international humanitarian law (5 marks)


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