

BOWEN UNIVERSITY, IWO, OSUN STATE
COLLEGE OF LAW
2022/2023 SESSION

FIRST SEMESTER EXAMINATION

COURSE TITLE: HUMAN RIGHTS LAW I

COURSE CODE: PIL 203

ATTEMPT TWO (2) QUESTIONS FROM EACH SECTION

TIME ALLOWED: THREE (3) HOURS

SECTION A

QUESTION 1

The Human Rights Advocates for Democratic Governance is an international human rights Non-Governmental Organization (NGO) with its headquarters in Geneva, Switzerland. The organization will be celebrating its 30th year anniversary on the 25th of February, 2020. The theme of the anniversary celebration is titled "*National Protection of Human Rights and the African Continent*". As part of the highlights of the celebration, selected African countries have been invited to make presentations on the above theme. The presentations are expected to educate the global community on the efforts the government of each country is making to promote and protect the human rights of its citizens through national human rights institutions. Nigeria is one of the African countries invited to make such presentation. As a foremost human rights lawyer in Nigeria, you have been approached by the Nigerian Minister of Foreign Affairs to represent Nigeria. **Write in details, your intended presentation on National Protection of Human Rights in Nigeria during the 30th year anniversary celebration. (15 marks)**

QUESTION 2

The Public Complaints Commission otherwise known as the ombudsman or public advocate in many countries is a Federal Government quasi Judicial regulatory agency that was established by Late General Murtala Mohammed with the promulgation of Decree No. 31 of 1975. The Law was amended in 1979, by virtue of Public Complaints Commission (Amendment) Decree 21. It made some amendments to the Public Complaints Commission Decree 31 of 1975, and it *inter alia*, conferred immunity from legal process on the Public Complaints Commissions in the performance of their official duties. There is an acknowledgement that Nigerian citizens were once generally oppressed and victimized by the administrative powers of the government. There necessitated a need for intervention by a supposedly neutral institution for the benefit of the citizens who may have a complaint against the government. **Discuss with emphasis on the rationale, powers and duties and Legal Restraint to Public Complaints Commission.**

QUESTION 3

Following the Second World War, a series of Declarations and Covenants began to articulate universal human rights. In 1948, for the first time, countries agreed on a comprehensive list of inalienable human rights. In December of that year, the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR), a milestone that would profoundly influence the development of international human rights law. **Discuss the contribution of the Universal Declaration of Human Rights to the development of international human rights law.**

SECTION B

Question 4:

4(a) Western scholars are wont to argue that "human rights" is a Western concept. They contend that before her encounter with Europe, Africa never had its traditional conception of human rights. Advance an argument to sustain or debunk this assertion.

4(b) Examine the influence of the Great Charter and the Universal Declaration of Human Rights 1948 on the development of human rights.

Question 5:

Mungo Park, the King of Romobostikorelga Kingdom, abruptly woke up from his sleep one afternoon after having a terrible nightmare. He quickly summoned his Council of Chiefs to his palace for a meeting. King Mungo Park declared to his Council of Chiefs that henceforth, the people of Romobostikorelga Kingdom were allowed to express themselves more freely without any inhibition, as they were all born free. He declared further that every native of Romobostikorelga Kingdom can change their gender and are also allowed to marry whoever they wish irrespective of the similarity in gender. Upon hearing the declaration of King Mungo Park, Chief Shakagbula and most members of the Council chorused in unison: "Oh King, may you live forever. Your word is law; whatever you say, we will do!" Chief Serugbawon was taken aback by this declaration. He cried: "Tufiakwa! My King, these things you say, are indeed strange and abominable to our ways as handed over to us by the gods and our ancestors from generation to generation". This caused great stir amongst members of the Council of Elders, who by now were already divided into two camps.

Examine the foregoing scenario in the light of the two foremost philosophical underpinning of human rights.

Question 6:

In view of the infamous exploits of Nazi Germany, fascist Italy and other autocratic regimes which have hidden under the cover of sovereignty of state to perpetrate wanton violation of rights of their citizens, it has become clear to the international community that the protection of human rights cannot be entirely left in the care of domestic regimes. With particular reference to the African Union, examine how international law sought to protect human rights in Nigeria.