

BOWEN UNIVERSITY, IWO, OSUN STATE
COLLEGE OF LAW
2023/2024 SESSION
FIRST SEMESTER EXAMINATION
COURSE TITLE: HUMAN RIGHTS LAW I **COURSE CODE: PIL 207**
ATTEMPT TWO (2) QUESTIONS FROM EACH SESSION
TIME ALLOWED: THREE (3) HOURS

SECTION A

1 A. Ademola and Yakubu are 200L Law Students of Babcock University, Ilesan, Ogun State. At the end of their Human Rights Lecture engaged in a heated argument on whether the Constitution of the Federal Republic of Nigeria, 1999(as amended) explicitly attributes Chapter Two of the Constitution to a particular International Convention or not. They parties are confused as to the position of the law and needed clarification. With statutory and Judicial provisions of the law, advise the parties. (6 Marks)

B. The question of the justiciability of the Fundamental Objectives and Directives Principles of State Policy is associated with chromatic interpretations. However, in the garment of enforceability, how would you interpret the above assertion to Mr. Adewale Martins of Microbiology programme who is your roommate. Support your position with relevant authorities. (6 Marks)

C. Bala's Uncle asked him how he is coping with his lecture on Fundamental Human Rights and Fundamental Objectives and Directives Principles of State Policy. Bala responded by asking his uncle, if he has heard of the mode of resolving conflict arising between the two principles. The uncle quickly replied, conflict? Are you serious? Advice Bala's uncle with the aid of relevant authorities of the law (5 ½).

2. Attempt the following questions with relevant Judicial and statutory authorities of the law:

A. African Charter on Human and People's Rights evolved to compliment the provisions of Chapter Four of the Constitution of the Federal Republic of Nigeria, 1999(as amended). (6marks)

B. Explain the misty behind the claim that human rights is ultimately a moral claim that rest on moral values. (6marks)

C. In what circumstances does the key concept of " guaranteed rights" is said to be rooted in the idea of limiting Government powers and preventing arbitrary actions likely to infringed upon individual liberties? (5 ½).

3. Attempt the following questions:

A. Outline and briefly discuss the three major classifications of human rights (6marks).

B. With statutory provisions of the law, discuss the role of the judges in the enforcement of Judicial decisions (5 ½)

C. What are the derogations to right to life under the Constitution of the Federal Republic of Nigeria, 1999(as amended). Support your answers with relevant statutory authorities and case laws. (6marks)

SECTION B

4. The Human Rights Advocates for Democratic Governance is 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, 2024. The theme of the anniversary celebration is titled "*The Right to Fair Hearing and the Need for a Committed International, Regional, and National Protection*". As part of the highlights of the celebration, selected countries have been invited to make presentations on the above theme. The presentations are expected to encourage the international community through various national governments protect and respect the provisions of the rights to fair hearing as contained in international, regional and national human rights instruments. Nigeria is one of the African countries invited to make such presentation. As a foremost Nigerian human rights scholar, you have been approached by the Nigerian Minister of Foreign Affairs to represent Nigeria. **Write in details, your intended presentation on the International, Regional and National Protection of the Human Right to Fair Hearing during the 30th year anniversary celebration.**

5. The Recommendation of the Williks Commission of 1958 aimed at allaying the fears of the minority that their survival would be threatened in a country dominated by three major tribes – the Hausa, Igbo, and the Yoruba, facilitated the entrenchment of fundamental human rights into the Nigerian Constitution. **Explain and Discuss.**

6. It is a generally accepted and supported claim that 'No one has the right to take the life of another man arbitrarily'. The Right to life stands at the very top of the human rights and freedom pyramid. It is important to understand that even though some other rights and privileges exist as a result of being a human being, the enjoyment of the right to life stands as a prerequisite to enjoying other rights, which is why this right requires the highest protection from all other human rights. The right to life gives backing to the expression of all other rights i.e. if a person's right to life was taken away, then there is no opportunity for a person to use their other rights. Violating the right to life is violating a person's entire existence. **In the light of the foregoing assertions, trace the international, regional and national protection of the human rights to life.**