



HUMAN RIGHTS
MASTER IN INTERNATIONAL LAW AND INTERNATIONAL RELATIONS

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WRITTEN EXAM I

29.05.25

Professor: Prof. Ana Rita Gil

Duration: 90 minutes

I

Distinguish between:

- a) Absolute rights and relative rights **(4 pt.)**

Possibility of restrictions / balancing

Difference regarding restriction and derogation

Examples of absolute rights

- b) Conventional and extra-conventional control mechanisms in the UN **(4 pt.)**

Conventional mechanisms as committee aimed at controlling UN Conventions

Mentioning of examples

Extra-Conventional and their importance

The UN Human Rights Council and their special mechanisms

II

Comment on the following sentence **(6 val)**:

All Human Rights share a common foundation: they originate from the same core principle and are universal.



R:

The Principle of Human Dignity and their possible meanings and implications

Principle of Universality

Principle of Equality and non discrimination

III

Comment on the following sentence, providing examples **(6 val)**:

Certain general principles of Human Rights interpretation tend to enhance the protection of individual rights, while others are more inclined to uphold the sovereignty of the State.

R:

Demonstrating that Human Rights are interpreted through the conjunction of several principles.

Some enhance the protection of individual rights, such as the principle of maximum efficiency, extensive interpretation of the right's scope of protection and limits on restrictions, if the highest level of protection, indirect, side or "par ricochet" protection, evolutive protection, teleological interpretation, etc...

Principles that uphold the sovereignty of the State – principle of subsidiarity, theory of the margin of appreciation, State Sovereignty in some areas...