

Sultan
International Protection of Human Rights
Spring 2001

Read the entire examination carefully before you write- The time period for this examination is two hours. You have forty-five minutes to *plan* your answer on scratch paper that will be distributed with the exam. At the end of that time the blue books will be distributed. You then have one hour and fifteen minutes to write your answer. Enclose your notes with your exam as I may use them to your advantage in the grading process.

ANSWER THE QUESTION! WRITE IN INK. WRITE CLEARLY AND ON ONE SIDE OF THE PAGE ONLY. BE AS DETAILED AND SPECIFIC AS POSSIBLE.

No material of any kind are allowed with you.

The southernmost new nation-state to emerge from the dismembered Yugoslavia is Masadonia. Like the others, it was immediately recognized by most nations and admitted as a member of the United Nations.

Consisting of mostly mountainous terrain, like most of the Balkans, Masadonia is bordered on the south by Greece. on the east by Bulgaria, on the west by Albania and or' the north by Serbia; the population is a mix of all these ethnicities, with approximately twenty percent Albanians.

This Albanian minority mostly live in the west of the country near Albania and in the northwest near the United States zone of the UN occupied Serbian Province of Kosovo. Desiring a "greater Albania' (the unification of all ethnic Albanians), elements of the former Kosovo Liberation Army, That had resisted Serbian atrocities prior to the NATO intervention, have undertaken raids on Masadonian police and other officials stationed near the borders. In sum, we presently have a new flash point in the ongoing problems resulting from the dismemberment of Yugoslavia.

In response to these raids, often given protective support by a few Albanian Masadonians

living near the borders, the powers in the area respond in the following manner:

1. NATO allows the Serbian Army, under the overall supervision of the United States military, to occupy a five mile zone of the southern Kosovo border with Masadonia. This security response virtually stops all incursions in that area.
2. The Masadonian Army responds militarily to incursions from its frontier with Albania, at times shelling Masadonian dwellings and other buildings on the mountains above its smaller towns and the second largest city in the country. This is done after the buildings are determined, by the Army: to be the origin of KLA mortar and other small arms fire.

Since the second response has not proven as successful as the first, and since the Masadonian Government finds itself in an ongoing conflict, it decides on a policy known internationally as mass internal forced migration.' Citing (1) the nineteenth century U.S. "Trail of tears," (where our ethnic native populations were forcibly moved from Georgia and Florida to Oklahoma Territory), (2) the U.S. relocation of Japanese and some Germans during WWII and (3) the numerous instances of Stalin's use of this policy (like making forty percent of Latvia ethnically Russian). the Masadonian Government collects all ethnic Albanians within fifteen miles of the border, places them in relocation camps, and begins to "redistribute" them to areas of the country near Bulgaria and Greece. Predictably, much suffering and family dislocation or break-ups is accompanying this ongoing practice.

A recent graduate of UDSL, you are employed by the U.N. High Commissioner for Human Rights In Geneva, Switzerland. She asks you to evaluate the situation for possible action by her or by the U.N. Security Council, given the present status of international human rights law. She specifically requests answers to the following questions.

1. What human rights, if any, are being violated by the Masadonian policy?
2. What power, or past authority, does the Council possess to act in this situation?
3. What actions, if any, should she and/or the Council take?