

# Gender and Human Rights

Exam 24 March 2022

## EXAM QUESTIONS

(Alaattinoglu)

1. Do human rights have transformative potential? Discuss this question in the light of the cases *Amanda Mellet v. Ireland* (2016) and *Siobhán Whelan v. Ireland* (2017) by the Human Rights Committee.

(Frostell)

2. Case analysis

In country X all civil servants pay the same percentage of their salary to the occupational pension fund. Despite this, part-time civil servants receive, in proportion to their payments, a lower pension compared to full-time civil servants. According to information from the National Statistical Bureau in country X, 86% of the part-time workers are female. The employer argues that part-time and full-time workers are not in similar situation and can therefore not be compared with each other. Even if they could be compared with each other, there are, according to the employer, reasonable justifications for treating them differently. The employer has adopted a deliberate policy trying to increase fulltime employment with the aim of improving the overall productivity and efficiency of the workplace. Part of this policy is to pay a slightly higher pension to persons who have been willing to commit to fulltime employment.

Assess the pension system from a gendered human rights perspective. Please elaborate on your arguments.

(Grans)

3. Discuss what the Istanbul Convention adds to the protection against gender-based violence in international human rights law.

Good luck!