



(University of Choice)
**MASINDE MULIRO UNIVERSITY OF
SCIENCE AND TECHNOLOGY
(MMUST)**

MAIN CAMPUS

**UNIVERSITY EXFATUMATIONS
2021/2022 ACADEMIC YEAR**

**FOURTH YEAR SECOND SEMESTER EXFATUMATIONS
FOR**

**THE BACHELOR OF SCIENCE IN EMERGENCY MANAGEMENT AND HUMANITARIAN
ASSISTANCE**

COURSE CODE: DEM 403

COURSE TITLE: REFUGEES AND CAMP MANAGEMENT

DATE: 22ND APRIL, 2022

TIME: 12 – 2PM

INSTRUCTIONS TO CANDIDATES

Attempt any TWO (2) questions

This is an Open book exam. Answer all the questions as per the University Open Book Policy

TIME: 2Hours

MMUST observes ZERO tolerance to examination cheating

This Paper Consists of 3 Printed Pages. Please Turn Over ►

Q1). Fatuma is 18 years old and lives with her parents and siblings in a small village in Morocco. She would often go into the fields to collect oranges from the trees. Sometimes she would see her neighbor, Mustapha (23 years old) also in the fields. They would converse about their families and the activities in the village, but they had to be careful because they were afraid of people gossiping. Neighbors believed that they were sweethearts. One day Mustapha invited her to go behind a shed so that they could escape the curious neighbors. Fatuma alleges that Mustapha raped her behind the shed. Fatuma's father contacted Mustapha's family and they decided to go to a judge to ask for authorization of a marriage between the two as a compromise solution to the situation. The families knew that according to Moroccan custom, Fatuma would never be able to marry another man after having lost her virginity to Mustapha. Fatuma's father regretted that his daughter should have to marry Mustapha, but noted that it was necessary to restore the family honor and guarantee his daughter some future. The Judge insisted that Fatuma was to marry Mustapha according to custom. Fatuma agreed and the prosecutor dropped the rape charge against Mustapha in accordance with Article 475 of the penal code which prevents prosecution in cases in which the accused marries the victim. Mustapha agreed to pay a bride's price of 625 US Dollars to Fatuma's father, as required in the marriage contract. Fatuma's father claims that he never received the money. Fatuma moved in with Mustapha's family and soon began to report that Mustapha beat her regularly. Fatuma's mother told her to go to the police. Fatuma stated that she was too afraid that Mustapha would kill her if she went to the police. Fatuma decided to run away. She found someone who was willing to put her in touch with a smuggling group. Fatuma managed to be smuggled to Spain where she presented an asylum application. She claims that she is afraid that the Moroccan judiciary will force her to return to her husband and that he will continue to beat her and possibly kill her. "The law and the judge are my oppressors, as are the customs of my village" declared Fatuma in her interview.

You work as an intern at UNHCR's office in Spain. Prepare:

- i. a memo addressing whether or not Fatuma may be considered a refugee according to the 1951 Convention. **(35 marks)**
- ii. Analyze the tenets of both the Convention on the Elimination of Discrimination Against Women and the Declaration on the Elimination of Violence Against Women in your refugee determination analysis of Fatuma's case **(35 marks)**

Q2). i) What are the major differences between refugees and internally displaced persons? **(5 marks)**

ii) Discuss if there is a valuable distinction to make on humanitarian grounds or could it simply be a bureaucratic convenience? **(30 marks)**