

KARL-FRANZENS UNIVERSITÄT GRAZ (UNIVERSITY OF GRAZ)

European Master's Degree in Human Rights and Democratisation
A.Y. 2013/2014

CHALLENGES FOR THE JUSTICIABILITY OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

A critical appraisal of Inter-American and European human rights
protection systems

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TABLE OF CONTENTS

ACKNOWLEDGMENTS	6
LIST OF ABBREVIATIONS	8
ABSTRACT	9
GENERAL INTRODUCTION	10
CHAPTER 1 - ECONOMIC, SOCIAL AND CULTURAL RIGHTS AS JUSTICIABLE RIGHTS.....	14
1.1 Introduction.....	14
1.2 Human Rights Arising: Origins and Historical Evolution of Economic, Social and Cultural Rights	14
1.3 The Legal Nature of Economic, Social and Cultural Rights.....	17
1.4 The matter of Justiciability of Economic, Social and Cultural Rights... 	19
<i>1.4.1 The positive and negative dichotomy between Economic, Social and Cultural Rights and Civil and Political Rights</i>	<i>20</i>
<i>1.4.2 The vagueness of Economic, Social and Cultural Rights and their judicial enforcement</i>	<i>21</i>
<i>1.4.3 The progressive realisation and available resources to implement Economic, Social and Cultural Rights.....</i>	<i>24</i>
1.5 Conclusions.....	26

CHAPTER 2 - ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN THE EUROPEAN AND THE INTER-AMERICAN SYSTEM: STATE OF THE ART OF THE LEGAL AND INSTITUTIONAL FRAMEWORK 27

2.1 Introduction..... 27

2.2 The European Human Rights System 29

2.2.1 The European Convention on Human Rights (ECHR)..... 31

2.2.2 The European Social Charter (ESC)..... 34

2.2.3 The Charter of Fundamental Rights of the European Union (CFREU)..... 38

2.3 The Inter-American Human Rights System 40

2.3.1 The American Convention on Human Rights (ACHR) - Pact of San Jose 43

2.3.2 The Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights (The Protocol of San Salvador) 46

2.4 Conclusions..... 49

CHAPTER 3 - INCLUDING ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN THE JUDICIAL PRACTICE OF THE EUROPEAN AND INTER-AMERICAN BODIES..... 51

3.1 Introduction..... 51

3.2 Protecting Economic, Social and Cultural Rights under the European System..... 51

3.2.1 Economic, Social and Cultural Rights in the Jurisprudence of the European Court of Human Rights 52

3.2.2 <i>Economic, Social and Cultural Rights in the Decisions of the European Committee of Social Rights</i>	61
3.3 Protecting Economic, Social and Cultural Rights under the Inter-American System	67
3.3.1 <i>Economic, Social and Cultural Rights in the Decisions of the European Committee of Social Rights</i>	67
3.4 Conclusions	77
CHAPTER 4 - THE WAY FORWARD: DEVELOPING A COHERENT APPROACH FOR THE JUSTICIABILITY OF ALL ECONOMIC, SOCIAL AND CULTURAL RIGHTS FROM THE INTER-AMERICAN SYSTEM'S PERSPECTIVE	79
4.1 Introduction	79
4.2 The implications of the indivisibility and interdependence of human rights for the autonomous justiciability of Economic, Social and Cultural Rights	80
4.3 The most favorable interpretation to bring autonomous justiciability to Economic, Social and Cultural Rights	83
4.4 Conclusions	86
GENERAL CONCLUSIONS	88
BIBLIOGRAPHY	93

ABSTRACT

The main objective of this study is to analyse the challenges for the justiciability of Economic, Social and Cultural Rights (ESCR) under the European and Inter-American human rights protection systems. The legal frameworks will be analysed as well as the arguments and methods of interpretation promoted by the responsible bodies trying to overcome obstacles to the effective protection of ESCR. The matter of justiciability of ESCR has gained and still is gaining increasing attention since the effective protection of the latter can improve the quality of life of those who need it most and drastically reduce poverty and social inequalities. Therefore, the relevance of this thesis lays in the assessment of the state of the art of the discussion on the justiciability of ESCR as reflected in academia and in the most recent case law of the bodies of the CoE and the OAS. Additionally, the thesis outlines a new way forward for developing a coherent approach to the autonomous justiciability of all ESCR.