

## The European Convention on Human Rights and Social Security Law

Mel Cousins



The European Convention on Human Rights and the case law of the European Court of Human Rights are of increasing importance in the area of social security. This book provides a practical guide to the social security issues which have been considered by the Court of Human Rights and to give an overview of how these have been analysed by the Court. In addition, some examples are given as to how the provisions of the Convention have been interpreted by a range of national courts. Issues examined include

- who can be considered to be a “victim of a violation” of a right under the Convention in order to bring a claim before the Court and the time limit for bringing a claim.
- the right to property (or possessions) set out in Article 1 of Protocol 1 to the Convention which provides the largest body of case law concerning social security brought before the Court.
- the right to life; rights as to inhuman or degrading treatment; and prohibition of slavery and forced labour (set out in Articles 2, 3 and 4 of the Convention).
- the extensive case law concerning the right to a fair hearing (Article 6) and the much more limited case law on the right to an effective remedy (Article 13) the right to respect for private and family life, home and correspondence (set out in Article 8) and the related right to marry and found a family (established in Article 12).
- freedom of thought, conscience and religion, and freedom of expression, and of association (in Articles 9, 10 and 11)
- the non-discrimination clause of the Convention (article 14)
- issues concerning residence and nationality including liberty of movement and freedom to choose one’s residence (Article 2 of Protocol 4), and
- the developing relationship between the European Convention on Human Rights and EU law and the extent to which developments in one area of law influence those of the other.

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