17. Article 14 (Freedom from discrimination in respect of protected convention rights) and protocol 12 (non-discrimination in respect of ‘any right set forth by law’)

Harris, O'Boyle, and Warbrick: Law of the European Convention on Human Rights (4th edn)

David Harris, Michael O'Boyle, Ed Bates, and Carla Buckley

Publisher: Oxford University Press  Print Publication Date: Aug 2018
Print ISBN-13: 9780198785163  Published online: Sep 2018
DOI: 10.1093/he/9780198785163.001.0001

17. Article 14 (Freedom from discrimination in respect of protected convention rights) and protocol 12 (non-discrimination in respect of ‘any right set forth by law’)

Chapter:

(p. 764) 17. Article 14 (Freedom from discrimination in respect of protected convention rights) and protocol 12 (non-discrimination in respect of ‘any right set forth by law’)

Author(s): David Harris, Michael O'Boyle, Ed Bates, and Carla Buckley

DOI: 10.1093/he/9780198785163.003.0017

This chapter discusses Article 14 of the European Convention on Human Rights, which addresses discrimination. Article 14 is a ‘parasitic’ provision, i.e. it only applies to ‘rights and freedoms set forth’ in the Convention and its Protocols. In other words it only prohibits discrimination within the ambit of these rights and freedoms—contrast Protocol 12 to the Convention, which is also discussed in this chapter, which prohibits discrimination generally. The importance of Article 14 is evident in the growing number of cases over the past decade, including
17. Article 14 (Freedom from discrimination in respect of protected convention rights) and protocol 12 (non-discrimination in respect of ‘any right set forth by law’)

important judgments and decisions concerning discrimination based on sexual orientation and allegations of racial discrimination.

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can’t find the answer there, please contact us.