

- [Courseware \(/courses/LouvainX/Louv2.01x/1T2014/courseware\)](/courses/LouvainX/Louv2.01x/1T2014/courseware)
[Course Info \(/courses/LouvainX/Louv2.01x/1T2014/info\)](/courses/LouvainX/Louv2.01x/1T2014/info)
- [Discussion \(/courses/LouvainX/Louv2.01x/1T2014/discussion/forum\)](/courses/LouvainX/Louv2.01x/1T2014/discussion/forum)
[Wiki \(/courses/LouvainX/Louv2.01x/1T2014/course_wiki\)](/courses/LouvainX/Louv2.01x/1T2014/course_wiki)
- [Progress \(/courses/LouvainX/Louv2.01x/1T2014/progress\)](/courses/LouvainX/Louv2.01x/1T2014/progress)
- [Reading Materials \(/courses/LouvainX/Louv2.01x/1T2014/pdfbook/0/\)](/courses/LouvainX/Louv2.01x/1T2014/pdfbook/0/)
- [Syllabus \(/courses/LouvainX/Louv2.01x/1T2014/3517b9300b554b118f11224b8c05eb10/\)](/courses/LouvainX/Louv2.01x/1T2014/3517b9300b554b118f11224b8c05eb10/)

The scope of application of the non-discrimination clause in the European Convention of Human Rights (ECHR) also deserves a specific comment. Article 14 ECHR provides that :

'The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

As its wording shows, this provision only applies in combination with other rights recognized under the Convention or under one of its Protocols. In fact, Article 14 ECHR may be invoked in two situations:

1. **first**, when the alleged discrimination occurs *in the enjoyment of a right protected* under the European Convention on Human Rights ;
2. **second**, when the discrimination is *on a ground which corresponds to the exercise of a right* protected under the Convention.

The applicability of Article 14 ECHR in this second situation goes slightly beyond the wording of the Convention, but results from the case-law of the European Court of Human Rights. Such extension of the scope of the non-discrimination provision has been affirmed by the European Court of Human Rights for the first time in the 2000 case of *Thlimmenos v. Greece*, in which Article 14 ECHR was invoked successfully in combination with Article 9 ECHR by a Jehovah's Witness who had been denied access to the profession of chartered accountant because of a past criminal conviction for having refused to serve in the army for religious motives: the Court considered that, although there is no right under the Convention to have access to a profession, the fact that Mr Thlimmenos had been disadvantaged *for having exercised a Convention right* was sufficient to trigger the application of Article 14 ECHR (Eur. Ct. HR (GC), *Thlimmenos v. Greece* (Appl. No. 34369/97), judgment of 6 April 2000, para. 42).

An Additional Protocol (No. 12) to the Convention was adopted in 2000, and entered into force on 1 April 2005. Article 1 of Protocol n°12 to the European Convention on Human Rights contains a *general* prohibition of discrimination, which applies *independently* of other Convention rights:

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.



About (<https://www.edx.org/about-us>) Jobs (<https://www.edx.org/jobs>)
Press (<https://www.edx.org/press>) FAQ (<https://www.edx.org/student-faq>)
Contact (<https://www.edx.org/contact>)



EdX is a non-profit created by founding partners Harvard and MIT whose mission is to bring the best of higher education to students of all ages anywhere in the world, wherever there is Internet access. EdX's free online MOOCs are interactive and subjects include computer science, public health, and artificial intelligence.



(<http://www.meetup.com/edX-Global-Community/>)



(<http://www.facebook.com/EdxOnline>)



(<https://twitter.com/edXOnline>)



(<https://plus.google.com/108235383044095082735/posts>)



(<http://youtube.com/user/edxonline>)

© 2014 edX, some rights reserved.

Terms of Service and Honor Code -
Privacy Policy (<https://www.edx.org/edx-privacy-policy>)