



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Welcome address – Opening remarks

Joint Event on Social Charter

Speech by Mattias Guyomar

Strasbourg, 8 September 2026

*Dear President Nolan and Members of the European Committee of Social Rights,
Dear Judges,
Dear guests,*

It is my great pleasure to welcome you, on behalf of all the Judges of the European Court of Human Rights, to our Human Rights Building.

I am glad to see so many Judges present, as well as Court and Council staff and members of the public, which clearly shows the high level of interest in this meeting.

I wish to thank in particular President Aoife Nolan, and Judge Šimáčková, President of Section V, for overseeing the preparation of today's meeting.

I also wish to thank Court Vice-President, Judge Ivana Jelić, and the Vice-President of the Committee, George Theodosis, for being the moderators of the two sessions; as well as all Judges and Committee Members who kindly agreed to participate in today's discussions.

Today's is really a joint event.

It is also a first of its kind.

Although exchanges of views and other interactions have taken place in the past, there has never yet been a thematic, public meeting between our institutions with so many Judges and Members being present.

Both our institutions have recently marked some significant anniversaries.

In November last year, here in Strasbourg, we celebrated the 75th anniversary of the European Convention on Human Rights.

In Chişinău, in March, we marked the 30 years of the Revised European Social Charter.

These two human rights instruments, the Charter and the Convention, have a shared origin and a shared purpose.

They both have their roots in the Universal Declaration of Human Rights, the "common standard of achievement for all peoples and all nations".

Both aim to transpose its aims and aspirations into binding international law.

Now, the role of the Convention, as we are often reminded, is to protect civil and political rights and freedoms.

Its counterpart, the Charter, often and rightly referred to as Europe's "social constitution" and the continent's primary roadmap to social justice, protects social and economic rights.

But we all know that this division is not watertight.

Many of the civil and political rights protected by the Convention have clear social or economic implications.

And similarly, social and economic rights are inherently political.

By adding solidarity, protection and participation to civic freedoms and liberties, social and economic rights, too, ultimately work to ensure people's ability to fully take part in the civic and political life of society.

Securing social and economic rights directly and tangibly improves the social well-being and the political life of our communities.

Conversely, "[d]ifficulty to guarantee social rights and deliver social justice is a major driver of distrust in public authorities and democratic institutions", as representatives of the member States [stated](#) very clearly in Chişinău last March.

President Nolan has also pointed out, in a speech given last year, to evidence linking "inequalities in social rights enjoyment" to "reduced confidence and commitment to democratic government".¹

In this sense, as Hannah Arendt has argued, all human rights, regardless of how they are labelled, are "political", in that they regulate the life and social relationships – the *vivre-ensemble* – of our communities.

Each of the themes selected for today's discussions: the rights of people with disabilities, and gender equality – illustrates this political dimension of human rights.

The Court has protected the autonomy and independence of persons with disabilities in numerous cases dealing with, for example, mobility and quality of life; access to healthcare; the right to vote; or the right to education.

The Committee, based on Article 15 of the Charter, has upheld the right of people with disabilities to housing, health, education, and social support.²

But, whatever the lens applied – the Convention's or the Charter's – the ultimate purpose served by this review is the same:

To ensure respect not only for the individual rights of those concerned, but more broadly – the full participation of people with disabilities in society, in particular in political and public life of the community.

To be able to speak, act, and appear in public, on a par with others.

The same is true of gender equality.

Whether it is the Court applying Article 14 of the Convention and its prohibition of discrimination;

¹ "The European Social Charter: The Right to Health Lodestar in European Human Rights law". Speech delivered at the Conference on the Protection of Health at the Council of Europe, 15 October 2025, <https://www.coe.int/en/web/european-social-charter/-/conference-on-the-protection-of-health-at-the-council-of-europe>

² For example, in the 2022 decision *European Disability Forum (EDF) and Inclusion Europe v. France*.

Or whether it is the Committee applying the Charter's Article E – the counterpart of Article 14 – or other substantive provisions;

Their respective review has, as its overarching objective, to achieve 'substantive equality' and social justice.

To ensure that every person, without discrimination based on sex, can fully participate in decision-making and society, and benefit, on equal terms, from the collective *bonheur social de la justice* advocated by Hans Kelsen.³

In addition to this shared objective, the Court and the Committee also have much in common in their respective work.

In many of its judgments, the Court has come to rely on the Committee's conclusions and positions, as well as to refer to the Charter provisions itself.

This is particularly common in cases concerning matters related to health, trade union rights; or social security.

For example, in *Humpert v. Germany* (GC, 2023), the Court referred to the Committee's finding of non-conformity with the Charter of the prohibition of strikes by all civil servants in the country.⁴

In *Bernotas v. Lithuania* (2024), a case related to social security matters, the Court made reference to the minimum pension amount according to the Committee.⁵

On disability rights, the Court has referred to Article 15 of the Charter, for example, in *G.L. v. Italy* (2020), a case concerning an autistic girl unable to obtain specialised assistance in order to continue education.

And the Court referred to the Charter in gender equality cases, for example, in *Pajqk and Others v. Poland* (2023) which concerned the retirement age of female judges⁶.

There are also areas where both the Court and the Committee have looked at the same issues, through their respective legal lens.

For example, in one of its cases, the Committee found municipal "anti-begging" decrees in France to be at variance with the Charter's protections against poverty, social exclusion, and the principle of non-discrimination.⁷

This naturally makes me think of how the Court has also dealt with the issue of begging in *Lacatus v. Switzerland* (2021), a case concerning fines and a prison sentence imposed for harmless begging.⁸

I see many more areas where our work is complementary.

Looking at the Committee's questions to State Parties for next reporting cycle⁹, I can see that they concern, for instance:

³ Kelsen, Hans, « *Qu'est-ce que la justice ? Suivi de Droit et morale* », 2012

⁴ *Humpert v. Germany* [GC], 2023

⁵ *Bernotas v. Lithuania*, no. 59065/21, 30 January 2024

⁶ *Pajqk and Others v. Poland*, nos. 25226/18 and 3 others, 24 October 2023

⁷ Decision on the merits: European Federation of National Organisations working with the Homeless (FEANTSA) and International Federation for Human Rights (FIDH) v. France, Complaint No. 224/2023, <https://hudoc.esc.coe.int/eng?i=cc-224-2023-dmerits-en>

⁸ *Lacatus v. Switzerland*, no. 14065/15, 19 January 2021

⁹ Targeted questions from the European Committee of Social Rights for the next statutory report, Group 2, To be submitted by States Parties not having accepted the collective complaints procedure by 31 December 2026. <https://rm.coe.int/2027-targeted-questions-rc-002-/48802c1f4a>

- “the availability and uptake of vaccines”: here one could cite the Court’s Grand Chamber case of *Vavříčka and Others v. the Czech Republic* (GC, 2021) which deals with compulsory childhood vaccination policy.

- or, questions about measures to protect from “environmental risks, including pollution and climate change (...) the physical and mental health of (...) older persons”. This obviously connects to the issues dealt with by the Court’s historic *Klimaseniorinnen* climate judgment.¹⁰

The Committee is also taking on some novel issues – for example, by questioning States on measures taken to protect children against AI generated on-line content, or against misinformation and harmful online manipulation.

These deeply sensitive – and thoroughly political – concerns, which are also increasingly being brought to our Court, are highly relevant in today’s world dominated by digital technologies and the increasing use of AI.

To conclude, I want to emphasise again how the Convention and the Charter are the two pillars of the Council of Europe human rights protection system.

I hope I can speak on behalf of everyone in this room when I express the wish that today’s meeting will lead to more regular and structured contacts.

I very much look forward to stimulating discussions and let me now hand over the floor to you, dear Aoife.

¹⁰ *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* [GC], no. 53600/20, 9 April 2024