

Abstract

This thesis focuses on the collective dimension of human rights. The focus of the interpretation is the analysis of the case law of the European Commission of Human Rights and the European Court of Human Rights. The work focuses on three rights protected by the European Convention on Human Rights. These rights are freedom of thought, conscience and religion, adjusted in Art. 9 of the ECHR, and the freedom of assembly and association, enshrined in Art. 11.

The first part briefly describes the evolution of the concept of human rights. More is devoted to two different sources, which had a great influence on rather individualistic conception of human rights. This is the Reformation and the Enlightenment. It also describes the documents, in which the human rights were firstly enshrined. These are the American Declaration of Independence, the Virginia Declaration of Rights, the Charter of Rights and the French Declaration of the Rights of Man and of the Citizen. In addition, it focuses on the adoption of the first international documents containing provisions on human rights, and on whether in these conventions or declarations the collective rights are enshrined. The conclusion of the first chapter presents the definitions of collective rights and also counter-arguments which are heard against this concept. It concludes to the fact that the concept of collective rights is not much extended in the human rights documents.

In the second part, then, the adoption and content of the European Convention on Human Rights and Fundamental Freedoms is briefly described. Greater attention is paid to freedom of thought, conscience and religion, where the center of interpretation is the manifestation of faith together with others, thus collective exercise of this freedom. From the collective rights of churches and religious communities the following are selected: the recognition of religious movements by the state, the internal autonomy of churches and religious associations, and the property of churches and religious communities, which are discussed in detail. The thesis also describes the principles of the application of freedom of assembly and association, which have undisputed collective aspect. As one of the types of associations, that the Article 11 protects, political parties are chosen, and these are discussed separately. Interpretation is concluded by the statement that within these three articles the collective rights may also be protected.