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The Range of Obligations of the States Parties in International Covenant of Economic, Social and Cultural Rights

*Mohammad Khalil Al- Musa **

ABSTRACT

It seems that contemporary legal discourse is based on the individualism because it seeks to respect individual rights and freedoms in the first place. This tendency is based on an argument which considers the obligations of the states parties on the covenant of economic, social and cultural rights. But the analysis of the covenants' provisions, particularly article (2/ 1) of the covenant; and the general comments of the economic, social and cultural committee show how much this argument is uncertain. The obligations driven from the covenant are, in accordance of some rights recognized by the covenant, immediate and of result. The economic, social and cultural committee enforced, through its general comments and concluding observations, a new approach related to the obligations of the states parties in the covenant based on: the obligation to respect, the obligation to protect and the obligation to fulfillment.

KEYWORDS: International human rights law, Human rights, The international covenant of economic, social and cultural rights, Individual rights and collective rights, Vertical effects and horizontal effects, Immediate obligations and progressive obligations, Obligation of result and obligation of means, Obligation to respect; obligation to protect and obligation to fulfillment, Right to work, Right of education, Right of health and syndical liberties.

* Department of General Law, Faculty of Law, Bahrain University, Bahrain. Received on 12/2/2004 and Accepted for Publication on 12/1/2005.