



Analysis of State Compliance Regarding International Human Rights Legal Frameworks

Daehee Cho^{1*}, Seoyeon (Iris) Kim²

1. Westtown School, 975 Westtown Road, West Chester, PA 19382, United States

2. North London Collegiate School Jeju, 33 Global edu-ro 145beon-gil, Daejeong-eup, Seogwipo-si, Jeju-do, 63644, South Korea

* Corresponding author email: daehee.cho@westtown.edu

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Abstract

Despite the existence of ICCPR and ICESCR, Civil and Political Rights and Economic, Social and Cultural Rights violations persist across states that have signed or ratified the covenants. This paper answers the question 'Why do these violations persist despite existing legal protections and what might improve state compliance?' The paper combines legal analysis of key treaty provisions with six case studies, three case studies for each covenant, tested against five hypotheses and a null hypothesis centred on state sovereignty. The main findings of the research are, first, Civil and Political Rights violations stem primarily from the weak enforcement mechanisms of the state and the vague treaty language supported by Korea, Iran and Latvia case studies, second, Economic, Social and Cultural Rights violations follow various combinations of reasons such as resource scarcity in Burundi, insufficient political will in the United States, and structural non-justiciability in India. The persistence of noncompliance is best explained not by a single failure of international law but by the distinct nature of the rights each covenant protects. To eliminate the compliance gap in each treaty requires targeted cause-specific reforms, such as clearer treaty definitions, conditional resource assistance, and compulsory human rights educational systems, rather than a single institutional fix. These findings suggest that improving compliance depends less on states relinquishing sovereignty and more on narrowing the specific legal, political, and institutional gaps that currently allow state sovereignty to be invoked as a justification for noncompliance.

Keywords

Human Rights; Human Rights Violations; International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); State compliance

Introduction

Any second, state authorities can arrest a journalist on false allegations, sentence a religious minority to death over a social media post or deny a dying child emergency healthcare simply because her father lacks a voter registration receipt.



To prevent such atrocities from happening, the United Nations established multilateral treaties like the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) to guarantee that freedom of expression remains the foundation stone of every free society. Under the ICCPR, freedom of opinion and expression are recognized as “indispensable conditions for the full development of the person” (United Nations, 2011), while ICESCR Article 11-1 obligates states to ensure the right to an adequate standard of living.

Despite these multilateral treaties existing, human rights violations and global economic hardships persist. As a 2024 statistics report by the World Bank indicates, almost 700 million people are suffering from extreme poverty (World Bank 2024). In terms of the ICCPR, governments often justify restrictions “under the guise of national security, public order, public health, and public morals, also known as ‘proportionality tests’” (Gunatilleke 2020), which are exacerbated by systemic flaws where treaty monitoring and enforcement structures are “woefully inadequate” (Hafner-Burton 2012). Regarding the ICESCR, scholars like Sengupta (2010) and Salomon (2011) demonstrate that poverty persists not simply from shortages, but from a “lack of political motivation” and structural inequality, while Verner’s (2007) examination of “Social resilience and Social Fragility in Haiti” and Ventura (2026) emphasize institutional weaknesses and conflicting international economic constraints.

Examining this topic is critically relevant and significant because human rights protections remain tenuous when international agreements lose their practical power against state self-interest and structural barriers. While existing literature criticizes weak enforcement and identifies root causes of non-compliance, it consistently fails to provide practical solutions to overcome these barriers. This research addresses that gap by comparing the ICCPR and ICESCR, illustrating the critical gap between reality and the covenants, and analyzing past enforcement successes alongside causes of non-compliance to propose a clear, realistic framework for strengthening treaty compliance.

The current international legal system lacks sufficient enforcement. People are not adequately educated about the necessary rights they deserve and which should be respected by their government. Lastly, the accessibility of courts is insufficient as people with no wealth cannot complain or protest against their government’s violations.

Even though the ICCPR and the ICESCR both exist to protect each state’s citizens’ human rights, violations of both civil and political rights and economic and social rights persist. Scholars have discussed various explanations, such as enforcement and resources, but rarely examine how these dynamics operate in relation to covenants simultaneously. This condition raises a central question: “Why do violations of both Civil and Political Rights and Economic and Social Rights persist, despite the existence of legal protections in the ICCPR and the ICESCR, and what might be done to improve state compliance?” Understanding the distinction matters because any effort to improve state compliance must first identify whether the underlying obstacle engenders a systematic violation of Human Rights, or is a practical limitation such as political unwillingness or institutional capacity.

Although both the ICCPR and ICESCR aim at the full realization of human rights, the gap between their legal guarantees and actual state compliance persists. The compliance gap in human rights law can be best explained by the distinct nature of political rights as opposed to economic and social rights. While the civil and political rights gap is largely due to the lack of enforcement mechanisms, the economic and social rights gap can be attributed to a lack of political will, enforcement, and resources. Comprehending these as distinct failures rather than a single predicament is essential in terms of designing effective remedies and closing the compliance gap persisting within the International Human Rights legal frameworks.

The paper proceeds in six parts. Part I reviews the existing literature on the violations of the ICCPR and the ICESCR, identifying the explanatory gaps. Part II addresses the methodology used to test these explanations, including the selection of the hypothesis. Part III assesses the essence of the covenants



and the articles and examines the similarities and differences between the ICCPR and the ICESCR. Part IV presents different case examples of human rights violations in terms of freedom of speech and poverty. Part V conducts a cross-cutting analysis on each hypothesis, measuring which case studies carry the best explanatory weight and how they interact with each other. Part VI presents the policy recommendations for improving state compliance before the paper concludes by synthesising these findings into a broader context.

Methods

To examine these factors, this research adopts both legal analysis and the case study methodologies to compare and contrast the different causes of ICCPR and ICESCR violations and to propose practical solutions. The legal analysis methodology is appropriate for examining how violations relate to national sovereignty and the weak enforcement mechanisms of international legal systems. Meanwhile, the case study approach provides direct empirical evidence of specific violations of human rights.

Results and Discussion

Statement of Hypothesis

Countries do not follow international human rights law because it lacks binding authority, as domestic laws can invalidate the enforcement of international legal frameworks. Countries often ignore international human rights law because they value state sovereignty over international legal systems. Since there is no ultimate mechanism of enforceability for these treaties, a nation's domestic laws will almost always take priority. Consequently, if a sovereign country decides its own laws come first, international agreements lose their power.

Hypothesis 1

Firstly, legal protections in both ICCPR and ICESCR are inadequate or underspecified. The vagueness embedded in both the ICCPR and ICESCR significantly contributes to noncompliance. For instance, Article 2, paragraph 1 of the ICESCR states that the rights should be realized to the “maximum of its available resources”; however, it does not specify what actually constitutes a state's maximum resource capacity (ICESCR, 1966). This ambiguity leaves the standard open to broad interpretation, which varies by state. Similarly, Article 19, paragraph 3 of the ICCPR states that rights are “subject to certain restrictions, but these shall only be such as are provided by law and are necessary” (ICCPR, 1966). Yet it fails to specify what qualifies as “necessary,” allowing states to justify limitations on rights that may far exceed the treaty's original intention.

Hypothesis 2

Second, countries justify the violation of human rights with the disguise of protecting their national security and public order. Under Article 18 of the ICCPR, everyone has the freedom to choose, change, and practice their religion or belief, either individually or with others, in both public and private spaces (ICCPR, 1966). However, a review of scholars' reports on freedom of expression and opinion violations reveals that governments often merge their responsibility for national security with religious norms, especially in traditionally religious nations, in order to suppress minority voices and preserve absolute power within the state.

Hypothesis 3

Third, there is a lack of enforcement mechanisms. Article 2, paragraph 3 of the ICCPR notes that individuals whose “rights or freedoms as herein recognised are violated shall have an effective remedy”



directly addressing justiciability and enforcement actions; however, its practical effectiveness varies depending on each country's domestic legal system (ICCPR, 1966). Furthermore, Article 2, paragraph 1 of the ICESCR emphasizes "achieving progressively the full realization of the rights" (ICESCR, 1966). This reliance on progressive development undermines immediate enforceability, ultimately leaving human rights violations without immediate judicial remedy.

Hypothesis 4

Fourth, compliance is hampered by a lack of resources, particularly in developing regions such as African nations. Article 2, paragraph 1 of the ICESCR states that the effective implementation of human rights relies heavily on the amount of resources available within a state (ICESCR, 1966). However, many African countries face severe resource constraints, making them far less likely to achieve the full realization of human rights without financial support from other nations.

Hypothesis 5

Fifth, a lack of political commitment severely weakens international human rights treaties, regardless of scarce resources. Even though some scholars argue that the major predicament of the ICESCR is due to the limited amount of resources available within the states, political commitment inside a country ultimately dictates the effectiveness of the treaty. For instance, Arjun Sengupta's case study on poverty in the United States demonstrates that resource availability does not correspond with poverty reduction (Sengupta, 2010). Instead, the case study reveals another limitation of the ICESCR, showing how the lack of political commitment can obstruct the realization of human rights, even when a state has sufficient resources.

Part III: Legal Analysis

ICCPR

The International Covenant on Civil and Political Rights, specifically Article 19, Article 2, and Article 4 are the legal frameworks that are the legal provisions central to this analysis. The ICCPR matters most to the research question because it is often neglected and mentioned the most in regard to freedom of speech. The ICCPR is designed to protect freedom of expression adequately. However, the ICCPR currently has weak points which provide legal loopholes and heavily depend on domestic legal systems that states exploit to suppress freedom of speech. It matters to the research question because the purpose of this research is to evaluate how state non-compliance is allowed by the international treaty itself and ultimately recommend a solution.

The primary authority of the ICCPR is the UN Human Rights Committee in General Comment No.34. Article 19 of the ICCPR broadly protects the right to "seek, receive, and impart information of all kinds across borders" (ICCPR, 1966). Additionally, in Article 19 paragraph 3, it mentions that "there could be restrictions to respect the rights of others or for the protection of national security, public order, public health or morals" (ICCPR, 1966).

Evidently, the rules regarding possible "restrictions" are too broad and can be interpreted however the state wants it to be interpreted as. Specifically, the terms "public order" and "public morals" in Article 19 paragraph 3 lack clear definition in international law, granting states a wide exception of suppressing freedom of opinion and expression. Moreover, the ICCPR lacks centralized enforcement mechanisms. There are multiple cases where the Human Rights Committee have identified violation of human rights, but it seems to lack the power to punish states for violating the ICCPR, leaving enforcement totally dependent on the state's government's willingness to comply.



Article 2 of the International Covenant on Civil and Political Rights requires states to respect and ensure all covenant rights for its citizens disregarding race, color, sex, language, religion, political beliefs, or other status. To achieve this, Article 2(3)(a)-(c) outlines that in order to fulfill the treaty, a state must provide domestic remedies to the violated. First, states should provide an “effective remedy” to anyone whose rights were violated. Second, states must ensure that everyone seeking justice has an opportunity to get a hearing by an official court. Lastly, states must ensure that the person actually receives the help or remedies they were promised. However, simply writing these rules into law is not enough to ensure state compliance with the ICCPR. According to General Comment No. 3, “the implementation does not depend solely on constitutional or legislative enactments, which in themselves are often not per se sufficient”(General Comment, 1981) . Moreover, for these treaties to actually work, the committee emphasizes that education is essential, noting that “all administrative and judicial authorities should be aware of the obligations which the State party has assumed”(General Comment, 1981).

Article 4 of the ICCPR allows governments to “derogate” from certain human rights obligations during an officially proclaimed emergency, which is when a nation is threatened(General Comment, 2001). However, this power is strictly limited. First, emergency measures should be limited: “measures are limited to the extent strictly required by the exigencies of the situation”(General Comment, 2001). This prevents governments overreacting and disregarding the proportionality test. Second, the government must immediately tell other states through the United Nations Secretary-General about the exact rights that will be suspended and an explanation why(ICCPR Article 4, paragraph 3). Lastly and most importantly, Article 4 of the ICCPR and the general comment of its state core human rights which cannot be taken away under any circumstances. The core human rights includes: “right to life, prohibition of torture, and freedom of thought, conscience, and religion”(ICCPR). According to General comment No.29, the ultimate goal during a national security crisis must always be the “restoration of a state normalcy where full respect for the Covenant can again be secured”(General Comment No.29 paragraph 1). Therefore, Article 4 plays a key role of being a safeguard. Even when a crisis challenges a nation’s ability to protect its people, governments cannot use national security as an excuse or justification to ignore international law and abuse their citizens to maintain their power.

ICESCR

The legal framework most central to this paper’s research question is Article 2-1 of the ICESCR. It establishes the mechanism through which all substantive rights in the Covenant, including the right to an adequate standard of living under Article 11, are meant to be realised. This provision matters because it does not impose an immediate obligation of result, as ICCPR does, but rather a duty of conduct; states must “take steps to the maximum of its available resources with a view to achieving progressively the full realisation” of the rights recognised.

The essence of the Article 2-1 lies in its conditional progressive nature. Unlike a rule that specifies a fixed standard of compliance, it ties the pace of realization to a state’s resource capacity and permits fulfillment “by all appropriate means”, a phrase that is left entirely undefined within the treaty text. This vagueness is not incidental but reflects a deliberate compromise intended to accommodate states with different economic capacities. However, it also means that terms central to state accountability (maximum, available resources, appropriate means) function more as an open standard than as enforceable rules. As Robertson stated, without objective criteria for measuring what constitutes a state’s maximum available resources, it becomes difficult to distinguish between states that are genuinely resource constrained and those that are simply unwilling to prioritise ESCR compliance. This ambiguity creates space for states to invoke Article 2-1 defensively, framing the noncompliance as a resource limitation even where the underlying cause is political rather than due to the limited resources.

Article 11-1 is the substantive provision through which poverty is most directly framed as a human rights violation rather than a purely economic condition. The article recognizes "the right of everyone to an



adequate standard of living... including adequate food, clothing and housing, and to the continuous improvement of living conditions," while requiring states to "take appropriate steps to ensure the realization of the right" This provision establishes the legal baseline against which state conduct – such as the persistence of extreme poverty in Burundi, the United States, or elsewhere – can be evaluated as the violation of human rights rather than dismissed as an unfortunate but legally neutral social outcome.

The essence of Article 11-1 mirrors the interpretive looseness of Article 2-1, which carries no measurable threshold, giving states wide discretion over what level of provision satisfies the right. The policies link to "international co-operation based on free consent" and further allow states to attribute continued deprivation to insufficient external assistance rather than domestic policy failures. This ambiguity directly informs the case studies depicted below.

Part IV: Case Study

Case Study 1

This case study examines the United Nation Human Rights Committee's response to South Korea's violation of Kim's right to freedom of expression to test three hypotheses: International agreements lose their power because sovereign countries prioritize their own domestic laws and lack an external system to enforce them; Governments often restrict freedom of expression under the guise of national security just to maintain their absolute power; and, while the multilateral treaties regarding international human rights mandate effective remedies for rights violations, its enforcement remains inconsistent because it ultimately depends on the strength and compliance of each country with its domestic laws.

This case is selected because it is a clear example of a nation violating a human rights treaty despite signing it. In addition, this case happened during a crucial period of political transition in South Korea, which reveals how freedom of expression is essential for a democratic state. During the 1990s, South Korea was in an era of transition, moving away from an authoritarian military dictatorship and moving towards a democratic state.

The 1998 case *Kim v. The Republic of Korea* was brought by Keun-Tae Kim, a South Korean citizen who was arrested and imprisoned for distributing political documents. These documents criticized his own government's policies and advocated for national reunification. The government falsely accused Kim of advocating for North Korea under its National Security law, using confessions obtained through physical and mental torture to claim his writings promoted communist ideologies associated with North Korea. However, the United Nations Human Rights Committee concluded that the South Korean government committed a major human rights violation by going against Article 19 of the ICCPR. The Committee ruled that the state had stripped Kim from his fundamental right to hold and peacefully express political opinions without harming national security (United Nations, 1998).

The case proves the hypothesis. Despite the appeals from international human rights groups, Amnesty International designated Kim as a "Prisoner of Conscience," and Kim received the Robert F. Kennedy Memorial Award for Human Rights. Nevertheless, Mr. Kim remained isolated in jail (Chira, 1988). The South Korean government's neglect of the appeals demonstrates that states frequently disregard international human rights treaties when domestic political interests or regime stability are at stake. The United Nations Human Rights Committee only intervening after the violation occurred highlights the lack of an immediate, external enforcement system which will prevent nations from prioritizing their own values instead of international legal systems.



The case also supports this hypothesis. The South Korean government actively weaponized its ongoing conflict with North Korea as an excuse to protect its authoritarian power. By framing pro-democracy advocates as communists and North Korean spies; the government effectively undermined efforts to bring democracy to the country with the excuse of maintaining national security and public order. The South Korean government's complete disregard for human rights is also proved as they used severe physical and mental torture to get false confessions, which was needed to prove their narrative. Because the United Nations Human Rights Committee ruled that Kim's political beliefs and activities did not actually harm South Korea's national security, it is clear that national security was just an excuse instead of a legitimate reason.

The case also supports this hypothesis. The case reveals that the South Korean government completely ignored Article 19 of the ICCPR while claiming to "protect" its national security. Instead of respecting international human rights treaties, the government prioritized absolute control over its citizens, directly violating the ICCPR. This case demonstrates how without a country's willingness to comply with the international legal systems with its domestic legal system, the enforcement of the treaties like ICCPR are inconsistent and weak.

Case Study 2

This case study examines the United Nations Human Right Council's reaction regarding Iran's violation of Kasra Nouri's right to freedom of expression. This case was selected because it clearly shows how and why nations violate human rights despite signing international treaties like the ICCPR. Using this case clearly reveals how international legal frameworks are constantly challenged by global politics and historical context. Furthermore, researching this case allows for a deeper examination of how countries balance national security against freedom of expression and opinion, especially since states seem to prioritize their immediate security over international treaties.

The 2018 case of Kasra Nouri v. Iran clearly reveals how a government violates the right to freedom of expression. Kasra Nouri, a journalist and a Gonabadi Dervish religious minority, was arrested for reporting on peaceful protests(USCIRF, n.d.). The Iranian government accused Kasra Nouri for threatening national security. The government emphasized Nouri's religious identity and his journals to claim he was trying to cause chaos and insult Islamic values. However, the International Human Rights organizations and the United Nations experts sent letters raising serious concerns regarding Iran violating Article 19 of the ICCPR as Kasra Nouri did not threaten nor harm Iran's national security. They stated that the government wrongfully punished Nouri for practicing his religion and peacefully sharing information with the public.

This case proves hypothesis 3, proving that International agreements lose their power because sovereign countries prioritise their own domestic laws and lack an external system to enforce them. This is better understood with the context that starting from late 2017, Iran had its largest protest which was ignited by high unemployment rate, inflation, and government corruption(BBC, 2018). Additionally, on June 7, 2017, "ISIS committed shooting and bombing attacks towards the Iran Parliament building and the Mausoleum of Ruhollah Khomeini in Tehran, leaving 12 civilians dead and 42 wounded"(Winsor, 2017). For a few months before Nouri was arrested, the Iranian government struggled with the constant threat of terror from ISIS and continuous protests from its citizens.

This case proves hypothesis 2. In other words, the case proves that governments often restrict freedom of expression and religion under the guise of national security just to maintain their absolute power. "In July 2018, Nouri was reportedly sentenced to 12 years in prison, 74 lashes, two years in exile, two years of deprived social rights, and a two-year travel ban"; he received such punishment due to "Illegal Assembly, Public Disorder Spreading Propaganda & False or Misleading Ideas, Information, or Materials Unlawful Disobedience"(USCIRF, n.d.).



By utilizing the chaotic state of the nation, the Iranian government suppressed Kasra Nouri as he was writing articles that criticized the government. This case demonstrates how, especially authoritarian, states conflate religious identity and journalism with existential threats to national security, using harsh rulings to silence dissent for their domestic power.

Case Study 3

This case study examines the European Convention on Human Rights' response to Latvia violating a journalist's right to freedom of opinion and expression. The case of Nagla v. Latvia is chosen because it is a rare, concrete example of a state complying with international human rights remedies rather than neglecting them. Unlike most of human rights rulings that fail to enforce remedies, this case illustrates how a state compensated the journalist. Utilizing this case will provide a vital insight for the enforcement mechanisms of international human rights treaties.

The Nagla v. Latvia case, placed at the European Court of Human Rights, addressed the Latvian police's sudden search and investigation of journalist Ilze Nagla's house and the seizure of her digital storage devices after she claimed a massive security leak in the State Revenue database. The search happened three months after Nagla mentioned the nickname "Neo" in her broadcast; the Latvian government searched and seized Nagla's digital storage without any approval from its judicial authorities (Human Rights Guide, n.d.). The ECHR ruled that the Latvian government's action violated Article 10 of the European Convention on Human Rights, which clearly established that a journalist's right to protect their sources is part of freedom of expression (Voorhoof, 2013).

The case proves hypothesis 3, demonstrating that states prioritize domestic issues over international human rights treaties, but it also uniquely illustrates the opposite: states could prioritize international human rights treaties over domestic interests. Despite Latvia prioritizing the investigation of the hacker "Neo" and therefore violating Nagla's rights, Latvia ultimately complies with the international framework due to its enforcements. This is proven by the fact that the Latvian government fully complied with the court's ruling and ultimately paid remedies to the Latvian journalist Ilze Nagla: "EUR 10,000 in respect of non-pecuniary damage" (Voorhoof, Dirk, 2013). And since then, this case makes it self-explanatory why Latvia and other European countries follow the ECHR-consistent and legal enforcement.

This case proves hypothesis 2 by illustrating how governments often restrict freedom of expression under the guise of national security. At first, Latvia's primary motivation was to identify and punish "Neo", the hacker responsible for leaking sensitive information from the State Revenue Service database. However, as they were investigating the incident and securing evidence, the Latvian police and government bypassed judicial approval which was there to serve as legal safeguards. Instead of getting approval, they executed a sudden search and seized Nagla's digital storage devices. Eventually, the ECHR recognized that the investigation itself to catch "Neo" wasn't illegal or violating human rights. However, the government's aggressive methods totally violated Nagla's right to freedom of expression. During the case, the ECHR emphasized that the press wasn't an escape for criminals but a necessary check on state power in case of emergency. By prioritizing the prosecution of "Neo", this case, Latvia clearly demonstrates how easily "national security" can be weaponized to justify the suppression of free expression and journalism.

Case Study 4

The case of the United States, Burundi, and India demonstrates three different aspects of the reasons why poverty still exists and violates human rights, even though these countries have signed the ICESCR. Unlike Burundi and India, which are state parties to the ICESCR, the United States has signed but never ratified the Covenant. The United States presents a compelling case study for examining why economic and social



rights violations persist despite the existence of international legal protections. As one of the wealthiest nations in the world, the US does not fit the conventional reason for the causation of poverty which is primarily from a lack of resources. This makes it a useful case as a contrast, showing that resource abundance does not by itself produce the realization of economic, social, and cultural rights, allowing this paper to examine Hypotheses 1 (inadequate legal protections) and 5 (lack of political commitment) in a controlled setting where resources cannot serve as the primary explanation. Despite the US's status as a high-income country, the United States continues to exhibit significant levels of poverty and inequality. As of 2024, the official poverty rate stood at 10.6%, leaving 35.9 million people in poverty despite a slight decline from the previous year (United States Census Bureau, 2025). Sengupta's investigation into extreme poverty in the US demonstrates that severe deprivation exists even where the states possess more than sufficient resources to address it, framing this persistence as a human rights violation rather than merely an economic outcome. Turning to the United States' legal relationship with the ICESCR itself, while the US signed the Covenant in 1977, it has never ratified it (Sengupta, 2010). Thus, it cannot be treated as legally equivalent to a State party failing to comply with its treaty obligations; rather signature alone does not create binding treaty obligations under international law – it merely obligates the state not to act in ways that would defeat the treaty's object and purpose, falling well short of the "appropriate means" required under Article 2-1.

This gap between formal engagement and legal obligation is not merely technical. The US's continued refusal to ratify the ICESCR, despite decades of persistent poverty, reflects a broader pattern of domestic political resistance to treating economic and social rights as enforceable legal entitlements. Unlike civil and political rights (ICCPR), which are largely protected through the US Constitution and are therefore treated as justiciable, rights such as housing, healthcare, and an adequate standard of living have historically been addressed as a discretionary domestic policy and market mechanisms rather than binding legal commitments. This helps explain why the United States can simultaneously present itself as a global advocate for human rights while poverty remains a harsh societal predicament, and become an outlier among high-income democracies in its non-ratification of the ICESCR.

This background sets up two central observations that this case study will examine. First, that the persistence of poverty in the US cannot be attributed to a lack of resources and second, that its unratified status exemplifies how states can avoid entering into binding legal commitments. This distinction reflects a broader misconception that Cerqueira directly challenges in his analysis of ICESCR enforceability. He argues that ICESCR are frequently treated as merely aspirational, when in fact they carry a binding legal nature comparable to ICCPR once a state has ratified the relevant treaty (Cerqueira, 2016). Applied to the case of the US, this suggests that the absence of ratification is not a neutral or procedural gap, but a deliberate mechanism through which the United States avoids the binding obligations that ratification would otherwise impose. This reflects that the ICESCR's unratified status allows the US to avoid the binding legal accountability that Cerqueira argues.

As outlined above, two observations follow. First, the severity of poverty in the US does not correlate with the resources available to the state, supporting Sengupta's argument that political prioritisation, not material capacity and amount of resources, is the binding constraint on realising economic and social rights. Second, the United States' five-decade status as an unratified state functions as the deliberate political choice through which the state avoids binding accountability. Together, these observations suggest that poverty in the US persists not from insufficient resources, but from political unwillingness and the strategic avoidance of legal commitment.

The case of the United States demonstrates that the persistence of poverty as a human rights violation cannot be explained by resource scarcity alone. Rather, it confirms that political unwillingness (Hypothesis



5) and structural weaknesses in treaty enforcement (Hypothesis 1) together allow violations to persist even under otherwise favourable material conditions.

Case Study 5

The case of Burundi examines hypotheses 4 and 5. Burundi is one of the most impoverished nations in the world. They ranked 187th out of 193 countries on the 2024 Human Development Index; approximately 80% of its population lives in multidimensional poverty, with an additional 15% at risk of falling into it (Denning, 2026). Burundi's food insecurity affects roughly 15% of its population (Concern Worldwide, n.d.). These directly link to the violation of Economic, Social and Cultural Rights in the aspect of access to an adequate standard of living.

Burundi, as depicted above, is a country with various societal predicaments as an undeveloped country. The country has ratified both the ICCPR and ICESCR, and its constitution formally incorporates the rights enshrined in these treaties. Unlike the United States, Burundi's failure to realise the right to an adequate standard of living cannot be attributed to an absence of a binding legal commitment. Instead, the roots of the country's poverty lie in a combination of severe resource constraints and decades of political instability. Since gaining independence in 1962, Burundi has experienced recurring civil conflict and periods of violence that have repeatedly damaged infrastructure, disrupted agricultural production, and stalled national development of the country. The consequences of this instability are reflected in Burundi's human development outcomes, which is confirmed as the country ranks 187th out of 193 nations on the 2024 Human Development Index, and its maternal mortality rate, with nearly 500 deaths per 100,000 live births. Along with this, an ongoing food crisis sees 15% of the country facing acute food insecurity and the world's highest rate of childhood malnutrition. These conditions illustrate a distinct cause from the American case. (Concern Worldwide, n.d.) While the United States' case illustrates the importance of political commitment and how the ambiguity of the article provides a compromise to the government not to be critical of the crisis and lack enforcement, Burundi's case conveys the hypothesis of the lack of resources, political commitment, and also lack of enforcement.

The slow-growing pace of Burundi's GDP is largely due to the Burundian Civil War that persisted from 1993 to 2005. After the war ended, however, the new president of Burundi, Pierre Nkurunziza's rule from 2005 to 2020 took the shape of an authoritarian one-party system. The Human Rights Watch documented how this consolidation of power directly infringed on the Burundi citizens' Economic, Social, and Cultural Rights (HRW, 2019). In the 2020 elections, Nkurunziza's ruling party mobilised its youth league, the Imbonerakure, to forcibly collect voluntary contributions from citizens by restricting access to markets, water, and healthcare facilities for those who could not prove payment. One farmer from Kirundo province, interviewed in March 2019, described that the members of the Imbonerakure enforced the levy with intimidation regardless of the house's ability to pay: "They don't care if you're poor, they come with bats and clubs. We know we have to contribute, so even if we don't have money, we let our children go hungry to pay." (HRW, 2019). Along with it, access to the healthcare system was denied on the same basis. A man with a physical disability told researchers that his 12-year-old daughter was turned away from a hospital during an emergency because he could not produce an election receipt (HRW, 2019). Human Rights Watch thereby concluded that this practice violated Burundi's ICESCR obligations, as the daily necessities and healthcare systems, which are a cornerstone of the adequate standard of living, became contingent on political loyalty rather than a basic guaranteed right (HRW, 2019).

The Burundi case demonstrates that poverty is a human rights violation which cannot be reduced to resource scarcity alone, even though its status as a developing nation could lead to the assumption that resource scarcity is the only cause. While the severe underdevelopment in the country substantiates Hypothesis 4 (Lack of resources), the government's use of coercive contributions shows Hypothesis 5 (Lack



of political commitment). This distinguishes Burundi from the United States' case, whereas the United States illustrates how sufficient resources can still fail to produce compliance due to a lack of political will; Burundi illustrates how a state can subvert the binding treaty obligations through deliberate policy even with a lack of resources.

Case Study 6

The case of India examines Hypothesis 3 (Lack of enforcement), which examines how the persistence of poverty can stem from the structural inability of courts to directly enforce Economic, Social and Cultural Rights. Unlike the case of the United States and Burundi, India's constitution directly addresses ESCR, but does so in a way that denies them direct legal force, making it a useful case for isolating justiciability itself.

The Indian Constitution classifies Economic and Social rights, access to an adequate standard of living (ICESCR), under the Directive Principles of State Policy. However, its' Article 37 of the Indian Constitution, explicitly declares non-justiciable – meaning they cannot be directly enforced by the court. This structural gap left pavement and slum dwellers without a direct constitutional basis to contest the Bombay Municipal Corporation's 1981 decision to demolish their dwellings. The Supreme Court responded in *Olga Tellis v. Bombay Municipal Corporation* (1985) by reading the right to livelihood into Article 21's guarantee of the right to life reasoning that no person can live without the means of living (Constitution of India, 1950).

This case substantiates Hypothesis 3 in a distinctive way rather than lacking judicial engagement altogether; India's judiciary compensates for the non-justiciability of ESCR by the Government's constitution. While the Court recognised livelihood as part of the right to life, it simultaneously upheld the municipality's power to evict the very dwellers whose livelihood depended on their pavement dwellings, offering only humane treatment rather than a substantive remedy. This outcome illustrates that even when a right is judicially recognized, its enforcement remains constrained by the absence of a direct, justiciable ICESCR's framework.

Hence, the Indian case demonstrates that the persistence of poverty as a rights violation can result not from an absence of judicial will, but from a constitutional structure that denies enforceability. The United States illustrates an unwillingness to bind its politics to treaty obligations, and Burundi illustrates a state that has actively suffered due to the lack of resources as well as the government's oppression.

Part V: Cross-Cutting Analysis

An alternative explanation holds that states disregard international human rights law not because of resource constraints or a lack of political will specifically towards human rights law. They prioritise sovereignty as they view external legal obligations as constraints on their domestic policy-making autonomy rather than a framework. Yet this explanation struggles to account for what the case studies actually reveal.

Under Article 19 paragraph 3 of the ICCPR, it says the right to freedom of expression could be a subject of restriction under "the protection of national security or public order". However, the terms, "protection of national security and public order", lack clear definition in the ICCPR, ultimately causing states to evade its responsibilities to respect and ensure civil and political rights. For the case of *Kim v. Republic of Korea*, the government utilized the vagueness of the definition in order to frame peaceful, democratic documents as communist threats under its domestic national security law. Similarly, the Iranian government exploited the unclear broad terms in the case of *Kasra Nouri v. Iran*. Iran framed Nouri's journalism and religious minority identity with public disorder and spreading propaganda to maintain political control during an unstable domestic period. In both cases, the ICCPR's broad and vague wording allowed certain states to interpret "national security" whatever they wanted, transforming a legal safeguard into a tool of suppression. In both



cases, the ICCPR's vague wording did not simply go unenforced—it was actively repurposed as a tool of suppression, suggesting that the deeper problem lies in textual ambiguity rather than sovereignty alone.

This ambiguity is compounded, in both cases, by the state's use of identity and ideology to justify restriction. Especially in traditionally religious states, the government's political legitimacy is directly linked with its traditional religion. In the case of *Kasra Nouri v. Iran*, the Iranian government did not just arrest Nouri for his criticism against the government; they highlighted Nouri's religious identity as he was a religious minority in Iran. The Iranian government emphasized Nouri's religious identity in order to charge him of "spreading propaganda, public disorder, and unlawful disobedience". By doing this, the state framed Nouri's journalistic expression as a direct attack on Islamic values and second, utilized its national security as it was an unstable time period as the ISIS attacked Tehran in 2017(case was early 2018).

South Korea's democratic transition in the 1990s took place during a highly polarized, anti-communist paradigm. Kim's arrest under National Security Law was invoked by his political documents advocating for reunification of the peninsula. Instead of religion, the South Korean government utilized ideology to suppress freedom of expression even though the expression did not actually threaten national security. In both instances, the vagueness identified above was not merely exploited passively but actively weaponized through appeals to religious or ideological legitimacy.

This pattern points to a further, related failure: the absence of meaningful enforcement once such violations occur. For the *Kim vs. Republic of Korea* case, the United Nations Human Rights Committee formally declared that South Korea committed a major human rights violation against its own citizens. Similarly, for *Kasra Nouri*, demonstrating that without binding enforcement mechanisms, the ICCPR remains largely powerless against sovereign state non-compliance. Turning to economic and social rights, a different pair of explanations emerges.

In contrast to regional legal systems like the ECHR, the United Nations Human Rights Committee lacks binding authority. The ECHR, in fact, states clear legally binding judgments under Article 46 so that the legal framework can "facilitate the rapid and effective correction of a defect identified in the national system of human-rights protection"(ECHR). Similarly, the Inter-American Human Rights System is capable of practicing specific structural legal reforms, emergency provisional measures, and mandatory reparations. Therefore, while regional legal systems like the ECHR and IACHR restrict sovereign autonomy through formal judicial enforcement, the UN covenant framework overly relies on voluntary compliance, leaving the legal system ineffective against determined state non-compliance.

Economic and Political rights are strongly connected and are interdependent. When states suppress freedom of expression and silence political dissent, its government won't be held accountable, resulting in the lack of necessities for life. Conversely, socioeconomic deprivation limits states' citizens ability to fully exercise their political freedom.

Across the case studies, Burundi offers the clearest support for the hypothesis that lack of resources stimulates noncompliance with Economic, Social and Cultural Rights obligations. As one of the most impoverished nations in the world, Burundi ranks 187th out of 193 countries on the 2024 Human Development Index and holds the lowest nominal GDP per capita globally. Though there is a formal ratification of the ICESCR, the state's capacity to fulfil the adequate standard of living from Article 11 is highly unprotected by the covenant. This hypothesis is supported not only by the existence of poverty, but also by its structural origins: decades of civil conflicts disrupted agricultural production and the development of infrastructure, leaving the state with a genuinely limited amount of resources. The United States, by contrast, demonstrates that resource scarcity cannot be the whole story.



The case study of the United States provides proper support for the hypothesis that lack of political commitment engenders noncompliance with Economic, Social and Cultural Rights. The United States case complicates a purely resource-based explanation, as poverty persists there despite the state's evident capacity to address it. Sengupta's analysis of extreme poverty in the US demonstrates that the severity of deprivation does not correlate with the resources available to the state, indicating that policy choices and political prioritisation, rather than material capacity, are the primary constraints on compliance. Read together, the Burundi and US cases suggest that noncompliance with economic and social rights obligations follows two distinct pathways rather than one: a state may fail to comply because it genuinely lacks the resources to do so, or because it has the resources but lacks the will.

Part VI: Recommendations

Ultimately, the recommendations all call for stronger enforcement and eventually better compliance with international human rights treaties. As the previous case study revealed, international legal systems like the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are extremely vulnerable to global politics and domestic interests. Consequently, they are often pushed to the bottom of government agendas.

First, to improve the compliance of the ICESCR, especially poverty, regional organizations should focus on providing resources to states where human rights violations due to lack of resources persist. To do this, regional institutions must ensure that the funds they provide are used properly to alleviate the citizen's standard of living. Hence, they should first condition financial flow for the states, to ensure that the states are actually using the money to reduce poverty.

This proposal is indeed a well intentioned strategy; however, this approach has several critical limitations. First, cutting off funding in response to states violating the ICESCR will exacerbate the human rights situation because ordinary citizens are likely to be more harmed than the leaders of the country. Second, regional states to states monitoring has a vulnerability of countries abusing credibility for global politics.

To mitigate these risks, regional organizations should establish a multilateral monitoring system, where neighboring states collectively judge compliance and fund allocation. By allocating oversight across multiple states rather than a single state that has a risk of credibility abuse, this mechanism reduces the political manipulation and ensures the practical enforcement of the funding system.

Second, the United Nations Human Rights Committees should define specific terms of the ICCPR and the ICESCR clearly in order to prevent states finding loopholes within the treaty, especially regarding religion and national security. Inspired by General Comments that the United Nations Human Rights Committee published, interpretations and clear borders of the treaty should be defined within the international legal framework. This approach is far more effective than drafting entirely new treaties, which would likely face lower adoption rates from member states.

This recommendation faces some practical limitations. First, General Comments are interpretive guides rather than legally binding papers, which means that states still have the choice to neglect the new and clear interpretations without facing legal consequences. Additionally, clarifying the text doesn't completely solve the United Nation's lack of enforcement mechanisms but simply suggest new interpretations.

To strengthen the enforcement of the ICCPR and ICESCR, states should expand individuals' access to justiciability by incorporating the UN human rights treaty body as a persuasive and eventually binding authority within the domestic courts. Rather than bypassing the domestic judicial system directly, this approach will render domestic courts a substantive weight to the committee findings, particularly involving



the cases of corruption of government and misconduct of the high-level commissions, reducing the current reliance on domestic compliance with the international rulings.

To build durable domestic pressure for compliance, educational systems should incorporate content on human rights violations and practical avenues for civic response, rather than treating human rights as an abstract legal subject disconnected from lived experience. This approach would render future generations better equipped to recognise violations as they occur and to engage with both domestic and international accountability mechanisms, rather than solely relying on the government's enforcement. By providing an educational system on general human rights as a compulsory education, citizens would be able to know if their government is failing to meet its obligations provided by the ICCPR and ICESCR, rather than remaining unaware that such protections exist at all. International courts and treaty bodies should support this process by actively partnering with domestic human rights movements, such as providing technical resources and platforms.

Conclusion

For civil and political rights, the main issue is the lack of enforcement and vague treaty interpretations that states can easily exploit. For economic and social rights, the main issues are the lack of resources and the lack of states' political will. After thorough analysis of several human rights violation cases, it is now apparent that states use the vague "national security" laws to restrict political rights. Certain states simply lacked the resources to provide adequate living standards while some simply lacked the political commitment to end poverty. Ultimately, these cases reveal how states most of the time prioritize their own sovereignty and domestic interests rather than international human rights agreements.

The thesis is strongly proven by the case studies. For political rights, South Korea and Iran didn't simply neglect international human rights law with the excuse of sovereignty but the vague definition of "national security" to justify their actions. This proves that the real problem is the lack of compliance and enforcement rather than the balancing of sovereignty and international legal systems itself. For the economic and social rights, national sovereignty is more invalid. Burundi's failure to provide adequate living standards is not a choice to protect its sovereignty but a result of the lack of resources. One might argue that the United States has the resources but it still has poverty. Well, that is mostly due to the lack of political will to solve poverty. Therefore, even though sovereignty is respected, the lack of compliance gap is persistent because of specific issues of enforcement, resources, and political commitment.

Addressing these compliance gaps requires solutions tailored to each cause of non-compliance, rather than a single solution. Where states exploit vague terms like "national security" to restrict human rights, UN human rights committees should define these terms more precisely through General Comments, narrowing the interpretive loopholes that currently let states justify restrictions, even though such guidelines remain non-binding. Where enforcement itself is the barrier, domestic courts should treat treaty body findings as persuasive and, eventually, binding authority, giving individuals a path to hold their own government accountable without relying on international treaty bodies with limited enforcement power. Where the problem is resource scarcity, as in Burundi, regional institutions should condition financial assistance on demonstrated poverty reduction outcomes, while there is a risk that withdrawing funds over noncompliance could end up harming ordinary citizens more. And when the problem is the political will, as in the United States, sustained compliance ultimately depends on public pressure. Hence, embedding human rights education in schools and having international courts actively support domestic rights movements matters as much as financial support.

Taken all together, these recommendations support a broader shift in how compliance should be pursued, not asking states to give up their sovereignty, but narrowing its specific gaps – vague treaty language, weak



enforcement, resource shortages, and absent political will – which let governments justify their non-compliance behind sovereignty. By treating each predicament as a separate and addressable problem, the ICCPR and ICESCR can turn from an idealised text into an enforceable commitment.

The research paper mainly focuses on the freedom of expression and opinion under the ICCPR treaty and an adequate standard of living or poverty under the ICESCR. Despite the rights covered in this research paper being essential, because of the specific focus of this study, countless other human rights listed in international legal frameworks that are being violated could not be addressed. Therefore, future researchers in this field are encouraged to conduct further research into these other human rights violations. For example, future studies could explore specific pathways of how regional human rights systems or domestic courts apply international human rights law into enforceable mechanisms to the full realisation of human rights as designed by the ICCPR and ICESCR covenant.

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References

- Amnesty International. (1991, April 30). South Korea: Prisoner of conscience: Kim Keun-tae. <https://www.amnesty.org/en/documents/asa25/012/1991/en/>
- Baig, K. (2024). Analyzing the enforceability of the provisions of ICCPR (case study non-derogable rights in the public emergency). *Pakistan Research Journal of Social Sciences*, 3(2). <https://prjss.com/index.php/prjss/article/view/107>
- BBC. (2018, January 2). Iran protests: Why is there unrest? BBC News. <https://www.bbc.com/news/world-middle-east-42544618>
- Carpenter, D. (2017). So made that I cannot believe: The ICCPR and the protection of non-religious expression in predominantly religious countries. *Chicago Journal of International Law*, 18(1), Article 6.
- Cerqueira, D. (2016, February 3). Enforceability of economic, social and cultural rights: Historical background, legal basis and misleading assumptions. O'Neill Institute for National and Global Health Law. <https://oneill.law.georgetown.edu/enforceability-of-economic-social-and-cultural-rights-historical-background-legal-basis-and-misleading-assumptions/>
- Chira, S. (1988, September 2). Seoul journal; Tortured dissenter lives to see far better days. *The New York Times*. <https://www.nytimes.com/1988/09/02/world/seoul-journal-tortured-dissenter-lives-to-see-far-better-days.html>
- Concern Worldwide. (n.d.). Burundi. <https://www.concern.net/where-we-work/burundi>
- Council of Europe. (n.d.-a). Freedom of expression: Landmark judgments. <https://www.coe.int/en/web/human-rights-convention/expression1>
- Council of Europe. (n.d.-b). Guide on Article 46 of the European Convention on Human Rights: Binding force and execution of judgments. https://ks.echr.coe.int/documents/d/echr-ks/guide_art_46_eng



Davenport, K. (2025, February). The Joint Comprehensive Plan of Action (JCPOA) at a glance. Arms Control Association. <https://www.armscontrol.org/factsheets/joint-comprehensive-plan-action-jcpoa-glance>

Denning, L. (2026, March 22). Everything you need to know about poverty in Burundi. The Borgen Project. <https://borgenproject.org/about-poverty-in-burundi/>

European Court of Human Rights. (2013, July 16). Nagla v. Latvia (Application no. 73469/10). <https://hudoc.echr.coe.int/eng?i=001-122374>

Government of India. (1950). The Constitution of India. Legislative Department, Ministry of Law and Justice. <https://www.legislative.gov.in/constitution-of-india/>

Gunatilleke, G. (2020). Justifying limitations on the freedom of expression. *Human Rights Review*, 22(1), 91–108. <https://doi.org/10.1007/s12142-020-00608-8>

Hafner-Burton, E. M. (2012). International regimes for human rights. *Annual Review of Political Science*, 15(1), 265–286. <https://doi.org/10.1146/annurev-polisci-031710-114414>

Hameed, S., & Naveen, S. (2024). Violation of freedom of speech and expression: A critical study on the arrest and detention of the Indian journalist, Sidheeq Kappan. *European Journal of Arts, Humanities and Social Sciences*, 1(6), 144–152. [https://doi.org/10.59324/ejahss.2024.1\(6\).15](https://doi.org/10.59324/ejahss.2024.1(6).15)

Heymann, J., Sprague, A., Raub, A., & Moseneke, D. (2020). The right to education: A foundation for equal opportunities. In *Advancing equality: How constitutional rights can make a difference worldwide* (1st ed.). University of California Press. <http://www.jstor.org/stable/j.ctv1f8854w.13>

Howie, E. (2017). Protecting the human right to freedom of expression in international law. *International Journal of Speech-Language Pathology*, 20(1), 12–15. <https://doi.org/10.1080/17549507.2018.1392612>

Human Rights Committee. (1981). CCPR general comment No. 3: Article 2 (Implementation at the national level). United Nations.

Human Rights Committee. (1998, November 3). Kim v. Republic of Korea (Communication No. 574/1994). United Nations. <https://juris.ohchr.org/casedetails/804/en-US>

Human Rights Committee. (2001, August 31). CCPR general comment No. 29: Article 4: Derogations during a state of emergency. United Nations. <https://www.refworld.org/legal/general/hrc/2001/30676>

Human Rights Committee. (2011, July 29). General comment No. 34: Article 19 (Freedoms of opinion and expression). United Nations. <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

Human Rights Guide. (n.d.). Nagla v. Latvia. <https://www.ljudskaprava.hr/case-law/nagla-v-latvia>

Human Rights Watch. (2019). World report 2019: Burundi. <https://www.hrw.org/world-report/2019/country-chapters/burundi>

Humanists International. (2017, June 13). Anti-terrorism court hands down death sentence over "blasphemous" Facebook post. Humanists International. <https://humanists.international/2017/06/anti-terrorism-court-hands-death-sentence-blasphemous-facebook-post/>



Inter-American Commission on Human Rights. (n.d.). The Inter-American human rights system. Organization of American States. <https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/caribe/iahrs.asp>

Iran Human Rights Documentation Center. (2025, July). Dawn of a new era in Iran: Protests of December 2017–January 2018. <https://iranhrdc.org/dawn-of-a-new-era-in-iran-protests-2017-2018/>

Li, L. (2024). Research on the interaction between international law and domestic law based on the perspective of international politics. SHS Web of Conferences, 200, 01017. <https://doi.org/10.1051/shsconf/202420001017>

Nixon, A. G. (2020). "Non-religion" as part of the "religion" category in international human rights. Religions, 11(2), 79. <https://doi.org/10.3390/rel11020079>

Robertson, R. E. (1994). Measuring state compliance with the obligation to devote the "maximum available resources" to realizing economic, social, and cultural rights. Human Rights Quarterly, 16(4), 693–714. <https://doi.org/10.2307/762565>

Rouf, A., & Azah, N. (2025). Enforcement challenges in human rights protection under international law. International Journal of Law, 1. <https://journal.berkahopungpungan.com/index.php/IJL/article/view/52>

Salomon, M. E. (2011). Why should it matter that others have more? Poverty, inequality, and the potential of international human rights law. Review of International Studies, 37(5), 2137–2155. <http://www.jstor.org/stable/41308448>

Sengupta, A. (2010). Extreme poverty and human rights: A case study of the United States of America. The Bangladesh Development Studies, 33(1/2), 275–310. <http://www.jstor.org/stable/23339889>

Ssenyonjo, M. (2017). The influence of the International Covenant on Economic, Social and Cultural Rights in Africa. Netherlands International Law Review, 64(2), 259–289. <https://doi.org/10.1007/s40802-017-0091-4>

Strydom, H. (2019). The protection of economic, social and cultural rights in international law. Constitutional Review, 5(2), 222–247. <https://doi.org/10.31078/consrev522>

Supreme Court of India. (1985). Olga Tellis v. Bombay Municipal Corporation, 1985 SCR (3) 545.

The Straits Times. (2017, August 8). Atheist Republic members need to be tracked down, says Malaysian cabinet minister. The Straits Times. <https://www.straitstimes.com/asia/se-asia/atheist-republic-members-need-to-be-tracked-down-says-malaysian-cabinet-minister>

United Nations. (1966a). International Covenant on Civil and Political Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

United Nations. (1966b). International Covenant on Economic, Social and Cultural Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

United States Census Bureau. (2025, September 9). Poverty in the United States: 2024. <https://www.census.gov/library/publications/2025/demo/p60-287.html>

United States Commission on International Religious Freedom. (n.d.-a). Ahmad Al-Shamri. <https://www.uscirf.gov/religious-prisoners-conscience/forb-victims-database/ahmad-al-shamri>



United States Commission on International Religious Freedom. (n.d.-b). Kasra Nouri.
<https://www.uscirf.gov/religious-prisoners-conscience/forb-victims-database/kasra-nouri>

Ventura, M. (2026). Tensions of social human rights in ensuring access to medicines. *Ciencia e Saude Coletiva*, 31(1). <https://doi.org/10.1590/1413-81232026311.14302025en>

Verner, D., Kuttner, S., Egset, W., & World Bank. (2007). Conclusion: Breaking out of the conflict-poverty trap. In *Social resilience and state fragility in Haiti*. World Bank.
<http://www.jstor.org/stable/resrep02483.10>

Voorhoof, D. (2013). European Court of Human Rights: Case of Nagla v. Latvia.
https://www.researchgate.net/publication/293819065_European_Court_of_Human_Rights_Case_of_Nagla_v_Latvia

Winsor, M. (2017, June 8). ISIS claims deadly attacks on Iran parliament, shrine. ABC News.
<https://abcnews.go.com/International/isis-claims-deadly-attacks-iran-parliament-shrine/story?id=47882328>

World Bank. (2024). Poverty, prosperity, and planet report 2024: Pathways out of the polycrisis.
<https://www.worldbank.org/en/publication/poverty-prosperity-and-planet>

Authors

Daehee Cho is a rising junior at Westtown School. Born and raised in South Korea, he moved to the United States to study abroad in 2024. Daehee's interest in international relations comes from a childhood fascination with military history, which has since expanded to include law and philosophy—specifically freedom of expression, a topic he explored deeply during this research program. After graduating high school, Daehee plans to major in political science or pursue pre-law in college.

Seoyeon Kim is a rising senior at North London Collegiate School Jeju. Born and raised in South Korea, she moved to the International School on Jeju Island to study in 2022. Her commitment to human rights started when she founded a Burundi service project, with a focus on poverty alleviation. Her academic interest has expanded to include international law, philosophy, and sociology. After graduation, she plans to major in Human Rights and pursue a Juris Doctor Degree. Her long-term career aspiration is working with the United Nations Development Programme and practising as an international human rights lawyer.