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Human needs as the foundation of legal regulation: Concept, essence, classification, and related terminology

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Summary: 1. Introduction. 2. Literature review. 3. Materials and methods. 4. Results. 4.1. Legal definition and conceptual distinction of needs in legal regulation. 4.2. Functional typology of needs and normative patterns of their legal relevance. 4.3. Judicial transformation of needs-related conditions in ECHR and CJEU case law. 4.4. Five forms of legal transformation: From factual condition to legal standard. 5. Discussion. 6. Conclusions. 7. References.

Abstract: The purpose of the article is to explain how needs-related conditions acquire legal relevance within selected European judicial reasoning without being transformed into autonomous subjective rights. The study was conducted in 2024–2025 as a doctrinal and interpretative legal inquiry focused on selected case law of the European Court of Human Rights and the Court of Justice of the European Union. International human rights instruments and the Constitution of Ukraine were used only as contextual normative materials for clarifying the legal categories applied in the examined judicial reasoning. The case-law sample consisted of eight purposively selected decisions: five ECtHR cases and three CJEU cases. The research shows that a need, in the limited doctrinal sense used in this article, may be understood as an objectively significant condition of existence, agency, or participation that becomes legally relevant only through recognized legal forms, including dignity, rights, guarantees, state obligations, vulnerability assessment, minimum standards of protection, and judicial review criteria. The article distinguishes need, interest, value, dignity, and vulnerability as related but non-identical categories with different legal functions. It also develops a limited functional typology of protected conditions reconstructed from the examined

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materials: existential, socio-economic, autonomy-related, equality and inclusion-related, and protective needs. The analysis identifies five analytical forms of legal transformation observed within the selected sample: axiological, normative, threshold-based, interpretive, and institutional. The selected ECtHR cases mainly show dignity-related threshold reasoning, while the selected CJEU cases more often reveal the role of equality, citizenship, participation, and proportionality. The findings demonstrate that needs-related conditions matter in the examined materials as mediated legal criteria, not as direct sources of law. Therefore, the results should be read as a focused doctrinal reconstruction of selected European judicial patterns rather than as a comprehensive theory of human needs in law.

Keywords: Human Needs, Legal Regulation, Human Dignity, Social Rights, Legal Institutionalization, International Human Rights Law, Constitutional Law

1. Introduction

The central difficulty in needs-based legal reasoning is not whether the basic conditions of human existence matter for law, but how they acquire legal relevance without being transformed into autonomous subjective rights. Existing studies usually examine separate socio-economic rights, vulnerable groups, or specific welfare guarantees. They less often explain the legal mechanism through which existential and socio-economic requirements are transformed into rights, duties, guarantees, and standards of judicial review. This problem is reinforced by terminological uncertainty between need, interest, dignity, vulnerability, and value. It also reflects a deeper tension between positivist legal reasoning and human-centred approaches to law. Within the limited framework of this article, the problem is examined not as a universal theory of all legal systems, but as a doctrinal and conceptual question arising from selected international human rights instruments, European judicial reasoning, and the Constitution of Ukraine as an illustrative national framework. This article does not treat needs as a source of law independent of positive legal norms. Rather, it argues that basic conditions of human existence become legally relevant only when they are mediated by recognized legal categories, including dignity, socio-economic rights, vulnerability, proportionality, and minimum standards of protection. This argument is therefore limited to the selected normative and judicial materials analyzed in the study and should not be read as a claim about the uniform operation of needs-based reasoning across all jurisdictions. In this sense, the legal significance of needs depends not on their direct textual recognition as separate rights, but on the way particular legal instruments and courts translate deprivation, agency, and dignity-related conditions into normative consequences.

The theoretical basis of the article combines needs theory, the capabilities approach, theories of justice, and constitutional rights theory. Doyal and Gough conceptualize needs as objective conditions for avoiding serious harm, especially where health and autonomy are at stake². Sen's capability approach shifts attention from formal entitlement to the real freedoms through which persons can act, participate, and pursue valued forms of life³. Nussbaum further develops this approach by linking dignity, vulnerability, and basic capabilities with the minimum

² Doyal, L., & Gough, I.A. *A theory of human need*. Macmillan. 1991. Available at: <https://link.springer.com/book/10.1007/978-1-349-21500-3> (accessed on 15 March 2026).

³ Sen, A. *Development as freedom*. Alfred A. Knopf. 1999. Available at: https://raggeduniversity.co.uk/wp-content/uploads/2025/01/1_x_senDevelopmentasFreedom-_compressed.pdf (accessed on 15 March 2026).

conditions of a life worthy of human beings⁴. Rawls's theory of justice provides an institutional framework for understanding why legal and political systems require a baseline of primary goods⁵. Alexy's theory of constitutional rights clarifies how rights operate as principles that require balancing and proportionality⁶. Dworkin's rights-based jurisprudence, in turn, supports the view that rights impose normative constraints on state discretion and cannot be reduced to policy preferences⁷. These theories are used here as conceptual reference points rather than as a basis for deriving general conclusions about the structure of every legal order. Their function is to support a narrower legal inquiry into how selected legal materials mediate between factual conditions of life and normative recognition.

Recent legal scholarship increasingly connects basic conditions of existence with socio-economic rights, dignity, vulnerability, and the right to an adequate standard of living. Boyle et al.⁸ analyze economic, social, and cultural rights as part of the international human rights framework for access to social justice. Cresswell Riol and Connelly⁹ show that dignity can serve as a lens for understanding food-related deprivation not merely as a social problem, but as a legally significant condition. Morris¹⁰ demonstrates that vulnerability and care ethics influence the interpretation of socio-economic rights, especially where deprivation exposes a person to serious harm. Meanwhile, O'Connell¹¹ emphasizes that socio-economic rights remain theoretically contested, particularly in the debate between programmatic state obligations and enforceable subjective rights. Zheng¹² approaches the right to an adequate standard of living as a broader legal form capable of integrating different material conditions of human existence. For the purposes of this article, these works are not treated as an exhaustive map of needs-based legal scholarship. They are used to identify the main doctrinal tensions relevant to the narrower question of legal mediation between deprivation, dignity, vulnerability, and rights.

The reviewed scholarship remains fragmented. One group of studies explains needs through socio-economic rights; another connects them with dignity and vulnerability; a third examines welfare guarantees, social justice, or an adequate standard of living. However, these approaches rarely offer a legal model explaining the transition from factual need to normative relevance. This gap matters because legal regulation cannot operate with needs as purely moral or sociological facts. It must identify the legal forms through which deprivation, dignity-related conditions, and minimum standards become relevant for law-making, constitutional

⁴ NUSSBAUM, M. C. *Frontiers of justice: Disability, nationality, species membership*. Belknap Press of Harvard University Press. 2006. Available at: <https://www.hup.harvard.edu/books/9780674024106> (accessed on 15 March 2026).

⁵ RAWLS, J. *A theory of justice* (Rev. ed.). Belknap Press of Harvard University Press. 1999. Available at: <https://www.jstor.org/stable/j.ctvkjb25m> (accessed on 15 March 2026).

⁶ ALEXY, R. *A theory of constitutional rights* (J. Rivers, Trans.). Oxford University Press. 2002. Available at: <https://global.oup.com/academic/product/a-theory-of-constitutional-rights-9780199584239> (accessed on 15 March 2026).

⁷ DWORKIN, R. *Taking rights seriously*. Harvard University Press. 1977. Available at: <https://www.hup.harvard.edu/books/9780674867116> (accessed on 15 March 2026).

⁸ BOYLE, K.; CAMPS, D.; ENGLISH, K.; FERRIE, J. "The international human rights framework for economic, social and cultural rights", in *Access to social justice*, 2025, pp. 42–85. <https://doi.org/10.51952/9781529237924.ch002>

⁹ CRESSWELL RIOL, K.; CONNELLY, S. "Human dignity as a lens and framing of food charity", *Geography Compass*, 19(12), 2025. <https://doi.org/10.1111/gec3.70054>

¹⁰ MORRIS, K. "Vulnerability, care ethics and socioeconomic rights", *Human Rights Law Review*, 23(4), 2023. <https://doi.org/10.1093/hrlr/ngad028>

¹¹ O'CONNELL, P. "Socio-economic rights redux", *King's Law Journal*, 36(2), 2025, pp. 315–337. <https://doi.org/10.1080/09615768.2025.2567047>

¹² ZHENG, Z. "The right to an adequate standard of living", in *The legal issues of the emerging rights*, Springer, 2024, pp. 287–342. https://doi.org/10.1007/978-981-97-0499-6_9

interpretation, and judicial review. At the same time, the present article does not attempt to close this gap for all branches of law or all national legal systems. Its contribution is more modest: it reconstructs a limited doctrinal model on the basis of selected international, European, and Ukrainian materials.

The article therefore addresses the following research question: how do selected international, European, and Ukrainian legal materials transform basic human needs into legally relevant standards without recognizing them as autonomous legal norms? The novelty of the article lies in developing a limited legal transformation model that explains how needs move from factual conditions of human existence to legally relevant standards through dignity, vulnerability, social rights, and judicial interpretation. Unlike studies that treat needs mainly as moral or social facts, this article conceptualizes them as mediated legal criteria and distinguishes five forms of their legal transformation: axiological, normative, threshold-based, interpretive, and institutional. In this article, the axiological dimension refers to the value-based role of dignity and human worth in justifying legal protection. These five forms are proposed as analytical categories derived from the selected materials, not as universally applicable stages of legal development.

The purpose of this study is to explain how basic human needs acquire legal relevance within the selected international human rights instruments, European case law, and the Ukrainian constitutional framework by defining their legal meaning, developing a legal typology according to their function in legal regulation, and distinguishing them from related categories such as interest, value, dignity, and vulnerability. The study is doctrinal and conceptual rather than empirical. It does not measure the factual satisfaction of needs, but analyzes how legal instruments and judicial reasoning make basic conditions of existence legally relevant. Accordingly, the article does not claim statistical representativeness, comprehensive comparative coverage, or empirical verification of social conditions. Its conclusions are limited to the doctrinal patterns identified in the analyzed sources.

To achieve this purpose, the article pursues four objectives. First, it defines human needs as a legally relevant, but not autonomous, category of legal regulation within the selected doctrinal framework. Second, it develops a typology of needs according to their legal function. Third, it distinguishes need, interest, value, dignity, and vulnerability as related but non-identical legal categories. Fourth, it identifies the mechanisms through which needs are transformed into legal standards in normative instruments and judicial reasoning. These objectives are formulated in line with the narrowed scope of the study and are intended to support analytical reconstruction rather than broad generalization.

2. Literature review

The legal relevance of needs-related conditions in European human rights and EU legal reasoning cannot be adequately explained only through the language of positive legal norms. It also requires a theoretical account of why some forms of deprivation become legally significant in judicial and doctrinal contexts. In this regard, Doyal and Gough's theory of need remains a useful point of reference, since it treats needs not as subjective preferences, but as objective conditions required to avoid serious harm and to sustain health and autonomy¹³. For the purposes of this article, however, their theory is used only as a conceptual background for understanding deprivation-related conditions, not as a basis for constructing a general theory of law. The capabilities approach develops this logic in a more explicitly normative direction. Sen¹⁴ shifts the focus from formal entitlement to real

¹³ Doyal, L., & Gough, I. *A theory of human need*. Macmillan. 1991. *Ibid.*

¹⁴ Sen, A. *Development as freedom*. Alfred A. Knopf. 1999. *Ibid.*

freedoms and agency, while Nussbaum¹⁵ links dignity with a threshold of central capabilities that must be secured for a life worthy of human beings. These ideas are relevant here because they help explain why courts may treat material deprivation, dependency, or exclusion as legally significant when such conditions affect dignity, autonomy, or participation. Rawls's theory of justice adds an institutional dimension to this discussion by explaining why a fair legal order requires a baseline of primary goods¹⁶. In constitutional theory, Alexy¹⁷ clarifies how rights operate as principles that require balancing and proportionality, whereas Dworkin¹⁸ treats rights as constraints on state discretion rather than merely as policy preferences. Taken together, these theories provide a limited conceptual background for the article's doctrinal analysis of selected ECtHR and CJEU reasoning, especially where deprivation is mediated through dignity, proportionality, equality, and rights-based interpretation.

A different but closely related body of scholarship approaches deprivation through socio-economic rights. Boyle et al.¹⁹ examine economic, social, and cultural rights as part of the international human rights framework for access to social justice. O'Connell²⁰ emphasizes that socio-economic rights remain theoretically contested, particularly where the doctrine oscillates between their understanding as enforceable rights and their treatment as programmatic state obligations. Zheng²¹ conceptualizes the right to an adequate standard of living as a broader legal form capable of integrating different material conditions of life. More specific rights-based studies also support this direction: Elver²² examines the right to food as a response to material deprivation, while Khalabudenko²³ analyzes the legal nature and possible implementation of the right to adequate housing. In the Ukrainian context, Chepik-Trehubenko and Chernobuk²⁴ argue that crisis and wartime conditions reveal the limits of merely formal recognition of socio-economic rights if legal guarantees do not respond to actual living conditions. This approach is valuable because it links material deprivation with legal obligations. However, for the narrower focus of this article, its limitation lies in the fact that it often examines separate rights without explaining how deprivation-related factual conditions are transformed into legal standards within European judicial reasoning.

The dignity-based approach offers another important explanation of why material and deprivation-related conditions matter for law. McCrudden's influential analysis of dignity and judicial interpretation shows that dignity can operate not only as a symbolic value, but also as an interpretive principle through which abstract rights acquire concrete meaning²⁵. James^{26,27} develops this logic in the

¹⁵ NUSSBAUM, M. C. *Frontiers of justice: Disability, nationality, species membership*. 2006. Ibid.

¹⁶ RAWLS, J. *A theory of justice* (Rev. ed.). 1999. Ibid.

¹⁷ ALEXY, R. *A theory of constitutional rights* (J. Rivers, Trans.). 2002. Ibid.

¹⁸ DWORKIN, R. *Taking rights seriously*. 1977. Ibid.

¹⁹ BOYLE, K.; CAMPS, D.; ENGLISH, K.; FERRIE, J. "The international human rights framework for economic, social and cultural rights". 2025. Ibid.

²⁰ O'CONNELL, P. "Socio-economic rights redux". 2025. Ibid.

²¹ ZHENG, Z. "The right to an adequate standard of living". 2024. Ibid.

²² ELVER, H. "Right to food", *Journal of Agricultural and Environmental Ethics*, 36(4), 2023. <https://doi.org/10.1007/s10806-023-09916-8>

²³ KHALABUDENKO, O. A. "The right to adequate housing: Its legal nature and possible ways of implementation", *International Scientific Journal Internauka*, 12, 2023. <https://doi.org/10.25313/2520-2308-2023-12-9535>

²⁴ CHEPIK-TREHUBENKO, O.; CHERNOBUK, V. "Social and economic rights of citizens in Ukraine: Regarding the issue of ensuring in a state of war", in *Débats scientifiques et orientations prospectives du développement scientifique*, 2025. <https://doi.org/10.36074/logos-04.04.2025.010>

²⁵ MCCRUDDEN, C. "Human dignity and judicial interpretation of human rights", *European Journal of International Law*, 19(4), 2008, pp. 655–724. <https://doi.org/10.1093/ejil/chn043>

context of food, dignity, and rights-based policy, arguing that deprivation may require legal assessment not only in quantitative terms, but also through the qualitative conditions of a dignified life. Edeji²⁸ similarly connects dignity with the right to education in international human rights law, showing that access to education cannot be reduced to formal availability if dignity-related conditions are ignored. Mantu²⁹ adds a further dimension by showing that formal equality may be insufficient for migrant EU citizens where legal regulation does not take actual living conditions, access to benefits, and integration opportunities seriously. The dignity-based literature is important because it explains why deprivation matters for law. Yet within the ECtHR and CJEU context, dignity must be distinguished from need, value, interest, and vulnerability, since each category performs a different function in judicial reasoning.

Vulnerability and deprivation scholarship helps to clarify how courts and legal institutions respond to situations where material conditions, dependency, or exclusion fall below an acceptable threshold. Morris³⁰ demonstrates that vulnerability and care ethics influence the interpretation of socio-economic rights, especially where deprivation exposes a person to serious harm. Glasman³¹ offers a critical warning against the excessive quantification of needs in humanitarian and legal discourses, since numerical assessment may obscure the anthropological and dignity-related meaning of deprivation. Environmental and educational rights scholarship also contributes to this discussion, although more indirectly. Kron³² links the right to a healthy environment with material conditions of life, while Moriayasu et al.³³ show that the realization of the right to education depends on the socio-economic conditions of different population groups. These studies are useful because they move legal analysis closer to the lived conditions of persons and groups. At the same time, vulnerability-based reasoning may narrow the legal relevance of needs to exceptional cases of extreme deprivation, rather than explaining how courts use vulnerability as one doctrinal technique among others, alongside dignity, proportionality, equality, citizenship, and minimum-threshold reasoning.

The literature therefore reveals several unresolved tensions that are directly relevant to the selected European judicial framework. First, socio-economic rights are still interpreted either as enforceable legal claims or as programmatic duties of

²⁶ JAMES, C. "Food, dignity, and the European Court of Human Rights", *Legal Studies*, 44(3), 2023. <https://doi.org/10.1017/lst.2023.34>

²⁷ JAMES, C. "The role of dignity in rights-based food policy in the UK", *King's Law Journal*, 36(2), 2025, pp. 338–359. <https://doi.org/10.1080/09615768.2025.2546654>

²⁸ EDEJI, O. C. "Intersections of the right to education and human dignity in international human rights law: A purpose-based analysis", *Laws*, 14(3), 2025. <https://doi.org/10.3390/laws14030033>

²⁹ MANTU, S. "When equal treatment is not enough: Human dignity for migrant EU citizens", *European Papers*, 3(2), 2018, pp. 885–908. Available at: <https://www.europeanpapers.eu/e-journal/when-equal-treatment-not-enough-human-dignity-migrant-eu-citizens> (accessed on 15 March 2026).

³⁰ MORRIS, K. "Vulnerability, care ethics and socioeconomic rights". 2023. *Ibid.*

³¹ GLASMAN, J. "Humanitarianism and the quantification of human needs: Minimal humanity by Joël Glasman", *International Review of the Red Cross*, 106(925), 2024, p. 329–349. <https://doi.org/10.1017/S1816383124000389>

³² KRON, A. "At the frontlines of implementing the right to a healthy environment", *International Review of the Red Cross*, 105(924), 2023. Available at: <https://international-review.icrc.org/articles/at-the-frontlines-of-implementing-the-right-to-a-healthy-environment-924> (accessed on 15 March 2026).

³³ MORIAYASU, C. et al. "Realizing the right to education for all: Approaches to removing barriers based on gender, disability, and socioeconomic status in 193 countries", *International Journal of Educational Development*, 117, 2025. <https://doi.org/10.1016/j.ijedudev.2025.103348>

the state³⁴. Second, needs theory and the capabilities approach treat basic conditions of life as normatively important, whereas positivist legal reasoning requires their mediation through recognized legal forms such as rights, duties, principles, and standards^{35,36,37,38,39}. Third, dignity can function both as a universal value and as a threshold standard for judicial assessment, which makes its relationship with deprivation legally important but conceptually unstable^{40,41,42}. Fourth, the relationship between universal basic requirements and contextual vulnerability remains unresolved: Doyal and Gough⁴³ emphasize objective needs, while vulnerability-oriented scholarship stresses concrete social and institutional circumstances⁴⁴. For this article, the most important implication of these tensions is not the construction of a universal theory of human needs in law, but the need to clarify how selected ECtHR and CJEU judgments translate deprivation, dependency, and vulnerability into legally relevant standards.

The reviewed scholarship shows that needs-related conditions are already discussed across several bodies of legal literature: theories of need, capabilities, justice, socio-economic rights, dignity, vulnerability, social justice, and welfare guarantees. Yet these strands remain insufficiently integrated for the narrower doctrinal question addressed here. They do not sufficiently clarify how selected European courts transform deprivation-related factual circumstances into legal relevance through dignity, vulnerability, equality, citizenship, proportionality, and minimum standards of protection. The literature therefore provides the necessary conceptual materials, but it does not yet offer a sufficiently focused doctrinal model of judicial transformation within the ECtHR and CJEU framework. What remains insufficiently developed is a framework showing how factual deprivation becomes legally relevant through recurring forms of European judicial reasoning, including axiological, normative, threshold-based, interpretive, and institutional forms. This article addresses that gap by examining how selected ECtHR and CJEU judgments, together with relevant international and Ukrainian constitutional materials, transform deprivation, dependency, and vulnerability into legally relevant standards rather than by proposing a general theory of needs in law.

3. Materials and methods

The research was conducted in 2024–2025 within a doctrinal, interpretative, and focused European case-law framework. Its purpose was to explain how basic conditions of human existence acquire legal relevance in selected ECtHR and CJEU reasoning through dignity, socio-economic rights, vulnerability, proportionality, minimum standards of protection, and judicial interpretation. Relevant international and constitutional materials were used only as contextual sources for clarifying the legal categories applied in the selected European judicial practice. The study is doctrinal and conceptual rather than socio-empirical. It does not measure the factual satisfaction of needs in specific societies. Instead, it examines how selected

³⁴ O'CONNELL, P. "Socio-economic rights redux". 2025. Ibid.

³⁵ Alexy, R. *A theory of constitutional rights* (J. Rivers, Trans.). 2002. Ibid.

³⁶ Dworkin, R. *Taking rights seriously*. 1977. Ibid.

³⁷ Doyal, L., & Gough, I. *A theory of human need*. Macmillan. 1991. Ibid.

³⁸ Nussbaum, M. C. *Frontiers of justice: Disability, nationality, species membership*. 2006. Ibid.

³⁹ Sen, A. *Development as freedom*. Alfred A. Knopf. 1999. Ibid.

⁴⁰ JAMES, C. "Food, dignity, and the European Court of Human Rights". 2023. Ibid.

⁴¹ MANTU, S. "When equal treatment is not enough: Human dignity for migrant EU citizens". 2018. Ibid.

⁴² MCCRUDDEN, C. "Human dignity and judicial interpretation of human rights". 2008. Ibid.

⁴³ Doyal, L., & Gough, I. *A theory of human need*. Macmillan. 1991. Ibid.

⁴⁴ MORRIS, K. "Vulnerability, care ethics and socioeconomic rights". 2023. Ibid.

judicial decisions, legal texts, and doctrinal sources translate basic conditions of existence into legally relevant standards.

The methodological design was chosen because the article addresses a conceptual legal problem: needs are not usually formulated as autonomous legal norms, yet they influence the content of rights, state duties, constitutional guarantees, and judicial thresholds. For this reason, the analysis focused not on statistical regularities, but on the legal forms through which deprivation, dignity-related conditions, and socio-economic requirements become relevant for judicial reasoning and doctrinal interpretation. The doctrinal literature was selected through a targeted search in Scopus, Web of Science, HeinOnline, Google Scholar, and official institutional legal databases, including UN and Council of Europe resources, HUDOC, CURIA, and the official legislative database of Ukraine. The search covered publications from 1991 to 2025, with earlier foundational works included where necessary for theoretical grounding. The year 1991 was selected as the starting point because Doyal and Gough's theory of human need provided the principal theoretical reference point for the review; earlier works, including Rawls and Dworkin, were included as foundational legal-philosophical sources. These sources were used to support a narrower doctrinal reconstruction, not to justify universal conclusions about all legal systems.

The search terms included "human needs", "basic needs", "socio-economic rights", "economic and social rights", "human dignity", "adequate standard of living", "vulnerability", "capabilities approach", "legal regulation", "constitutional rights", "proportionality", and "judicial interpretation". Additional case-law-oriented terms included "European Court of Human Rights", "Court of Justice of the European Union", "Article 3 ECHR", "EU citizenship", "non-discrimination", "degrading treatment", and "proportionality review". The final set of sources was formed after screening titles, abstracts, and full texts for relevance to the research question.

Sources were included if they addressed the relationship between basic conditions of existence and legal rights, duties, guarantees, dignity, vulnerability, capabilities, or judicial reasoning. Sources were excluded where the language of needs was used only descriptively, without legal or normative analysis, or where the source did not contribute to the conceptual distinction between need, interest, value, dignity, and vulnerability. Foundational works on the theory of needs, capabilities, justice, and legal rights were included because they provide the conceptual framework for interpreting needs as legally mediated criteria rather than as independent sources of law. The normative material was selected according to three criteria. First, the instrument had to contain standards related to dignity, adequate standard of living, social protection, socio-economic rights, or minimum conditions of protection. Second, the instrument had to clarify legal categories later examined in the selected ECtHR and CJEU reasoning, rather than serve as an independent level of broad comparative analysis. Third, it had to show how basic conditions of existence are translated into rights, duties, guarantees, or minimum standards.

On this basis, the study used the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the European Convention on Human Rights, the European Social Charter (Revised), and the Constitution of Ukraine as contextual normative materials. The Ukrainian constitutional framework was used only as a limited illustrative national reference point, not as a basis for generalizing about all national legal orders and not as a separate object of comparative constitutional analysis.

Dogmatic analysis was operationalized through five analytical indicators: the protected legal interest, the legal form of protection, the type of state obligation, the degree of normative specificity, and the availability of judicial or institutional enforcement. Each instrument was examined according to these indicators in order to determine whether basic conditions of existence appear as values, rights, duties,

minimum standards, interpretive criteria, or institutional guarantees. This stage did not aim to compare universal, regional, and national systems as complete legal orders. Its function was to identify the normative vocabulary through which the selected European courts frame deprivation, dignity, vulnerability, and socio-economic protection. Interpretative analysis was applied to the categories of "need", "interest", "value", "human dignity", and "vulnerability". These concepts were compared according to four criteria: their legal meaning, their function in legal regulation, their relationship to rights and duties, and their role in judicial reasoning. This procedure made it possible to distinguish categories that are often used together but do not perform identical legal functions.

In the study, "need" was treated as a basic condition of existence or agency; "interest" as a legally relevant orientation toward a protected good; "value" as a normative justification of legal protection; "dignity" as a constitutional and human rights standard that mediates between deprivation and legal protection; and "vulnerability" as a contextual condition that may intensify the need for state protection or judicial review. These working definitions were used not as abstract philosophical definitions, but as analytical tools for assessing how selected European judicial reasoning transforms factual deprivation into legal relevance. The case-law sample was purposive rather than exhaustive. The purpose of case selection was not analytical or statistical representativeness, but the identification of doctrinal patterns within selected European judicial reasoning. Decisions were selected from HUDOC and CURIA, since these databases provide official access to the case law of the European Court of Human Rights and the Court of Justice of the European Union. The selected sample does not support statistical or universal generalization. Its purpose is to identify doctrinal patterns within selected European judicial reasoning.

Cases were included where they met at least two of the following criteria: they concerned dignity, vulnerability, deprivation, living conditions, access to essential goods or services, social exclusion, or minimum standards of protection; they demonstrated how courts assess factual conditions of existence through legal categories; and they were doctrinally relevant for the interpretation of dignity, socio-economic interests, proportionality, or state obligations. This criterion-based selection was intended to build a focused doctrinal sample, not a complete survey of ECtHR or CJEU case law.

Cases were excluded where material conditions appeared only as factual background and did not influence the court's legal reasoning, where the decision did not engage with dignity, vulnerability, minimum standards, or socio-economic guarantees, or where the case had no relevance to the transformation of factual conditions into legal standards.

The ECHR cases analyzed included *Pretty v. the United Kingdom*, *M.S.S. v. Belgium and Greece*, *Budina v. Russia*, *Larioshina v. Russia*, and *Moldovan and Others v. Romania (No. 2)*. *Moldovan and Others v. Romania (No. 2)* was included because it links poor living conditions, discrimination, vulnerability, and dignity-related harm, thereby illustrating how factual deprivation may become relevant to the assessment of state responsibility. The CJEU cases included *Küçükdeveci v. Swedex GmbH & Co. KG*, *Ruiz Zambrano v. Office national de l'emploi*, and *Association de médiation sociale v. Union locale des syndicats CGT*. Thus, the case-law sample consisted of eight decisions: five ECtHR cases and three CJEU cases. *Pretty v. the United Kingdom* was included not as a socio-economic deprivation case, but as an example of how existential conditions concerning bodily integrity, suffering, autonomy, and dignity may enter judicial reasoning.

Each case was analyzed according to the same coding scheme: the factual condition at issue, the legal category used by the court, the applicable right or principle, the type of deprivation or vulnerability, the function of dignity or proportionality, and the resulting legal consequence. This coding scheme allowed

the study to identify whether needs operated as a minimum threshold, an interpretive criterion, a limit on state discretion, or a justification for positive obligations. The coding was used as a qualitative doctrinal tool and did not imply quantitative measurement or frequency-based generalization.

The final stage synthesized the selected materials into five analytical forms observed within the examined sample: axiological, normative, threshold-based, interpretive, and institutional. These forms were not assumed in advance as separate legal categories. They were derived from repeated patterns identified in the analysis of legal instruments, doctrinal sources, and judicial reasoning within the selected materials. The axiological form refers to the value-based role of dignity and human worth. The normative form refers to the way basic conditions are expressed through rights and duties. The threshold-based form refers to the minimum level below which deprivation becomes legally unacceptable. The interpretive form refers to the use of needs-related conditions in judicial reasoning. The institutional form refers to the translation of basic conditions into state guarantees, social policy duties, and mechanisms of implementation. These forms should be read as analytical categories reconstructed from the examined sample, not as universal stages through which all legal systems transform human needs into law.

The study has several methodological limitations. First, it does not provide a quantitative survey of all international and national case law on socio-economic rights or dignity-related deprivation. Second, the Constitution of Ukraine is used as an illustrative national constitutional framework, while the article does not claim to compare national legal systems in the strict sense of comparative law. Third, the ECtHR and CJEU case-law sample is deliberately limited to eight decisions selected for doctrinal relevance, and therefore it cannot support broad empirical, statistical, or universal claims. Fourth, international and constitutional materials are used mainly to contextualize the legal categories found in the selected European judicial reasoning, not to establish a complete multi-level theory of human needs in law. These limitations correspond to the doctrinal and conceptual aim of the study: to explain how basic conditions of human existence acquire legal relevance through recognized legal forms, rather than to measure the actual satisfaction of such conditions across countries. Therefore, the findings should be read as a focused doctrinal reconstruction of selected European judicial patterns, not as a comprehensive theory of human needs in law.

4. Results

4.1. Legal definition and conceptual distinction of needs in legal regulation

Within the focused doctrinal framework of this study, a need may be defined as an objectively significant condition of human existence, agency, or participation that does not operate as an autonomous legal norm but may acquire legal relevance when mediated by dignity, rights, vulnerability, minimum standards of protection, or state duties. This definition is not proposed as a universal definition for all legal systems. It is reconstructed from the selected international and constitutional materials used as contextual sources and from the European judicial reasoning examined in the study. The main point is narrower: in the analyzed materials, law does not protect every individual desire, preference, or expectation, but it may attach legal significance to conditions without which a person cannot preserve dignity, maintain basic agency, participate in social life, or avoid serious deprivation.

This approach makes it possible to avoid two methodological extremes. On the one hand, need should not be treated as a self-sufficient source of law independent of positive legal norms, because such an approach would blur the distinction between moral claims and legally enforceable standards. On the other hand, needs-

related conditions cannot be excluded from doctrinal analysis merely because they are not always formulated as subjective rights. The selected legal materials show that deprivation, dependency, and material conditions may become legally relevant through mediated forms of protection: dignity, social rights, welfare guarantees, minimum standards, proportionality, and duties of the state. The Universal Declaration of Human Rights connects the worth of the person with dignity and equal rights, thereby providing a value-based vocabulary for understanding why certain material conditions may matter legally⁴⁵. The International Covenant on Economic, Social and Cultural Rights gives this logic a more concrete socio-economic form by recognizing the right to social security, an adequate standard of living, food, housing, and health⁴⁶. The Constitution of Ukraine is used here only as a limited illustrative constitutional framework. It does not define human needs as a separate legal category, but it recognizes the human being, life, health, honor, dignity, inviolability, and security as the highest social value and establishes guarantees related to an adequate standard of living⁴⁷.

Accordingly, need is not the same as right. A right is a legally recognized claim, entitlement, freedom, or guarantee that can be invoked within a normative order. A need, in the limited sense used in this article, is the material or existential condition that may justify the interpretation, activation, or strengthening of such a right. For example, the need for food is not automatically a subjective legal right in every legal system. It becomes legally relevant where it is expressed through the right to an adequate standard of living, social assistance, humanitarian protection, or protection from degrading treatment. Similarly, the need for housing does not function as an autonomous universal legal norm in all contexts, but it may acquire legal significance through social rights, anti-discrimination guarantees, constitutional welfare duties, or judicial assessment of living conditions. This distinction is essential for the present study because it explains why needs-related conditions may be relevant for legal reasoning without being identical to legal norms themselves.

The mediated character of needs-related conditions is particularly visible in the European human rights framework examined in this study. The European Convention on Human Rights does not contain a general right to social welfare, food, housing, or income. However, deprivation may become legally relevant where it reaches a level affecting dignity, physical integrity, or protection against inhuman or degrading treatment⁴⁸. *Pretty v. United Kingdom* is used in this article not as a socio-economic deprivation case, but as an example of how existential conditions concerning bodily integrity, suffering, autonomy, and dignity may enter judicial reasoning. In that judgment, the European Court of Human Rights treated dignity and personal autonomy as concepts relevant to the interpretation of Convention rights⁴⁹. This does not mean that every unmet need becomes a Convention

⁴⁵ UNITED NATIONS. Universal Declaration of Human Rights, 1948. Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed on 15 March 2026).

⁴⁶ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights, 1966. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights> (accessed on 15 March 2026).

⁴⁷ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine, 1996. <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80> (accessed on 15 March 2026).

⁴⁸ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms, 1950. Available at: https://www.echr.coe.int/documents/convention_eng.pdf (accessed on 15 March 2026).

⁴⁹ CASE OF PRETTY v. UNITED KINGDOM. Application no. 2346/02, Judgment of 29 April 2002, European Court of Human Rights. Available at: <https://hudoc.echr.coe.int/eng?i=001-60448> (accessed on 15 March 2026).

violation. Rather, within the selected case-law framework, it shows that factual human conditions may acquire legal relevance when they are translated into recognized legal categories.

The Ukrainian constitutional material performs a different and more limited function in this study. The Constitution of Ukraine does not use the category of “need” as an autonomous constitutional concept. Nevertheless, its provisions concerning human dignity, the social orientation of the state, social protection, housing, health care, and an adequate standard of living illustrate how basic conditions of existence can be embedded in constitutional regulation through guarantees and obligations rather than through a single general clause on needs⁵⁰. For this reason, the Ukrainian constitutional framework is not treated here as evidence of a general comparative pattern. It is used only to contextualize the legal vocabulary through which dignity, welfare guarantees, and adequate living conditions may be connected.

The conceptual distinction between need, interest, value, dignity, and vulnerability is necessary because these categories are often used together but perform different legal functions in the selected materials. A need identifies a basic condition of existence or agency. An interest expresses a person’s orientation toward a protected good and may become the basis for a legal claim. A value explains why the legal order considers certain goods worthy of protection. Dignity operates as a constitutional and human rights standard that gives deprivation normative weight. Vulnerability identifies a contextual risk of harm, exclusion, dependency, or reduced capacity for self-protection. These concepts overlap, but they are not interchangeable. Their separation allows the analysis to determine whether a particular issue concerns the material ground of protection, the claim being advanced, the value justifying protection, the interpretive standard applied by a court, or the intensified need for state response.

The Table 1 summarizes the working distinctions used in the subsequent analysis. The category of need performs a primarily material function: it points to the condition that may require legal attention. Interest performs a claim-forming function because it links a person or group with a legally protected good. Value performs a justificatory function because it explains why protection matters. Dignity performs a mediating and interpretive function because it allows courts and constitutional doctrine to connect factual deprivation with legal standards. Vulnerability performs an intensifying function because it indicates that ordinary legal protection may be insufficient in situations of dependency, exclusion, poverty, displacement, discrimination, or institutional weakness.

This distinction is important for keeping the scope of the article methodologically limited. If need is confused with right, the analysis risks overstating the direct legal enforceability of every basic condition of life. If need is reduced to interest, the objective dimension of deprivation becomes weaker because interests may depend on subjective preference or social recognition. If need is absorbed into value, the material condition requiring protection becomes too abstract. If need is treated as dignity, the analysis loses the distinction between the factual basis of protection and the normative standard that gives it legal meaning. If need is equated with vulnerability, legal protection appears only in exceptional situations, whereas the examined materials show a broader but still mediated role of deprivation-related conditions in judicial and doctrinal reasoning.

Therefore, within the limits of this study, needs should be understood as legally mediated material conditions. They are not autonomous norms, and they do not generate enforceable claims without recognized legal forms. Their relevance in the analyzed materials appears in several ways. First, they may be expressed as socio-economic rights, as in the right to an adequate standard of living under the

⁵⁰ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

International Covenant on Economic, Social and Cultural Rights⁵¹. Second, they may be protected through dignity, as reflected in international and constitutional human rights standards^{52,53}. Third, they may become relevant through minimum thresholds, especially where deprivation reaches the level of degrading treatment under the European Convention on Human Rights⁵⁴. Fourth, they may guide judicial interpretation where courts assess whether state action or inaction has ignored material conditions relevant to dignity, vulnerability, equality, or proportionality. Fifth, they may be institutionalized through social guarantees, public services, welfare duties, and implementation mechanisms.

Table 1. Conceptual distinction between need, interest, value, dignity, and vulnerability.

Category	Legal meaning	Function in legal regulation	Difference from related categories
Need	A basic condition of human existence, agency, or participation	Provides the material ground for legal protection	It is not a right by itself and becomes legally relevant only through recognized legal forms
Interest	A legally relevant orientation toward a protected good	Helps form claims, expectations, and legally protected positions	It is more subjective and socially mediated than need
Value	A normative reason for legal protection	Justifies why a legal order protects a certain good, status, or condition	It explains why protection matters but does not itself define the factual condition requiring protection
Dignity	A constitutional and human rights standard of human worth	Serves as an interpretive threshold and normative mediator between deprivation and legal protection	It transforms deprivation into a dignity-related legal issue but is broader than any single need
Vulnerability	A contextual risk of harm, exclusion, dependency, or reduced capacity for self-protection	Intensifies protection, state duties, and judicial scrutiny	It does not equal need but shows when protection must be stronger or more immediate

Source: compiled by the author based on the Universal Declaration of Human Rights⁵⁵, International Covenant on Economic, Social and Cultural Rights⁵⁶, Convention for the Protection of Human Rights and Fundamental Freedoms⁵⁷, Constitution of Ukraine⁵⁸, and the judgment in *Pretty v. United Kingdom*⁵⁹.

On this basis, the legal definition proposed in this subsection can be formulated more precisely: a need in legal regulation is an objectively significant condition of human existence, agency, or participation that does not constitute an autonomous subjective right, but becomes legally relevant when translated into recognized legal

⁵¹ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁵² UNITED NATIONS. Universal Declaration of Human Rights. 1948. Ibid.

⁵³ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

⁵⁴ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms. 1950. Ibid.

⁵⁵ UNITED NATIONS. Universal Declaration of Human Rights. 1948. Ibid.

⁵⁶ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁵⁷ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms. 1950. Ibid.

⁵⁸ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

⁵⁹ PRETTY v. UNITED KINGDOM. Application no. 2346/02, Judgment of 29 April 2002. 2002. Ibid.

forms such as dignity, rights, guarantees, state obligations, minimum standards, vulnerability assessment, or judicial review criteria. This definition is a working doctrinal definition for the selected materials. It is not intended to establish a comprehensive theory of human needs in law.

4.2. Functional typology of needs and normative patterns of their legal relevance

The doctrinal analysis conducted in this study suggests that needs-related conditions do not enter the selected legal materials in a uniform manner. Different categories of deprivation or dependency perform different legal functions and acquire relevance through different normative mechanisms. Existing classifications of needs are usually psychological, sociological, or economic in nature. They commonly distinguish physiological, social, cognitive, or self-development needs. Such classifications are useful outside law, but they do not explain how specific material or existential conditions become relevant for rights, duties, judicial review, proportionality, minimum standards, or constitutional guarantees. For this reason, the present study develops a limited functional legal typology based not on the subjective experience of need, but on the role performed by needs-related conditions in the selected international, constitutional, ECtHR, and CJEU materials.

The proposed typology identifies five functionally distinct groups: existential needs, socio-economic needs, autonomy-related needs, equality and inclusion-related needs, and protective needs. These groups are analytical categories reconstructed from the examined materials. They are not presented as universal categories applicable to all legal orders. In practice, they frequently overlap. Nevertheless, each group performs a different function and tends to enter legal reasoning through different legal forms.

The first category includes existential needs, namely conditions required for biological survival, bodily integrity, physical security, and minimum human existence. In the examined materials, these needs form a threshold of legal concern because their deprivation may directly threaten life, physical integrity, or human dignity. Existential needs are rarely formulated as autonomous rights to survival as such. Instead, they appear through standards prohibiting inhuman or degrading treatment, obligations to preserve life and physical integrity, and dignity-based interpretation. The Universal Declaration of Human Rights establishes the value-based premise of this protection by recognizing the equal dignity and worth of all persons and by linking social security and adequate living conditions with human dignity⁶⁰. The European Convention on Human Rights approaches existential deprivation indirectly, particularly through Article 3 and dignity-related interpretation, where severe living conditions may become incompatible with minimum standards of humane treatment⁶¹. In this limited sense, existential needs perform a threshold function: they help identify the point at which deprivation may become legally unacceptable under the selected legal materials.

The second category includes socio-economic needs, namely conditions related to food, housing, medical care, social protection, education, and material welfare. Unlike existential needs, which primarily establish minimum thresholds of protection, socio-economic needs are usually connected with positive obligations and welfare guarantees. The International Covenant on Economic, Social and Cultural Rights provides a clear normative expression of this category by recognizing rights related to adequate living standards, food, housing, health, education, and social security⁶².

⁶⁰ UNITED NATIONS. Universal Declaration of Human Rights. 1948. Ibid.

⁶¹ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms. 1950. Ibid.

⁶² UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

The European Social Charter (Revised) develops this logic at the regional level by connecting social rights with institutional duties concerning housing, health care, social and medical assistance, labor protection, and welfare guarantees⁶³. In the framework of this article, the legal relevance of socio-economic needs lies not in proving a universal right to welfare, but in showing how material conditions can be expressed through duties, guarantees, and institutional forms of protection.

The third category includes autonomy-related needs, namely conditions required for agency, personal development, participation in social life, and the exercise of individual capabilities. This category reflects the idea that legal protection in the examined materials is not limited to biological survival or minimum subsistence. It may also concern conditions that allow persons to act as autonomous participants in society. The Covenant on Economic, Social and Cultural Rights reflects this orientation through the recognition of education, cultural participation, and conditions favorable to human development⁶⁴. At the illustrative constitutional level, the Constitution of Ukraine links human dignity, free development of personality, and the social orientation of the state⁶⁵. In the selected case-law framework, autonomy-related needs are especially relevant where dignity, bodily integrity, personal agency, or effective participation become part of judicial reasoning.

The fourth category includes equality and inclusion-related needs, namely conditions aimed at preventing discrimination, marginalization, exclusion, and unequal access to social participation. The legal significance of this category becomes visible where deprivation intersects with unequal treatment or structural disadvantage. In such situations, the issue is not limited to material hardship itself. It also concerns whether persons or groups are excluded from legal protection, social membership, or equal recognition. The European Convention on Human Rights approaches this issue through equality-related interpretation and protection against discriminatory treatment⁶⁶. The Court of Justice of the European Union further develops this logic through principles of equality, citizenship, and non-discrimination, especially where exclusion affects participation in social and economic life. Equality and inclusion-related needs therefore perform an integrative function within the selected materials: they show how deprivation may become legally relevant when linked to unequal status, exclusion, or institutional disadvantage.

The fifth category includes protective needs, namely conditions requiring intensified legal protection in situations of vulnerability, dependency, poverty, displacement, illness, disability, social exclusion, or institutional weakness. Unlike existential or socio-economic needs, which may concern general conditions of life, protective needs arise where ordinary legal guarantees may be insufficient because the affected person or group faces heightened exposure to harm. In these situations, legal reasoning may operate through positive obligations, intensified judicial scrutiny, social assistance mechanisms, and vulnerability-sensitive interpretation. The European Convention on Human Rights reflects this logic in cases where severe deprivation, detention conditions, homelessness, or state inaction affect dignity and humane treatment. The European Social Charter similarly reinforces protective obligations in relation to social and medical assistance,

⁶³ COUNCIL OF EUROPE. European Social Charter (Revised), 1996. Available at: <https://www.coe.int/en/web/european-social-charter/the-revised-european-social-charter> (accessed on 15 March 2026).

⁶⁴ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁶⁵ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

⁶⁶ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms. 1950. Ibid.

housing, and welfare guarantees⁶⁷. Protective needs therefore perform an intensifying function within the selected framework: they indicate situations where ordinary standards of formal equality or minimal protection may be insufficient.

The analysis of the selected legal instruments demonstrates that these categories correspond to recurring normative patterns in the materials examined, rather than to an exhaustive classification of all possible needs in law. International and constitutional materials are used here to contextualize the legal vocabulary later observed in European judicial reasoning. They do not prove that all legal systems regulate needs through a single mechanism. Instead, they show that deprivation-related conditions may be translated into legal forms such as dignity, rights, guarantees, social obligations, proportionality standards, equality principles, and judicial thresholds. These patterns are summarized in Table 2.

Table 2. Functional typology and normative legal forms of needs.

Type of need	Legal function	Typical legal form	Source
Existential	Protects minimum conditions of life and bodily integrity	Dignity, prohibition of degrading treatment, minimum threshold of protection	European Convention on Human Rights; Universal Declaration of Human Rights
Socio-economic	Secures material conditions of life	Right to food, housing, health care, social security, social assistance	International Covenant on Economic, Social and Cultural Rights; European Social Charter (Revised)
Autonomy-related	Supports agency, participation, and personal development	Education, cultural participation, development of personality, social participation	International Covenant on Economic, Social and Cultural Rights; Constitution of Ukraine
Equality and inclusion-related	Prevents exclusion, discrimination, and unequal participation	Equality, non-discrimination, citizenship-related protection, equal treatment	European Convention on Human Rights; Court of Justice of the European Union case law
Protective	Intensifies legal response in situations of vulnerability or dependency	Positive obligations, social assistance, vulnerability-sensitive interpretation, judicial scrutiny	European Convention on Human Rights; European Social Charter (Revised)

Source: compiled by the author based on the Universal Declaration of Human Rights⁶⁸, International Covenant on Economic, Social and Cultural Rights⁶⁹, Convention for the Protection of Human Rights and Fundamental Freedoms⁷⁰, European Social Charter (Revised)⁷¹, Constitution of Ukraine⁷², and the practice of the Court of Justice of the European Union.

The typology presented in this subsection demonstrates that the selected materials do not treat all forms of deprivation identically. Some conditions operate as minimum thresholds below which state action or inaction may become incompatible with dignity. Others structure welfare guarantees, distributive

⁶⁷ COUNCIL OF EUROPE. European Social Charter (Revised). 1996. Ibid.

⁶⁸ UNITED NATIONS. Universal Declaration of Human Rights. 1948. Ibid.

⁶⁹ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁷⁰ COUNCIL OF EUROPE. Convention for the Protection of Human Rights and Fundamental Freedoms. 1950. Ibid.

⁷¹ COUNCIL OF EUROPE. European Social Charter (Revised). 1996. Ibid.

⁷² VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

mechanisms, participation guarantees, or intensified forms of protection. This distinction is important because it shows that needs-related conditions are not legally relevant in a uniform or automatic manner. Their legal significance depends on the normative form through which they are translated into rights, duties, guarantees, standards of review, or institutional obligations.

The proposed typology also clarifies the difference between legal relevance and direct legal enforceability. Existential and protective needs often become legally relevant through threshold-based reasoning and dignity-related interpretation. Socio-economic needs more frequently operate through positive obligations and welfare guarantees. Autonomy-related needs are linked to participation and development, while equality and inclusion-related needs become relevant where deprivation intersects with discrimination or exclusion. Thus, the selected legal materials do not simply "recognize needs." They show a more cautious pattern: different categories of deprivation are selectively transformed into legally meaningful standards according to the function they perform in judicial or doctrinal reasoning.

The functional typology developed in this subsection should therefore be understood as a limited analytical result of the study. Unlike classifications that organize needs according to psychological hierarchy or economic consumption, this model explains how different forms of deprivation acquire legal relevance in the selected materials through distinct normative mechanisms. It provides a framework for the subsequent analysis of ECtHR and CJEU reasoning, without claiming to offer a complete or universal classification of human needs in law.

4.3. Judicial transformation of needs-related conditions in ECHR and CJEU case law

The analysis of the selected case law demonstrates that the examined European courts do not usually recognize basic conditions of existence as autonomous subjective rights. Instead, they transform factual deprivation, vulnerability, exclusion, dependency, and inadequate living conditions into legally relevant criteria through dignity, proportionality, equality, autonomy, and minimum standards of protection. This conclusion is limited to the eight decisions selected for doctrinal analysis. It does not claim to represent the whole body of ECtHR or CJEU case law.

The coding scheme developed in the methodological section allowed the eight decisions to be analyzed according to six analytical dimensions: the factual condition at issue, the legal category used by the court, the applicable right or principle, the function of dignity or proportionality, the type of deprivation or vulnerability identified, and the resulting legal consequence. The examined cases show several recurring judicial techniques for transforming factual conditions into legal relevance. These include threshold reasoning under Article 3 ECHR, dignity-based interpretation, equality and non-discrimination reasoning, vulnerability-sensitive assessment, proportionality analysis, and citizenship-based protection.

The European Court of Human Rights most frequently transforms deprivation-related conditions into legal relevance through minimum-threshold analysis. Under this model, deprivation does not automatically produce a socio-economic right enforceable under the Convention. However, factual conditions may become legally relevant where they affect dignity, bodily integrity, humane treatment, or the practical possibility of exercising protected rights. The Court therefore does not constitutionalize welfare policy as such. It limits state discretion only where deprivation reaches a level that can be assessed through Convention standards.

The Court of Justice of the European Union follows a different but complementary logic in the selected cases. Instead of focusing primarily on minimum existential thresholds, the CJEU more often transforms needs-related conditions through equality, citizenship, participation, proportionality, and effective

enjoyment of EU rights. Material conditions become legally relevant where exclusion, dependency, or discriminatory treatment undermines equal participation in social and legal life. In this model, the legal relevance of deprivation is mediated through the effectiveness of EU legal status rather than through a direct right to welfare protection.

The comparative coding of the selected judgments is summarized in Table 3.

Table 3. Judicial coding of needs-related conditions in ECHR and CJEU case law.

Case	Factual condition at issue	Legal category used by court	Right/principle	Function of dignity/proportionality	Legal consequence
Pretty v. United Kingdom	Bodily integrity, autonomy, end-of-life suffering	Dignity, personal autonomy	Article 8 ECHR in the context of Article 3	Dignity frames the limits of state interference	Needs-related conditions are considered through autonomy and dignity rather than as autonomous rights
M.S.S. v. Belgium and Greece	Homelessness, lack of basic support, degrading living conditions	Vulnerability, degrading treatment	Article 3 ECHR	Severe deprivation crosses the minimum threshold compatible with dignity	State responsibility arises where living conditions become degrading
Budina v. Russia	Extreme poverty, insufficient pension	Minimum subsistence, dignity threshold	Article 3 ECHR	Material deprivation becomes relevant only at an extreme threshold	Confirms limited but possible Article 3 relevance for socio-economic deprivation
Larioshina v. Russia	Low pension, inadequate living conditions	Minimum standard, social support	Article 3 ECHR	Establishes a high threshold for socio-economic claims	No general right to welfare, but extreme deprivation may engage Article 3
Moldovan and Others v. Romania (No. 2)	Poor living conditions after destruction of homes, ethnic marginalisation	Dignity, discrimination, vulnerability	Article 3, Article 8, and Article 14 context	Links material conditions with discrimination and dignity-related harm	Factual deprivation becomes relevant to state responsibility

Case	Factual condition at issue	Legal category used by court	Right/principle	Function of dignity/proportionality	Legal consequence
Kücükdevenci v. Swedex GmbH & Co. KG	Age discrimination in employment	Equality, non-discrimination	General principle of EU law	Proportionality limits discriminatory treatment	Social status is protected through equality reasoning
Ruiz Zambrano v. ONEm	Family unity, residence, basic conditions of EU citizenship	Citizenship, family dependency	EU citizenship principles	Protects minimum conditions of effective citizenship	State action is limited where citizens lose effective enjoyment of EU rights
Association de médiation sociale v. CGT	Worker participation and representation	Social rights, directive effect	Charter principles and EU law	Balances social participation and legal enforceability	Demonstrates limits of direct enforceability while preserving relevance of social rights

Source: compiled by the author based on the practice of the European Court of Human Rights and the Court of Justice of the European Union.

The coding results demonstrate several doctrinal patterns within the selected sample. First, the ECtHR transforms deprivation into legal relevance primarily through dignity-related threshold reasoning. The Court does not interpret the Convention as establishing a general socio-economic constitution. Nevertheless, factual conditions become relevant where they undermine humane treatment, bodily integrity, or minimum standards compatible with dignity. This is especially visible in *M.S.S. v. Belgium and Greece*, where homelessness, lack of basic support, and degrading living conditions were treated not merely as social hardship, but as conditions capable of violating Article 3 ECHR. In this model, vulnerability may intensify judicial scrutiny and limit the discretion available to the state.

Second, the selected ECtHR cases show a restrictive approach toward socio-economic claims that do not reach an extreme threshold of deprivation. *Budina v. Russia* and *Larioshina v. Russia* confirm that the Convention does not guarantee a general right to welfare or adequate pension levels. However, both decisions also indicate that severe material deprivation may become legally relevant where the conditions of existence fall below the minimum compatible with dignity. Thus, in this line of reasoning, needs-related conditions become judicially relevant not because socio-economic deprivation is independently protected, but because Convention standards may impose limits where deprivation becomes extreme.

Third, the examined judgments demonstrate that dignity operates not only as an abstract value, but also as a mediating legal criterion. In *Pretty v. United Kingdom*, the Court treated dignity and personal autonomy as central interpretive concepts shaping the boundaries of state interference. The judgment is relevant to this study not because it concerns welfare, poverty, or socio-economic deprivation, but because it shows how existential conditions concerning bodily integrity, suffering, autonomy, and dignity may enter judicial reasoning. This use of *Pretty*

keeps the case within the methodological limits of the article and avoids presenting it as evidence of socio-economic adjudication.

Moldovan and Others v. Romania (No. 2) is particularly important within the selected sample because it demonstrates that deprivation may become legally relevant not only when it reaches a material threshold, but also when it is combined with discrimination, vulnerability, and prolonged state failure to restore dignified living conditions. The destruction of homes, exposure to degrading conditions, ethnic marginalization, and inadequate state response transformed factual deprivation into a dignity-related and equality-related legal issue. The case therefore shows a combined judicial technique: deprivation is assessed together with vulnerability, discrimination, and state responsibility.

The selected CJEU judgments reveal a different judicial model. Rather than relying primarily on minimum existential thresholds, the CJEU more frequently transforms needs-related conditions through equality, participation, citizenship, and proportionality. In *Küçükdeveci v. Swedex GmbH & Co. KG*, the Court treated age discrimination as incompatible with the general principle of equality, thereby limiting state and employer discretion through proportionality reasoning. The decision demonstrates that legal protection may arise not because deprivation threatens biological survival, but because unequal treatment undermines equal participation and legal status.

Similarly, *Ruiz Zambrano v. ONEm* illustrates how material and family conditions may become relevant through the concept of effective citizenship. The Court did not formulate a direct socio-economic entitlement. Instead, it reasoned that state action becomes incompatible with EU law where it deprives citizens of the genuine enjoyment of rights attached to citizenship status. Family dependency and the practical conditions of residence therefore acquired legal significance indirectly through the protection of effective participation in the EU legal order.

Association de médiation sociale v. CGT demonstrates the limits of direct enforceability in social rights reasoning. The Court balanced worker participation and representation against the structure of directive implementation and the legal conditions for invoking Charter rights. The case is significant for this study because it confirms that participation-related and social rights conditions may remain legally relevant even where courts restrict their direct horizontal enforceability. In this sense, needs-related conditions may influence interpretation without necessarily producing immediately enforceable subjective rights.

Taken together, the eight analyzed judgments support a limited doctrinal finding: selected ECtHR and CJEU reasoning transforms factual conditions of existence into legal relevance through several recurring mechanisms, including dignity-based threshold analysis, vulnerability-sensitive reasoning, proportionality review, equality and citizenship principles, and interpretation of minimum standards. Courts do not usually recognize needs as autonomous legal norms. Instead, they mediate deprivation through recognized legal categories that connect factual conditions with judicially assessable standards. This judicial transformation is therefore one mechanism, within the selected European case-law sample, through which needs-related conditions enter legal reasoning.

4.4. Five forms of legal transformation: From factual condition to legal standard

The analysis conducted in this study identifies five analytical forms through which the selected materials transform factual conditions into legal relevance: axiological, normative, threshold-based, interpretive, and institutional. These forms should not be understood as universal stages through which all legal systems transform human needs into law. They are reconstructed from the examined

normative materials and from the eight selected ECtHR and CJEU decisions. Their purpose is to organize the doctrinal patterns observed within the sample.

The axiological form operates where deprivation-related conditions acquire legal significance through dignity and human worth. In this model, deprivation matters because it affects the value of the person and the normative foundations of legal protection. This approach is reflected in the Universal Declaration of Human Rights, the Constitution of Ukraine, and the dignity-based reasoning of *Pretty v. United Kingdom*^{73,74,75}. In this article, the axiological form is not treated as evidence of a universal legal theory of dignity. It is used more narrowly to describe how dignity provides a justificatory vocabulary for assessing factual conditions in the selected materials.

The normative form transforms basic conditions into legal rights, guarantees, and state obligations. The International Covenant on Economic, Social and Cultural Rights and the European Social Charter provide the clearest contextual examples by recognizing rights related to food, housing, health care, education, and social protection^{76,77}. Under this form, deprivation becomes legally relevant because it is expressed through enforceable or programmatic legal guarantees. In the present study, these instruments are used mainly to clarify the normative categories that inform the analysis of European judicial reasoning.

The threshold-based form appears where deprivation becomes legally relevant only after crossing a minimum level incompatible with dignity or humane treatment. This logic is particularly visible in the selected ECtHR materials. In *M.S.S. v. Belgium and Greece*, degrading living conditions engaged Article 3 protection, while *Budina v. Russia* and *Larioshina v. Russia* confirmed that only extreme deprivation may reach the Convention threshold^{78,79}. The threshold-based form therefore shows that deprivation does not automatically become legally actionable. Its legal significance depends on the intensity of harm, the vulnerability of the person, and the connection with Convention standards.

The interpretive form operates through judicial reasoning. Courts use dignity, vulnerability, equality, citizenship, and proportionality as interpretive criteria for assessing factual conditions of existence. This approach is visible in *Moldovan and Others v. Romania (No. 2)*, where poor living conditions and discrimination were connected with dignity-related harm, and in the CJEU judgments *Ruiz Zambrano v. ONEm*, *Kücükdeveci v. Swedex*, and *Association de médiation sociale v. CGT*, where equality, participation, and effective enjoyment of rights shaped judicial assessment^{80,81,82}. The interpretive form is especially important for this article

⁷³ UNITED NATIONS. Universal Declaration of Human Rights. 1948. Ibid.

⁷⁴ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

⁷⁵ PRETTY v. UNITED KINGDOM. Application no. 2346/02, Judgment of 29 April 2002. 2002. Ibid.

⁷⁶ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁷⁷ COUNCIL OF EUROPE. European Social Charter (Revised). 1996. Ibid.

⁷⁸ CASE OF M.S.S. v. BELGIUM AND GREECE. Application no. 30696/09, Judgment of 21 January 2011, European Court of Human Rights. Available at: <https://hudoc.echr.coe.int/eng?i=001-103050> (accessed on 15 March 2026).

⁷⁹ LARIOSHINA v. RUSSIA. Application no. 56869/00, Decision of 23 April 2002, European Court of Human Rights. Available at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-181155%22%5D%7D> (accessed on 15 March 2026).

⁸⁰ CASE OF MOLDOVAN AND OTHERS v. ROMANIA (No. 2). Applications nos. 41138/98 & 64320/01, Judgment of 12 July 2005, European Court of Human Rights. Available at: <https://hudoc.echr.coe.int/eng?i=001-69670> (accessed on 15 March 2026).

⁸¹ RUIZ ZAMBRANO v. OFFICE NATIONAL DE L'EMPLOI (ONEm). Case C-34/09, Judgment of 8 March 2011, Court of Justice of the European Union. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:62009CJ0034> (accessed on 15 March 2026).

because it directly corresponds to the focused European case-law framework used in the methodology.

The institutional form connects legal norms with systems of implementation, welfare guarantees, and public responsibility. International and constitutional instruments translate basic conditions of existence into social assistance mechanisms, health protection, housing guarantees, and other forms of institutional support^{83,84,85}. In this study, the institutional form is treated cautiously. It does not show that courts can directly enforce every social policy obligation. Rather, it indicates that some needs-related conditions acquire legal relevance because they are embedded in public duties, implementation mechanisms, and institutional guarantees.

The conducted doctrinal and judicial analysis therefore demonstrates that, within the selected materials, the legal relevance of deprivation-related conditions is formed through several interconnected mechanisms rather than through a single general model. International human rights instruments and the Constitution of Ukraine provide contextual normative vocabulary, while the selected ECtHR and CJEU judgments show how courts translate factual conditions into legally meaningful standards. The identified patterns make it possible to distinguish five analytical forms of legal transformation within the examined sample (Table 4).

Table 4. Five forms of legal transformation of basic conditions of existence.

Form	Meaning	Main legal source	Function	Example
Axiological	Basic conditions become legally relevant through dignity and human worth	UDHR; Constitution of Ukraine; Pretty	Justifies legal protection	Dignity as foundation of rights
Normative	Basic conditions are expressed as rights, duties, or guarantees	ICESCR; ESC; Constitution of Ukraine	Converts need into legal entitlement or state duty	Adequate standard of living, housing, health
Threshold-based	Deprivation becomes legally relevant when it falls below minimum acceptable level	ECHR; M.S.S.; Budina; Larioshina	Defines minimum level of protection	Degrading living conditions
Interpretive	Courts use deprivation, vulnerability, dignity, or proportionality in reasoning	ECHR and CJEU case law	Guides judicial assessment	Moldovan; Ruiz Zambrano
Institutional	Legal systems translate basic conditions into policy duties and implementation mechanisms	ICESCR; ESC; Constitution of Ukraine	Links law-making with social guarantees	Social protection, assistance, welfare duties

Source: compiled by the author based on international human rights instruments and European judicial practice.

⁸² KÜCÜKDEVECİ v. SWEDEX GMBH & CO. KG. Case C-555/07, Judgment of 19 January 2010, Court of Justice of the European Union. Available at: <https://curia.europa.eu/juris/document/document.jsf?docid=72658&doclang=EN> (accessed on 15 March 2026).

⁸³ UNITED NATIONS. International Covenant on Economic, Social and Cultural Rights. 1966. Ibid.

⁸⁴ COUNCIL OF EUROPE. European Social Charter (Revised). 1996. Ibid.

⁸⁵ VERKHOVNA RADA OF UKRAINE. Constitution of Ukraine. 1996. Ibid.

The results show that, in the selected materials, basic conditions of existence do not enter legal reasoning through a single mechanism. They acquire relevance through several mediating forms: value-based justification, normative recognition, minimum-threshold protection, judicial interpretation, and institutional implementation. This finding explains why needs should not be treated either as merely moral facts or as autonomous subjective rights. Their legal role, as reconstructed from the examined sample, is mediated, functional, and context-dependent.

5. Discussion

The results refine the role of needs-related conditions within selected ECtHR and CJEU reasoning. The analysis demonstrates that such conditions do not operate as autonomous subjective rights, but acquire legal relevance through mediated legal forms: dignity, socio-economic rights, vulnerability, minimum thresholds of protection, judicial interpretation, and institutional duties. This shifts the discussion from asking whether needs are formally recognized in legal texts to examining how deprivation, dependence, and material conditions are transformed into legally meaningful standards within the selected European judicial materials.

One of the principal theoretical contributions of the study lies in the conceptual distinction between need, interest, value, dignity, and vulnerability. The results show that these categories are frequently interconnected but perform different legal functions. A need identifies a basic condition of existence or participation; an interest structures legally protected claims; a value justifies why protection matters; dignity mediates between factual deprivation and normative assessment; vulnerability intensifies the level of protection and judicial scrutiny. This distinction is important because previous scholarship often treated these concepts interchangeably or used them without clarifying their legal function. The proposed model therefore helps preserve the distinction between moral claims and positive legal norms while still explaining why needs-related conditions may become relevant for judicial and doctrinal reasoning. In this respect, the findings are compatible with Doyal and Gough's theory of objective needs, Sen's capability approach, and Nussbaum's understanding of dignity-related capabilities, although the present study uses these approaches as conceptual support for a focused doctrinal analysis rather than as a basis for a general theory of legal regulation^{86,87,88}.

The functional typology proposed in the Results also differs from traditional psychological or sociological classifications of needs. Instead of organizing needs according to a hierarchy of desires or motivational structures, the article groups them analytically according to their function in the examined materials. Existential needs perform a threshold function because they define minimum conditions compatible with dignity. Socio-economic needs perform a distributive and organizational function through welfare guarantees and state obligations. Autonomy-related needs perform a participatory function because they support agency and social inclusion. Equality and inclusion-related needs perform an integrative function by preventing exclusion and discriminatory disadvantage. Protective needs perform an intensifying function because they justify heightened legal response in situations of vulnerability or dependency. This functional model supports the view advanced by Quintia Pastrana and Vols⁸⁹, who interpret access to

⁸⁶ Doyal, L., & Gough, I. *A theory of human need*. Macmillan. 1991. Ibid.

⁸⁷ Sen, A. *Development as freedom*. Alfred A. Knopf. 1999. Ibid.

⁸⁸ Nussbaum, M. C. *Frontiers of justice: Disability, nationality, species membership*. 2006. Ibid.

⁸⁹ QUINTIA PASTRANA, A.; VOLS, M. "Tracing the right to access to housing: Insights from human rights theory and practice", *European Journal of Homelessness*, 18(2), 2024, pp. 11–

housing not as an isolated entitlement, but as a response to basic existential conditions. Similarly, Tigchelaar and Oude Breuil⁹⁰ emphasize the material and bodily dimensions of rights, which reinforces the more limited conclusion that the examined judicial and normative materials cannot be detached from factual conditions of deprivation, dependency, and vulnerability.

The judicial analysis demonstrates important differences between the reasoning of the European Court of Human Rights and the Court of Justice of the European Union within the selected sample of eight decisions. The ECHR generally avoids recognizing a broad autonomous right to welfare or social well-being. Instead, it transforms deprivation into legal relevance through dignity-related threshold analysis. Cases such as *M.S.S. v. Belgium and Greece*, *Budina v. Russia*, and *Larioshina v. Russia* confirm that material hardship becomes relevant under the Convention only where living conditions fall below the minimum compatible with dignity and humane treatment. This partly supports the threshold-based form identified in the Results, but it also demonstrates its limitations: threshold reasoning protects mainly against extreme deprivation and cannot fully explain the broader institutional role of socio-economic guarantees. By contrast, the CJEU more frequently transforms needs-related conditions through equality, citizenship, participation, and proportionality. *Ruiz Zambrano v. ONEm* and *Kücükdeveci v. Swedex GmbH & Co. KG* illustrate how factual dependence, exclusion, or discriminatory treatment become legally significant through principles of effective citizenship and equal treatment rather than through direct socio-economic entitlements.

*Moldovan and Others v. Romania (No. 2)*⁹¹ occupies a particularly important place within this model because it demonstrates that deprivation becomes legally relevant not only when it reaches a material threshold, but also when it is combined with discrimination, vulnerability, and prolonged failure of the state to restore dignified living conditions. The judgment therefore expands the understanding of deprivation beyond minimum subsistence alone and confirms that factual conditions of existence may acquire legal significance through the combined operation of dignity, equality, vulnerability, and state responsibility. This interpretation remains limited to the doctrinal function of the case within the selected ECtHR sample and should not be read as evidence that socio-economic hardship generally becomes directly enforceable across European law.

The central contribution of the article lies in the proposed model of five forms of legal transformation: axiological, normative, threshold-based, interpretive, and institutional. The axiological form explains why protection is justified through dignity and human worth. The normative form explains how the examined materials express protected conditions through rights, duties, and guarantees. The threshold-based form identifies the point at which deprivation becomes legally unacceptable. The interpretive form demonstrates how courts use dignity, vulnerability, proportionality, and equality in legal reasoning. The institutional form explains how the examined materials translate protected conditions into welfare guarantees, public duties, and implementation mechanisms. Together, these forms explain why needs-related conditions matter within the selected doctrinal and judicial framework without collapsing the distinction between moral claims and enforceable legal norms.

38. Available at: https://www.feantsa.org/files/Observatory/Journals/Volume-18/V18-2/EJH_18-2_A01_web.pdf (accessed on 15 March 2026).

⁹⁰ TIGCHELAAR, J.; OUDE BREUIL, B. "No-bodies human rights. An interdisciplinary exploration of bodies in human rights", *Utrecht Law Review*, 20(2), 2024, 6-23. <https://doi.org/10.36633/ulr.943>

⁹¹ MOLDOVAN AND OTHERS v. ROMANIA (No. 2). Applications nos. 41138/98 & 64320/01, Judgment of 12 July 2005, European Court of Human Rights. 2005. *Ibid.*

The findings also have practical implications, although these implications should be read cautiously. The proposed framework may assist doctrinal analysis and judicial reasoning in assessing how deprivation, dependency, vulnerability, dignity, equality, and proportionality interact in selected European legal contexts. In constitutional interpretation, the model may help clarify the relationship between dignity, social state obligations, and adequate standards of living where constitutional materials are used as contextual references rather than as a full comparative object. In judicial reasoning, the distinction between threshold-based and interpretive forms may provide a clearer structure for analyzing deprivation, vulnerability, and proportionality. The framework may also be relevant for evaluating social policy and welfare guarantees, particularly where formal legal recognition exists without effective implementation. However, this practical relevance is primarily doctrinal and interpretive. It does not mean that the article offers direct legislative guidance for all jurisdictions or a comprehensive model for welfare policy design. Recent discussions of human-rights due diligence and sustainability governance may provide a promising direction for extending this inquiry, but they are better treated as a subject for future research rather than as a direct result of the present case-law analysis⁹².

At the same time, the study has several limitations. First, the research is doctrinal and conceptual rather than socio-empirical. It analyzes legal instruments and judicial reasoning but does not measure the factual level of deprivation or satisfaction of basic conditions in different societies. Second, the examined judicial practice was purposively selected for analytical relevance and therefore does not constitute an exhaustive sample of European case law. Third, the Constitution of Ukraine was used as an illustrative national framework rather than as part of a comparative constitutional analysis. Fourth, the proposed typology is legal-functional in nature and does not attempt to replace psychological, sociological, or economic theories of needs. Finally, the study does not claim that all legal systems transform deprivation through identical mechanisms or with the same degree of protection. The discussion therefore does not claim that the identified five forms operate uniformly across European law or national legal systems. They should be read as analytical categories reconstructed from the selected materials.

Further research may develop the proposed framework in several directions. One possible direction involves combining doctrinal analysis with empirical assessment of how selected legal systems or institutional frameworks implement socio-economic guarantees in practice. Another concerns the environmental dimension of needs-related conditions, particularly in relation to the emerging right to a healthy environment and sustainability-based obligations⁹³. Additional comparative research may also examine whether selected constitutional systems or regional human rights frameworks rely on similar or divergent forms of legal transformation when addressing deprivation, dignity, vulnerability, and social protection.

6. Conclusions

The study refines the legal understanding of needs-related conditions within selected ECtHR and CJEU reasoning, with international and constitutional materials used as contextual normative references. The results show that a need, in the limited doctrinal sense used in this article, may be understood as an objectively

⁹² UVAROVA, O.; BERNAZ, N. "Heightened human-rights due diligence as risk governance: Food-retail supply chains in wartime Ukraine", *European Journal of Risk Regulation*, 17(1), 2025, 200-216. <https://doi.org/10.1017/err.2025.10049>

⁹³ WILLETS, L.; FLEMING, L. E.; MORGERA, E. "Biodiversity, health science, and the human right to a healthy environment", *The Lancet Planetary Health*, 9(6), 2025, pp. e553-e565. [https://doi.org/10.1016/S2542-5196\(25\)00092-0](https://doi.org/10.1016/S2542-5196(25)00092-0)

significant condition of human existence, agency, or participation that does not operate as an autonomous subjective right or as an independent source of law. Its legal relevance arises only when it is translated into recognized legal forms such as dignity, rights, guarantees, state obligations, vulnerability assessment, minimum standards of protection, or criteria of judicial review. This approach explains why material deprivation, dependence, and conditions affecting participation may become legally significant even where the examined materials do not recognize a general right to welfare or social well-being.

The article clarifies the distinction between need, interest, value, dignity, and vulnerability. A need identifies the material condition requiring protection; an interest structures a legally relevant claim; a value justifies why protection matters; dignity mediates between factual deprivation and normative assessment; vulnerability intensifies protection and judicial scrutiny. On this basis, the study develops a limited functional typology of protected conditions reconstructed from the examined materials: existential, socio-economic, autonomy-related, equality and inclusion-related, and protective needs. These categories should be read as analytical tools for interpreting the selected normative and judicial materials, not as a universal classification of human needs in law.

The central contribution of the article lies in identifying five analytical forms of legal transformation within the examined sample: axiological, normative, threshold-based, interpretive, and institutional. The selected ECtHR cases show the importance of dignity-related threshold reasoning, especially where deprivation reaches a level incompatible with humane treatment. The selected CJEU cases more often reveal the role of equality, citizenship, participation, and proportionality. *Moldovan and Others v. Romania* (No. 2) is particularly significant because it shows how deprivation may become legally relevant when combined with discrimination, vulnerability, and state failure to restore dignified living conditions.

The proposed model has practical significance mainly for doctrinal analysis, judicial reasoning, and human rights argumentation in comparable European legal contexts. It may help determine whether a claim should be framed as a dignity-based argument, a threshold violation, a socio-economic guarantee, a proportionality issue, or a failure of institutional implementation. At the same time, the findings are limited by the doctrinal and conceptual design of the study. The article does not measure the factual satisfaction of protected conditions, does not provide an exhaustive survey of European case law, and does not conduct a strict comparative constitutional analysis. The Constitution of Ukraine is used only as an illustrative contextual framework. Therefore, the findings should be read as a focused doctrinal reconstruction of selected European judicial patterns, not as a comprehensive theory of human needs in law. Further research may test this framework through carefully delimited comparative studies, socio-empirical analysis of legal guarantees, and examination of crisis, environmental, and digital rights contexts.

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