

Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (Paris, 20 March 1952)

Caption: Open for signature in Paris on 20 March 1952 by the members of the Council of Europe that are signatories of the Convention for the Protection of Human Rights and Fundamental Freedoms, the Protocol enters into force on 18 May 1954.

Source: Convention for the Protection of Human Rights and Fundamental Freedoms and Protocol = Convention de sauvegarde des Droits de l'homme et des libertés fondamentales et Protocole additionnel. [Strasbourg]: [Council of Europe = Conseil de l'Europe], [1950]. 19; 6 p.

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Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (Paris, 20 March 1952)

The Governments signatory hereto, being Members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section I of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950 (hereinafter referred to as “the Convention”),

Have agreed as follows :

Article 1

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 2

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Article 3

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

Article 4

Any High Contracting Party may at the time of signature or ratification or at any time thereafter communicate to the Secretary General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of the present Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.

Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may from time to time communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.

A declaration made in accordance with this article shall be deemed to have been made in accordance with paragraph 1 of Article 63 of the Convention.

Article 5

As between the High Contracting Parties the provisions of Articles 1, 2, 3 and 4 of this Protocol shall be regarded as additional articles to the Convention and all the provisions of the Convention shall apply accordingly.

Article 6

This Protocol shall be open for signature by the Members of the Council of Europe, who are the signatories

of the Convention; it shall be ratified at the same time as or after the ratification of the Convention. It shall enter into force after the deposit of ten instruments of ratification. As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.

The instruments of ratification shall be deposited with the Secretary-General of the Council of Europe, who will notify all Members of the names of those who have ratified.

Done at Paris on the 20th day of March 1952, in English and French, both texts being equally authentic, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory Governments.

For the Government of the Kingdom of Belgium :

Paul van ZEELAND

For the Government of the Kingdom of Denmark :

Ole BJOERN KRAFT

For the Government of the French Republic :

SCHUMAN

For the Government of the German Federal Republic :

ADENAUER

For the Government of the Kingdom of Greece :

R. RAPHAEL

At the time of signature of this Protocol, the Greek Government, pursuant to Article 64 of the Convention, makes the following reservation relating to Article 2 of the Protocol : The application of the word “philosophical”, which is the penultimate word of the second sentence of Article 2, will, in Greece, conform with the relevant provisions of internal legislation.

For the Government of the Icelandic Republic :

Petur BENEDIKTSSON

For the Government of the Irish Republic :

Próinsias Mac AOGÁIN

For the Government of the Italian Republic :

Paolo Emilio TAVIANI

For the Government of the Grand Duchy of Luxembourg :

Jos. BECH

For the Government of the Kingdom of the Netherlands :

STIKKER

For the Government of the Kingdom of Norway :

Halvard LANGE

For the Government of the Saar :

Johannes HOFFMANN

For the Government of the Kingdom of Sweden :

Östen UNDÉN

For the Government of the Turkish Republic :

F. KÖPRÜLÜ

For the Government of the United Kingdom of Great Britain and Northern Ireland :

Anthony EDEN

At the time of signing this Protocol, I declare that, in view of certain provisions of the Education Acts in force in the United Kingdom, the principle affirmed in the second sentence of article 2 is accepted by the United Kingdom only so far as it is compatible with the provision of efficient instruction and training, and the avoidance of unreasonable public expenditure.