

## Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention (Strasbourg, 6 May 1963)

**Caption:** Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention. Open for signature in Strasbourg on 6 May 1963 by the members of the Council of Europe that are signatories of the Convention, it entered into force on 21 September 1970.

**Source:** Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention (Strasbourg, 6.V.1963). [ON-LINE]. [Strasbourg]: Council of Europe, Treaty Office, [10.09.2004]. European Treaty Series (ETS) - No. 45. Available on <http://conventions.coe.int/Treaty/en/Treaties/Word/045.doc>.

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## **Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention (Strasbourg, 6 May 1963)**

[The original text of the Convention had been amended according to the text of Protocol No. 3 which entered into force on 21 September 1970. All provisions which had been amended or added by this Protocol are replaced by Protocol No. 11 (ETS No. 155), as from the date of its entry into force, on 1 November 1998.]

The member States of the Council of Europe, signatories to this Protocol,

Considering that it is advisable to amend certain provisions 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") concerning the procedure of the European Commission of Human Rights,

Have agreed as follows:

### **Article 1**

- 1 Article 29 of the Convention is deleted.
- 2 The following provision shall be inserted in the Convention:

"Article 29

After it has accepted a petition submitted under Article 25, the Commission may nevertheless decide unanimously to reject the petition if, in the course of its examination, it finds that the existence of one of the grounds for non-acceptance provided for in Article 27 has been established.

In such a case, the decision shall be communicated to the parties."

### **Article 2**

In Article 30 of the Convention, the word "Sub-Commission" shall be replaced by the word "Commission".

### **Article 3**

- 1 At the beginning of Article 34 of the Convention, the following shall be inserted:

"Subject to the provisions of Article 29..."

- 2 At the end of the same article, the sentence "the Sub-Commission shall take its decisions by a majority of its members" shall be deleted.

### **Article 4**

- 1 This Protocol shall be open to signature by the member States of the Council of Europe signatories to the Convention, who may become Parties to it either by:

- a signature without reservation in respect of ratification or acceptance, or
- b signature with reservation in respect of ratification or acceptance, followed by ratification or acceptance. Instruments of ratification or acceptance shall be deposited with the Secretary General of the Council of Europe.

- 2 This Protocol shall enter into force as soon as all States Parties to the Convention shall have become

Parties to the Protocol, in accordance with the provisions of paragraph 1 of this article.

3 The Secretary General of the Council of Europe shall notify the member States of the Council of:

- a any signature without reservation in respect of ratification or acceptance;
- b any signature with reservation in respect of ratification or acceptance;
- c the deposit of any instrument of ratification or acceptance;
- d the date of entry into force of this Protocol in accordance with paragraph 2 of this article.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 6th day of May 1963, in English and in French, both texts being equally authoritative, 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 States.