

Press release on the ceremony of the entry into force of the ECHR (3 September 1953)

Caption: Press release published on 3 September 1953 at the conclusion of the ceremony of the entry into force of the European Convention on Human Rights. Annexed thereto are the speeches delivered by Jean-Pierre Kremer, Permanent Representative of the Grand Duchy of Luxembourg to the Council of Europe, and Anthony Lincoln, Secretary-General of the organisation.

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The ceremony of the entry into force of the European Convention on Human Rights (Strasbourg, 3 September 1953)

Strasbourg 3rd September. It was a brief and simple ceremony in the office of Mr. Anthony Lincoln, Acting Secretary-General of the Council of Europe, which brought into force the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The Acting Secretary-General was accompanied by his senior colleagues, while the Permanent Representatives of several Governments to the Council of Europe led by their Chairman in office, M. F. L. Goffart (Belgium), accompanied their Luxembourg colleague, M. Jean-Pierre Kremer. The deposit of ten ratifications were required of the signatory States, before the Convention could enter into force. Luxembourg was the tenth to perform this act.

When handing over the instrument of ratification signed by the Grand-Duchess Charlotte, M. Kremer gave a brief address in which he emphasised that by this act the Luxembourg Government intended not merely to become a party to the Convention but fulfilled the formality which ensured its entry into force, "thus transferring the basic principles of international law, as respected by the democratic countries, to the realm of international law". M. Kremer also referred to the solemn declaration made by the six Foreign Ministers at their recent meeting in Baden-Baden that they intended to base their future European Political Community on the respect of human rights and fundamental freedoms. He concluded by recalling that the seat of the Coal and Steel Community was now established at Luxembourg, re-affirming the devotion of his Government to the idea of European union and its faith in the principles of the Convention on Human Rights.

In his reply, Mr. Anthony Lincoln referred with regret to the loss of his colleague, the late Jacques-Camille Paris, Secretary-General of the Council. After stressing the historic significance of the entry into force of the Convention, he added: "It is now a fact, and an inspiring one, that the exercise of some fundamental rights, rights pertaining to democracy and to individuals, reposes henceforward on the solid basis of a collective guarantee". Mr. Lincoln concluded by saying "there would have been no Convention had there been no Council of Europe, no Consultative Assembly and no Committee of Ministers to ponder and codify aspirations common to each There would, indeed, be no Council of Europe but for that fund of good will and that instinct towards unity in equality which prevail in its member countries."

The Convention entered into force at 3 p.m. G.M.T.

Originals of the speeches of MM. Kremer and Lincoln are appended.

Speech by Mr Kremer, Permanent Representative of the Grand Duchy of Luxembourg

Sir,

When seeking the approval of the Luxembourg Parliament for the Convention and Protocol on the Protection of Human Rights and Fundamental Freedoms, the Government of the Grand Duchy was fully aware that their entry into force would prove a vital step towards the European goal to which the Strasbourg Organisation aspires.

By instructing me to deposit this instrument of ratification, the Luxembourg Government has not merely decided to become a party to the Convention but has fulfilled the formality which ensures its entry into force, under the terms of Article 66, paragraph 2, thus transferring the basic principles of internal law, respected by the democratic countries, to the realm of international law.

This entry into force marks a turning point in the life of the Council which will surely be described as historic by future generations, for we are about to establish an international order based on a common

conception of human rights and fundamental freedoms in the Member countries of the Council of Europe.

May I here recall the declaration made by the six Foreign Ministers at their recent meeting in Baden-Baden, whereby the future European Political Community upon which they are agreed, remains open to all other European States which undertake to respect human rights and fundamental freedoms.

The Universal Declaration of 1948 had already proclaimed the same rights and freedoms for human beings throughout the world, but this text lacked the active legal force which gives such value to the European Convention.

My country is proud to have a share in this creative act of international legislation and thus contribute to the implementation of principles already embodied in its national legislation, which will surely gain renewed vitality as a result of this Convention.

Since fate has decided that Luxembourg should be responsible for noble achievement, my Government accepts the challenge with confidence, for experience over more than a year has indicated the benefits to be derived from that other European institution whose seat is now established in the capital of Luxembourg. Devoted as it is to the idea of European unity, my Government is happy to have this opportunity of affirming its faith in the provisions which it now ratifies.

Speech by Mr Anthony Lincoln, Secretary General a.i. of the Council of Europe

Monsieur le Représentant Permanent,

I feel myself privileged to receive from your hands the instrument whereby the government of the Grand Duchy has ratified the Convention and Additional Protocol for the Protection of Human Rights and Fundamental Freedoms. The gratification of all of us at this memorable occasion is tempered only by our regret that my colleague, the late Jacques Camille Paris, was not spared to witness the consummation of one of the most notable tasks which the Council of Europe has undertaken.

Ten ratifications are required to give effect to the Convention. Your country has provided the tenth; and from this moment in time the Convention enters into force. In the course of your striking speech, you remarked, with great penetration, upon the significance of this event; and you voiced your conviction that future generations, looking back, would see a part of history made in it. For my part, I can imagine no more concrete confirmation of the determination of member countries of the Council to maintain and develop the rule of law in their relations, than that which this day has provided. I do not claim that the enumeration of rights and liberties in the Convention is exhaustive. There may be others which a developing European conscience may one day wish to add. Nevertheless it is now a fact, and an inspiring one, that the exercise of some fundamental rights, rights pertaining to democracy and to individuals, reposes henceforward on the solid basis of a collective guarantee. This innovation has been brought about in a Europe whose social and political genius has remained creative, in spite of the wounds of war and the bitterness of recent memories. There would have been no Convention had there been no Council of Europe - no Consultative Assembly and no Committee of Ministers to ponder and codify aspirations common to each. There would, indeed, be no Council of Europe but for that fund of good will and that instinct towards unity in equality, which prevail in its member countries and which abounds in your own country, M. le Représentant. The Convention is not the only achievement of the Council; but even if it were, it should correct any disposition to look impatiently upon our Strasbourg scene.