

PROTOCOL No. 12  
TO THE CONVENTION  
FOR THE PROTECTION  
OF HUMAN RIGHTS  
AND FUNDAMENTAL FREEDOMS

The member States of the Council of Europe signatory hereto,

Having regard to the fundamental principle according to which all persons are equal before the law and are entitled to the equal protection of the law;

Being resolved to take further steps to promote the equality of all persons through the collective enforcement of a general prohibition of discrimination by means of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950 (hereinafter referred to as “the Convention”);

Reaffirming that the principle of non-discrimination does not prevent States Parties from taking measures in order to promote full and effective equality, provided that there is an objective and reasonable justification for those measures,

Have agreed as follows:

#### **Article 1 – General prohibition of discrimination**

- 1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- 2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

#### **Article 2 – Territorial application**

- 1 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance or approval, specify the territory or territories to which this Protocol shall apply.
- 2 Any State may at any later date, by a declaration addressed to the Secretary General of the Council of

Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt by the Secretary General of such declaration.

- 3 Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn or modified by a notification addressed to the Secretary General of the Council of Europe. The withdrawal or modification shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.
- 4 A declaration made in accordance with this article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.
- 5 Any State which has made a declaration in accordance with paragraph 1 or 2 of this article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive applications from individuals, non-governmental organisations or groups of individuals as provided by Article 34 of the Convention in respect of Article 1 of this Protocol.

### **Article 3 – Relationship to the Convention**

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

### **Article 4 – Signature and ratification**

This Protocol shall be open for signature by member States of the Council of Europe which have signed the Convention. It is subject to ratification, acceptance or approval. A member State of the Council of Europe may not ratify, accept or approve this Protocol without previously or simultaneously ratifying the Convention. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

## **Article 5 – Entry into force**

- 1 This Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date on which ten member States of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 4.
- 2 In respect of any member State which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

## **Article 6 – Depositary functions**

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

- a any signature;
- b the deposit of any instrument of ratification, acceptance or approval;
- c any date of entry into force of this Protocol in accordance with Articles 2 and 5;
- d any other act, notification or communication relating to this Protocol.

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

Done at Rome, this 4th day of November 2000, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.

For the Government of the Republic of Albania:

For the Government of the Principality of Andorra:

For the Government of the Republic of Austria:

Albert ROHAN

For the Government of the Kingdom of Belgium:

Louis MICHEL

Cette signature engage également la Communauté flamande, la Communauté française, la Communauté germanophone, la Région flamande, la Région wallonne et la Région Bruxelles-Capitale

For the Government of the Republic of Bulgaria:

For the Government of the Republic of Croatia:

For the Government of the Republic of Cyprus:

Nicos KOSHIS

For the Government of the Czech Republic:

Jiří MUCHA

For the Government of the Kingdom of Denmark:

For the Government of the Republic of Estonia:

Märt RASK

For the Government of the Republic of Finland:

Johannes KOSKINEN

For the Government of the French Republic:

For the Government of the Republic of Georgia:

Irakli MENAGARISHVILI

For the Government of the Federal Republic of Germany:

Franz Gerhard PLÜCKEBAUM

Eckhart PICK

For the Government of the Hellenic Republic

Elisabeth PAPAZOÏ

For the Government of the Republic of Hungary:

Ibolya DÁVID

For the Government of the Icelandic Republic:

Sólveig PÉTURSDÓTTIR

For the Government of Ireland:

John O'DONOGHUE

For the Government of the Italian Republic:

Lamberto DINI

For the Government of the Republic of Latvia:

Ingrida LABUCKA

For the Government of the Principality of Liechtenstein

Andrea WILLI

For the Government of the Republic of Lithuania:

For the Government of the Grand Duchy of Luxemburg:

Lydie POLFER

For the Government of Malta:

For the Government of the Republic of Moldova;

Nicolae TABACARU

For the Government of the Kingdom of the Netherlands

Renée JONES-BOS

For the Government of the Kingdom of Norway:

For the Government of the Republic of Poland:

For the Government of the Republic of Portugal:

Paulo CASTILHO

For the Government of Romania:

Mihai Răzvan UNGUREANU

For the Government of the Russian Federation:

Youri TCHAIKA

For the Government of the Republic of San Marino:

Gabriele GATTI

For the Government of the Slovak Republic:

Pál CSÁKY

For the Government of the Republic of Slovenia:

For the Government of the Kingdom of Spain:

For the Government of the Kingdom of Sweden:

For the Government of the Swiss Confederation:

For the Government of the Turkish Republic:

For the Government of Ukraine:

Suzanna STANIK

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