



*European Treaty Series - No 177*

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

Rome, 4.XI.2000

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declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn or modified by a notification addressed to the Secretary General of the Council of Europe.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 Kingdom of Belgium:

Pour le Gouvernement  
du Royaume de Belgique:

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:

Pour le Gouvernement  
de la République de Bulgarie:

For the Government  
of the Republic of Croatia:

Pour le Gouvernement  
de la République de Croatie:

For the Government  
of the Republic of Cyprus:

Pour le Gouvernement  
de la République de Chypre:

Nicos KOSHIS

For the Government  
of the Czech Republic:

Pour le Gouvernement  
de la République tchèque:

Jiří MUCHA

For the Government  
of the Kingdom of Denmark:

Pour le Gouvernement  
du Royaume de Danemark:

For the Government  
of the Republic of Estonia:

Pour le Gouvernement  
de la République d'Estonie:

Märt RASK

For the Government  
of the Republic of Finland:

Pour le Gouvernement  
de la République de Finlande:

Johannes KOSKINEN

For the Government  
of the French Republic:

Pour le Gouvernement  
de la République française:

For the Government  
of the Republic of Georgia:

Pour le Gouvernement  
de la République de Géorgie:

Irakli MENAGARISHVILI

For the Government  
of the Federal Republic of Germany:

Franz Gerhard PLÜCKEBAUM

Pour le Gouvernement  
de la République fédérale d'Allemagne:

Eckhart PICK

For the Government  
of the Hellenic Republic:

Elisabeth PAPAZOÏ

Pour le Gouvernement  
de la République hellénique:

For the Government  
of the Republic of Hungary:

Ibolya DÁVID

Pour le Gouvernement  
de la République de Hongrie:

For the Government  
of the Icelandic Republic:

Sólveig PÉTURSDÓTTIR

Pour le Gouvernement  
de la République islandaise:

For the Government  
of Ireland:

John O'DONOGHUE

Pour le Gouvernement  
d'Irlande:

For the Government  
of the Italian Republic:

Pour le Gouvernement  
de la République italienne:

Lamberto DINI

For the Government  
of the Republic of Latvia:

Pour le Gouvernement  
de la République de Lettonie:

Ingrīda LABUČKA

For the Government  
of the Principality of Liechtenstein:

Pour le Gouvernement  
de la Principauté de Liechtenstein:

Andrea WILLI

For the Government  
of the Republic of Lithuania:

Pour le Gouvernement  
de la République de Lituanie:

For the Government  
of the Grand Duchy of Luxembourg:

Pour le Gouvernement  
du Grand-Duché de Luxembourg:

Lydie POLFER



For the Government  
of Malta:

Pour le Gouvernement  
de Malte:

For the Government  
of the Republic of Moldova:

Pour le Gouvernement  
de la République de Moldova:

Nicolae TABACARU

For the Government  
of the Kingdom of the Netherlands:

Pour le Gouvernement  
du Royaume des Pays-Bas:

Renée JONES-BOS

For the Government  
of the Kingdom of Norway:

Pour le Gouvernement  
du Royaume de Norvège:

For the Government  
of the Republic of Poland:

Pour le Gouvernement  
de la République de Pologne:

For the Government  
of the Republic of Portugal:

Pour le Gouvernement  
de la République portugaise:

Paulo CASTILHO

For the Government  
of Romania:

Pour le Gouvernement  
de la Roumanie:

Mihai Răzvan UNGUREANU

For the Government  
of the Russian Federation:

Pour le Gouvernement  
de la Fédération de Russie:

Youri TCHAIKA

For the Government  
of the Republic of San Marino:

Pour le Gouvernement  
de la République de Saint-Marin:

Gabriele GATTI

For the Government  
of the Slovak Republic:

Pour le Gouvernement  
de la République slovaque:

Pál CSÁKY

For the Government  
of the Republic of Slovenia :

Pour le Gouvernement  
de la République de Slovénie :

For the Government  
of the Kingdom of Spain :

Pour le Gouvernement  
du Royaume d'Espagne :

For the Government  
of the Kingdom of Sweden :

Pour le Gouvernement  
du Royaume de Suède :

For the Government  
of the Swiss Confederation :

Pour le Gouvernement  
de la Confédération suisse :

For the Government  
of the Turkish Republic :

Pour le Gouvernement  
de la République turque :

For the Government  
of Ukraine:

Pour le Gouvernement  
de l'Ukraine:

Suzanna STANIK

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

Pour le Gouvernement  
du Royaume-Uni de Grande-Bretagne  
et d'Irlande du Nord:

Certified a true copy of the sole original  
document, in English and in French, de-  
posited in the archives of the Council of  
Europe.

Copie certifiée conforme à l'exemplaire  
original unique en langues française et  
anglaise, déposé dans les archives du  
Conseil de l'Europe.

Strasbourg, le 14 décembre 2000

The Director General of Legal Affairs  
of the Council of Europe,

Le Directeur Général des Affaires Juridiques  
du Conseil de l'Europe,

Guy DE VEL

