

List of declarations made with respect to treaty No. 046¹

Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto

Status as of: April 2007

Austria :

Reservation made at the time of signature, on 16 September 1963, and renewed at the time of deposit of the instrument of ratification, on 18 September 1969 - Or. Fr.

Protocol No. 4 is signed with the reservation that Article 3 shall not apply to the provisions of the Law of 3 April 1919, StGBI. No. 209 concerning the banishment of the House of Habsbourg-Lorraine and the confiscation of their property, as set out in the Act of 30 October 1919, StGBI. No. 501, in the Constitutional Law of 30 July 1925, BGBl. No. 292, in the Federal Constitutional Law of 26 January 1928, BGBl. No. 30, and taking account of the Federal Constitutional Law of 4 July 1963, BGBl. No. 172.

Period covered: 18/9/1969 -

The preceding statement concerns Article(s) : 3

Cyprus :

Declaration made at the time of signature, on 6 October 1988, and confirmed at the time of deposit of the instrument of ratification, on 3 October 1989 - Or. Engl.

The Government of the Republic of Cyprus adopts the position that, according to a proper interpretation of the provisions of Article 4 of the Protocol, they are not applicable to aliens unlawfully in the Republic of Cyprus as a result of the situation created by the continuing invasion and military occupation of part of the territory of the Republic of Cyprus by Turkey.

Period covered: 3/10/1989 -

The preceding statement concerns Article(s) : 4

Ireland :

Declaration made at the time of signature, on 16 September 1963 - Or. Engl.

The reference to extradition contained in paragraph 21 of the Report of the Committee of Experts on this Protocol and concerning paragraph 1 of Article 3 of the Protocol includes also laws providing for the execution in the territory of one Contracting party of warrants of arrest issued by the authorities of another Contracting Party.

Period covered: 29/10/1968 -

The preceding statement concerns Article(s) : 3

Netherlands :

Declaration contained in the instrument of ratification, deposited on 23 June 1982 - Or. Fr.

We approve herewith, for the Kingdom in Europe and the Netherlands Antilles, the said Protocol.

Period covered: 23/6/1982 -

The preceding statement concerns Article(s) : 5

Declaration contained in a letter from the Minister of Foreign Affairs, dated 9 June 1982, handed to the Secretary General at the time of deposit of the instrument of ratification, on 23 June 1982 - Or. Fr.

Since, following ratification by the Kingdom of the Netherlands, Protocol No. 4 to the Convention on Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already specified in the Convention and the first Protocol, applies to the Netherlands and to the Netherlands Antilles, the Netherlands and the Netherlands Antilles are regarded as separate territories for the application of Articles 2 and 3 of the Protocol, in accordance with Article 5, paragraph 4. Under Article 3, no one may be expelled from or deprived of the right to enter the territory of the State of which he is a national. There is, however, only one nationality (Netherlands) for the whole of the Kingdom. Accordingly, nationality cannot be used as a criterion in making a distinction between the "citizens" of the Netherlands and those of the Netherlands Antilles, a distinction which is unavoidable since Article 3 applies separately to each of the parts of the Kingdom.

¹ Compiled by ERICarts from <http://conventions.coe.int/Treaty/Commun/ListeTraites.asp?CM=8&CL=ENG> the Treaties' address of the Council of Europe.

This being so, the Netherlands reserve the right to make a distinction in law, for purpose of the application of Article 3 of the Protocol, between Netherlands nationals residing in the Netherlands and Netherlands nationals residing in the Netherlands Antilles.

Period covered: 23/6/1982 -

The preceding statement concerns Article(s) : 3