



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3595 της 19ης ΑΠΡΙΛΙΟΥ 2002
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Ευρωπαϊκής Σύμβασης για την Προάσπιση των Ανθρωπίνων Δικαιωμάτων και Θεμελιωδών Ελευθεριών (Δωδέκατο Πρωτόκολλο) (Κυρωτικός) Νόμος του 2002 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 11(III) του 2002

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΟ ΔΩΔΕΚΑΤΟ ΠΡΩΤΟΚΟΛΛΟ
ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΣΥΜΒΑΣΗΣ ΓΙΑ ΤΗΝ ΠΡΟΑΣΠΙΣΗ
ΤΩΝ ΑΝΘΡΩΠΙΝΩΝ ΔΙΚΑΙΩΜΑΤΩΝ ΚΑΙ ΘΕΜΕΛΙΩΔΩΝ ΕΛΕΥΘΕΡΙΩΝ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως :

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Ευρωπαϊκής Σύμβασης για την Προάσπιση των Ανθρωπίνων Δικαιωμάτων και Θεμελιωδών Ελευθεριών (Δωδέκατο Πρωτόκολλο) (Κυρωτικός) Νόμος του 2002. Συνοπτικός
τίτλος.

2. Στον παρόντα Νόμος—

Ερμηνεία.

«Πρωτόκολλο» σημαίνει το Πρωτόκολλο Αρ. 12 της Ευρωπαϊκής Σύμβασης για την Προάσπιση των Ανθρωπίνων Δικαιωμάτων και Θεμελιωδών Ελευθεριών, το οποίο έγινε στη Ρώμη στις 4 Νοεμβρίου 2000.

«Σύμβαση» σημαίνει την Ευρωπαϊκή Σύμβαση για την Προάσπιση των Ανθρωπίνων Δικαιωμάτων και Θεμελιωδών Ελευθεριών, η οποία έγινε στη Ρώμη στις 4 Νοεμβρίου 1950, και η οποία κυρώθηκε με τον περί της Ευρωπαϊκής Σύμβασης για την Προάσπιση των Ανθρωπίνων Δικαιωμάτων (Κυρωτικό) Νόμος του 1962. 39 του 1962.

Κύρωση του
Πρωτοκόλλου.
Πίνακας.
Μέρος Ι,
Μέρος ΙΙ.

3. Με τον παρόντα Νόμο κυρώνεται το Πρωτόκολλο του οποίου το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ του Πίνακα:

Νοείται ότι, σε περίπτωση διαφοράς μεταξύ του κειμένου στο Μέρος Ι του Πίνακα και του κειμένου στο Μέρος ΙΙ, θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ
(άρθρο 3)

ΜΕΡΟΣ Ι

**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. 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 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.