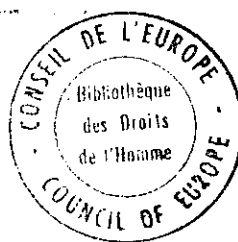


## PROTOCOL No. 4

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

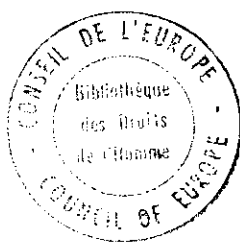
## PROTOCOLE N° 4

à la Convention de sauvegarde des Droits de l'homme et  
des libertés fondamentales, reconnaissant certains droits  
et libertés autres que ceux figurant déjà dans la Convention  
et dans le premier Protocole additionnel à la Convention



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341.24(4):06C'E  
COL / C. E.

The Governments signatory hereto, being Members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section I of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950 (hereinafter referred to as "the Convention") and in Articles 1 to 3 of the First Protocol to the Convention, signed at Paris on 20th March 1952,

Have agreed as follows :

#### ARTICLE 1

No one shall be deprived of his liberty merely on the ground of inability to fulfil a contractual obligation.

#### ARTICLE 2

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
2. Everyone shall be free to leave any country, including his own.
3. No restrictions shall be placed on the exercise of these rights other than such as are in accordance with law and are necessary in a democratic society in the interests of national security or public safety, for the maintenance of *ordre public*, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
4. The rights set forth in paragraph 1 may also be subject, in particular areas, to restrictions imposed in accordance with law and justified by the public interest in a democratic society.

#### ARTICLE 3

1. No one shall be expelled, by means either of an individual or of a collective measure, from the territory of the State of which he is a national.
2. No one shall be deprived of the right to enter the territory of the State of which he is a national.

#### ARTICLE 4

Collective expulsion of aliens is prohibited.

#### ARTICLE 5

1. Any High Contracting Party may, at the time of signature or ratification of this Protocol, or at any time thereafter, communicate to the Secretary-General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of this Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.
2. Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may, from time to time, communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.
3. A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 63 of the Convention.
4. The territory of any State to which this Protocol applies by virtue of ratification or acceptance by that State, and each territory to which this Protocol is applied by virtue of a declaration by that State under this Article, shall be treated as separate territories for the purpose of the references in Articles 2 and 3 to the territory of a State.

#### ARTICLE 6

1. As between the High Contracting Parties the provisions of Articles 1 to 5 of this Protocol shall be regarded as additional Articles to the Convention, and all the provisions of the Convention shall apply accordingly.
2. Nevertheless, the right of individual recourse recognised by a declaration made under Article 25 of the Convention, or the acceptance of the compulsory jurisdiction of the Court by a declaration made under Article 46 of the Convention, shall not be effective in relation to this Protocol unless the High Contracting Party concerned has made a statement recognising such right, or accepting such jurisdiction, in respect of all or any of Articles 1 to 4 of the Protocol.

#### ARTICLE 7

1. This Protocol shall be open for signature by the Members of the Council of Europe who are the signatories of the Convention; it shall be ratified at the same

time as or after the ratification of the Convention. It shall enter into force after the deposit of five instruments of ratification. As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.

2. The instruments of ratification shall be deposited with the Secretary-General of the Council of Europe, who will notify all Members of the names of those who have ratified.

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

Done at Strasbourg, this 16th day of September 1963, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory States.

For the Government  
of the Republic of Austria :

At the time of signature of this Protocol, the undersigned has communicated, on behalf of his Government, the following declaration :

Protocol No 4 is signed with the reservation that Article 3 shall not apply to the provisions on the Law of 3rd April 1919, StGB1. No 209 concerning the banishment of the House of Habsburg-Lorraine and the confiscation of their property, as set out in the Act of 30th October 1919, StGB1. No 501, in the Federal Constitutional Law of 26th January 1928, BGB1. No 30, and taking account of the Federal Constitutional Law of 4th July 1963, BGB1. No 172.

H. REICHMANN

For the Government  
of the Kingdom of Belgium :

R. COENE

En foi de quoi, les soussignés, étant dûment autorisés à cet effet, ont présent Protocole.

Fait à Strasbourg, le 16 septembre 1963, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé dans les archives du Conseil de l'Europe. Le Secrétaire Général en communiquera copie conforme à chacun des Etats signataires.

Pour le Gouvernement  
de la République d'Autriche :

Au moment de la signature de ce Protocole, le soussigné a remis, au nom de son Gouvernement, le texte de la déclaration suivante :

Le Protocole N° 4 est signé sous réserve que son article 3 n'est pas appliqué aux dispositions de la Loi du 3 avril 1919, StGB1. N° 209 sur le bannissement et à la confiscation des biens de la Maison de Habsbourg-Lorraine, dans la version de la Loi du 30 octobre 1919, StGB1. N° 501, de la Loi constitutionnelle fédérale du 26 janvier 1928, BGB1. N° 30, et compte tenu de la Loi constitutionnelle fédérale du 4 juillet 1963, BGB1. N° 172.

Pour le Gouvernement  
du Royaume de Belgique :

For the Government  
of the Republic of Cyprus :

Pour le Gouvernement  
de la République de Chypre :

For the Government  
of the Kingdom of Denmark :

Pour le Gouvernement  
du Royaume de Danemark :

Mogens WARBERG

For the Government  
of the French Republic :

Pour le Gouvernement  
de la République française :

For the Government  
of the Federal Republic of Germany :

Pour le Gouvernement  
de la République Fédérale d'Allemagne :

Felician PRILL

For the Government  
of the Kingdom of Greece :

Pour le Gouvernement  
du Royaume de Grèce :

For the Government  
of the Icelandic Republic :

Pour le Gouvernement  
de la République islandaise :

For the Government  
of Ireland :

Pour le Gouvernement  
d'Irlande :

At the time of signature of this Protocol, the Irish Government makes the following declaration :

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.

Au moment de la signature de ce Protocole, le Gouvernement irlandais fait la déclaration suivante :

La référence à l'extradition au paragraphe 21 du rapport du Comité d'experts, relatif à ce Protocole et portant sur le paragraphe 1<sup>er</sup> de l'article 3 de ce dernier, s'applique également aux lois prévoyant l'exécution, sur le territoire d'une Partie Contractante, de mandats d'arrêt délivrés par les autorités d'une autre Partie Contractante.

Brendan DILLON

For the Government  
of the Italian Republic :

Pour le Gouvernement  
de la République italienne :

Alessandro MARIENI

For the Government of the  
Grand Duchy of Luxembourg :

Pour le Gouvernement du  
Grand Duché de Luxembourg :

Pierre WURTH

For the Government  
of the Kingdom of the Netherlands :

Pour le Gouvernement  
du Royaume des Pays-Bas :

*Strasbourg, le 15 novembre 1963*

W.J.D. PHILIPSE

For the Government  
of the Kingdom of Norway :

Pour le Gouvernement  
du Royaume de Norvège :

Knut FRYDENLUND

For the Government  
of the Kingdom of Sweden :

Pour le Gouvernement  
du Royaume de Suède :

K.G. LAGERFELT

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 the United Kingdom of Great Britain  
and Northern Ireland :

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

I.F. PORTER