

The Protocol was previously
published as Miscellaneous
No. 20 (1999), Cm 4284

HUMAN RIGHTS



Treaty Series No. 7 (2000)

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Protocol No. 6

to the Convention for the Protection of
Human Rights and Fundamental Freedoms
concerning the

Abolition of the Death Penalty

Opened for signature Strasbourg, 28 April 1983

[The United Kingdom Instrument of Ratification was deposited on 20 May 1999
and the Protocol entered into force for the United Kingdom on 1 June 1999]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 2000*

PROTOCOL NO. 6 TO THE CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS CONCERNING THE ABOLITION OF THE DEATH PENALTY

The member States of the Council of Europe, signatory to this Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on 4 November 1950 (hereinafter referred to as "the Convention"),¹

Considering that the evolution that has occurred in several member States of the Council of Europe expresses a general tendency in favour of abolition of the death penalty,

Have agreed as follows:

ARTICLE 1

The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

ARTICLE 2

A State may make provision in its law for the death penalty in respect of acts committed in time of war or of imminent threat of war; such penalty shall be applied only in the instances laid down in the law and in accordance with its provisions. The State shall communicate to the Secretary General of the Council of Europe the relevant provisions of that law.

ARTICLE 3

No derogation from the provisions of this Protocol shall be made under Article 15 of the Convention.

ARTICLE 4

No reservation may be made under Article 64 of the Convention in respect of the provisions of this Protocol.

ARTICLE 5

(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 date of receipt of such declaration by the Secretary General.

(3) Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the date of receipt of such notification by the Secretary General.

¹ Treaty Series No. 71 (1953) Cmd. 8969.

ARTICLE 6

As between the States 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.

ARTICLE 7

This Protocol shall be open for signature by the member States of the Council of Europe, signatories to the Convention. It shall be subject to ratification, acceptance or approval. A member State of the Council of Europe may not ratify, accept or approve this Protocol unless it has, simultaneously or previously, ratified the Convention. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

ARTICLE 8

(1) This Protocol shall enter into force on the first day of the month following the date on which five member States of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 7.

(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 date of the deposit of the instrument of ratification, acceptance or approval.

ARTICLE 9

The Secretary General of the Council of Europe shall notify the member States of the Council 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 5 and 8;
- (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 Strasbourg, this 28th day of April 1983, 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.

RATIFICATIONS, ACCESSIONS, EFFECTIVE DATES AND DECLARATIONS

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
Andorra	Signature	22 Jan 1996	
	Ratification	22 Jan 1996	01 Feb 1996
Austria	Signature	28 Apr 1983	
	Ratification	05 Jan 1984	01 Mar 1985
Belgium	Signature	28 Apr 1983	
	Ratification	10 Dec 1998	01 Jan 1999
Bulgaria	Signature	07 May 1999	
	Ratification	29 Sep 1999	01 Oct 1999
Croatia	Signature	06 Dec 1996	
	Ratification	05 Dec 1997	01 Dec 1997
Cyprus	Signature	07 May 1999	
Czech Republic	Signature	21 Feb 1991	
	Ratification	18 Mar 1992	01 Jan 1993
Denmark	Signature	28 Apr 1983	
	Ratification	01 Dec 1983	01 Mar 1985
Estonia	Signature	14 May 1993	
	Ratification	17 Apr 1998	01 May 1998
Finland	Signature	05 May 1989	
	Ratification	10 May 1990	01 June 1990
France	Signature	28 Apr 1983	
	Ratification	17 Feb 1986	01 Mar 1986
Georgia	Signature	17 Jun 1999	
Germany ¹	Signature	28 Apr 1983	
	Ratification	05 Jul 1989	01 Aug 1989
	Declaration	23 Jul 1993	
Greece	Signature	02 May 1983	
	Ratification	08 Sep 1989	01 Oct 1989
Hungary	Signature	06 Nov 1990	
	Ratification	05 Nov 1992	01 Dec 1992
Iceland	Signature	24 Apr 1985	
	Ratification	22 May 1987	01 Jun 1987
Ireland	Signature	24 Jun 1994	
	Ratification	24 Jun 1994	01 Jul 1994
Italy	Signature	21 Oct 1983	
	Ratification	29 Dec 1988	01 Jul 1989
Latvia	Signature	26 Jun 1998	
	Ratification	07 May 1999	01 Jun 1999
Liechtenstein	Signature	15 Nov 1990	
	Ratification	15 Nov 1990	01 Dec 1990
Lithuania	Signature	18 Jan 1999	
	Ratification	08 Jul 1999	01 Aug 1999
Luxembourg	Signature	28 Apr 1983	
	Ratification	19 Feb 1985	01 Mar 1985
Malta	Signature	26 Mar 1991	
	Ratification	26 Mar 1991	01 Apr 1991
Moldova	Signature	02 May 1996	
	Ratification	12 Sep 1997	01 Oct 1997
Netherlands ²	Signature	28 Apr 1983	
	Ratification	25 Apr 1986	01 May 1986
	Declaration	25 Apr 1986#	
Norway	Signature	28 Apr 1983	
	Ratification	25 Oct 1988	01 Nov 1988
Portugal	Signature	28 Apr 1983	
	Ratification	02 Oct 1986	01 Nov 1986
Romania	Signature	15 Dec 1993	
	Ratification	20 Jun 1994	01 Jul 1994
Russia	Signature	16 Apr 1997	
San Marino	Signature	01 Mar 1989	
	Ratification	22 Mar 1989	01 Apr 1989

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
Slovakia	Signature	21 Feb 1991	
	Ratification	18 Mar 1992	01 Apr 1993
Slovenia	Signature	14 May 1993	
	Ratification	28 Jun 1994	01 Jul 1994
Spain	Signature	28 Apr 1983	
	Ratification	14 Jan 1985	01 Mar 1985
Sweden	Signature	28 Apr 1983	
	Ratification	09 Feb 1984	01 Mar 1984
Switzerland	Signature	28 Apr 1983	
	Ratification	13 Oct 1987	01 Nov 1987
Macedonia, FYR	Signature	14 Jun 1996	
	Ratification	10 Apr 1997	01 May 1997
Ukraine	Signature	05 May 1997	
United Kingdom ³	Signature	27 Jan 1999	
	Ratification	20 May 1999	01 Jun 1999
	Declaration	20 May 1999	

NOTES:

¹ Declarations on ratification, one of which states that Protocol 6 shall apply to Land Berlin with effect from the date on which it enters into force for the Federal Republic of Germany.

² Declaration on signature extending the Protocol to Aruba and the Netherland Antillies.

³ The Government of United Kingdom of Great Britain and Northern Ireland accepts the Convention for the United Kingdom in Europe, The Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man.



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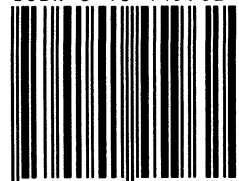
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