

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2014 Nr. 29

A. TITEL

Protocol nr. 14 bij het Verdrag tot bescherming van de rechten van de mens en de fundamentele vrijheden, betreffende wijziging van het controlesysteem van het Verdrag; Straatsburg, 13 mei 2004

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 2004, 191.

C. VERTALING

Zie *Trb.* 2004, 285.

In dat Tractatenblad dient de volgende correctie te worden aangebracht.

Op blz. 4, in artikel 7, in het nieuw ingevoegde artikel 27, derde lid, eerste regel, dient de zinsnede „verzoekschrift ontvankelijk” te worden vervangen door „verzoekschrift niet niet-ontvankelijk”.

D. PARLEMENT

Zie *Trb.* 2009, 104.

E. PARTIJGEGEVENS

Zie *Trb.* 2004, 191.

Partij	Onder-tekening	Ratificatie	Type ^s	In werking	Opzeg-ging	Buiten werking
Albanië	10-11-04	03-02-06	R	01-06-10		
Andorra	12-11-04	17-07-06	R	01-06-10		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Armenië	13-05-04	07-01-05	R	01-06-10		
Azerbeidzjan	16-02-05	19-05-06	R	01-06-10		
België	20-04-05	14-09-06	R	01-06-10		
Bosnië en Herzegovina	10-11-04	19-05-06	R	01-06-10		
Bulgarije	23-09-05	17-11-05	R	01-06-10		
Cyprus	15-12-04	17-11-05	R	01-06-10		
Denemarken	13-05-04	10-11-04	R	01-06-10		
Duitsland	10-11-04	11-04-06	R	01-06-10		
Estland	13-05-04	26-01-06	R	01-06-10		
Finland	29-11-04	07-03-06	R	01-06-10		
Frankrijk	13-05-04	07-06-06	R	01-06-10		
Georgië	13-05-04	10-11-04	R	01-06-10		
Griekenland	13-05-04	05-08-05	R	01-06-10		
Hongarije	07-04-05	21-12-05	R	01-06-10		
Ierland	13-05-04	10-11-04	R	01-06-10		
IJsland	13-05-04	16-05-05	R	01-06-10		
Italië	13-05-04	07-03-06	R	01-06-10		
Kroatië	13-05-04	30-01-06	R	01-06-10		
Letland	13-05-04	28-03-06	R	01-06-10		
Liechtenstein	20-09-04	07-09-05	R	01-06-10		
Litouwen	10-11-04	01-07-05	R	01-06-10		
Luxemburg	13-05-04	21-03-06	R	01-06-10		
Macedonië, de voormalige Joegoslavische Republiek	15-09-04	15-06-05	R	01-06-10		
Malta	04-10-04	04-10-04	R	01-06-10		
Moldavië	10-11-04	22-08-05	R	01-06-10		
Monaco	10-11-04	10-03-06	R	01-06-10		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Montenegro	-	14-06-06	VG	01-06-10		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	13-05-04	02-02-06 – – 02-02-06 – –	R R	01-06-10 10-10-10 10-10-10 10-10-10 01-06-10 10-10-10 10-10-10		
Noorwegen	13-05-04	10-11-04	R	01-06-10		
Oekraïne	10-11-04	27-03-06	R	01-06-10		
Oostenrijk	10-11-04	23-01-06	R	01-06-10		
Polen	10-11-04	12-10-06	R	01-06-10		
Portugal	27-05-04	19-05-06	R	01-06-10		
Roemenië	13-05-04	16-05-05	R	01-06-10		
Russische Federatie	04-05-06	18-02-10	R	01-06-10		
San Marino	16-05-05	02-02-06	R	01-06-10		
Servië	10-11-04	06-09-05	R	01-06-10		
Slovenië	13-05-04	29-06-05	R	01-06-10		
Slowakije	22-10-04	16-05-05	R	01-06-10		
Spanje	10-05-05	15-03-06	R	01-06-10		
Tsjechië	29-06-05	19-05-06	R	01-06-10		
Turkije	06-10-04	02-10-06	R	01-06-10		
Verenigd Koninkrijk	13-07-04	28-01-05	R	01-06-10		
Zweden	03-09-04	17-11-05	R	01-06-10		
Zwitserland	13-05-04	25-04-06	R	01-06-10		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Uitbreidingen

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Akrotiri en Dhekelia (Soevereine Basis Gebieden op Cyprus)	01-06-2010	
Anguilla	01-06-2010	
Bermuda	01-06-2010	
Britse Maagdeneilanden	01-06-2010	
Caymaneilanden	01-06-2010	
Falklandeilanden	01-06-2010	
Gibraltar	01-06-2010	
Guernsey	01-06-2010	
Jersey	01-06-2010	
Man	01-06-2010	
Montserrat	01-06-2010	
Sint-Helena, Ascension en Tristan da Cunha	01-06-2010	
Turks- en Caicoseilanden	01-06-2010	
Zuid-Georgië en de Zuidelijke Sandwicheilanden	01-06-2010	

Verklaringen, voorbehouden en bezwaren

België, 20 april 2005

Concerning Article 12 of the amending Protocol modifying Article 35 of the Convention for the Protection of Human Rights and Fundamental Freedoms, Belgium declares that it understands this provision within the meaning specified in particular in paragraphs 79, 80, 83 and 84 of the Explanatory Report, from which it results that:

- the Court shall apply the new admissibility criterion by establishing a case-law allowing to define the legal terms which state this criterion on the basis of an interpretation establishing objective criteria of definition (paragraphs 79 et 80);
- the new criterion is designed to avoid rejection of cases warranting an examination on the merits (paragraph 83);

– the single-judge formations and committees will not be able to apply the new criteria in the absence of a clear and well established case-law of the Court’s Chambers and Grand Chamber (paragraph 84).

Letland, 28 maart 2006

Bearing in mind Article 20, paragraph 2, of Protocol No. 14 to the Convention (hereinafter referred to as “this Protocol”), the Republic of Latvia interprets Article 12 of this Protocol amending Article 35 of the Convention (hereinafter referred to as “the Convention”), in the following manner:

1. The new admissibility criterion may not be applied to reject such applications, which examination would otherwise be important for the protection of human rights and fundamental freedoms as defined in the Convention and the Protocols thereto, as well as to reject such applications, which have not been duly considered by a domestic tribunal.
2. The single-judge formations and committees will be able to apply the new admissibility criterion only after the Court’s Chambers and Grand Chamber develop their case-law on this subject.
3. The new admissibility criterion will not be applied to the applications declared admissible before the entry into force of this Protocol in accordance with the general principle of non-retroactivity of treaties, contained in Article 28 of the Vienna Convention on the Law of Treaties of 23 May 1969.

Moldavië, 22 augustus 2005

Until the full establishment of the territorial integrity of the Republic of Moldova, the provisions of the Protocol shall be apply only on the territory controlled by the Government of the Republic of Moldova.

Polen, 12 oktober 2006

The Government of the Republic of Poland declares that it interprets the amendments introduced by Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention, in accordance with the provisions of Article 59, paragraph 3, of the said Convention, following the general principle of non-retroactivity of treaties, contained in Article 28 of the Vienna Convention on the Law of Treaties of 23 May 1969.

Russische Federatie, 18 februari 2010

The Russian Federation declares the following:

- the Protocol will be applied in accordance with the understanding contained in the Declaration on “Ensuring the effectiveness of the implementation of the European Convention on Human Rights at national and European levels” adopted by the Committee of Ministers of the Council of Europe at its 114th session on 12 May 2004;
- the provisions of the Protocol and their application will be without prejudice to further steps aimed at reaching a full consensus between

Member States of the Council of Europe on issues of strengthening the control mechanism of the Convention for the Protection of Human Rights and Fundamental Freedoms and of the European Court of Human Rights, including elaboration of a new additional protocol to the Convention based on the proposals of the “Group of Wise Persons” established to consider the issue of the long-term effectiveness of the Convention control mechanism;

– the application of the Protocol will be without prejudice to the process of improving the modalities of functioning of the European Court of Human Rights, first of all to strengthening the stability of its Rules, not excluding supplementary measures to be adopted by the Committee of Ministers of the Council of Europe aimed at reinforcing the control over the use of financial means allocated to the European Court of Human Rights and at ensuring the quality of staff of its Registry, with the understanding that procedural rules relating to examination of applications by the European Court of Human Rights must be adopted in the form of an international treaty subject to ratification or to another form of expression by a State of its consent to be bound by its provisions.

The Russian Federation declares that the application of Article 28, paragraph 3 of the Convention as amended by Article 8 of the Protocol does not exclude the right of a High Contracting Party concerned, if the judge elected in its respect is not a member of the committee, to request that he or she be given the possibility to take the place of one of the members of the committee.

The Russian Federation declares that no provision of the Protocol will be applied prior to its entry into force in accordance with Article 19.

F. VOORLOPIGE TOEPASSING

Zie *Trb.* 2009, 104.

G. INWERKINGTREDING

Zie *Trb.* 2010, 112.

J. VERWIJZINGEN

Zie *Trb.* 2004, 191, *Trb.* 2009, 104 en *Trb.* 2010, 112.

Titel : Verdrag tot bescherming van de rechten van de mens en de fundamentele vrijheden;
Rome, 4 november 1950

Laatste *Trb.* : *Trb.* 2014, 2

Titel : Verdrag betreffende de Europese Unie;
Maastricht, 7 februari 1992

Laatste *Trb.* : *Trb.* 2012, 182

Uitgegeven de *tiende* februari 2014.
De Minister van Buitenlandse Zaken,
F.C.G.M. TIMMERMANS