

*Article 191.* It is within the competence of the President of the Republic in so far as concerns his relations with the Legislative Power:

. . . .

(6) By the medium of the Ministers, to lay before the Legislative Power *projets* of laws, and treaties and contracts which require the approval of the legislature.

*Article 195.* It is within the competence of the President of the Republic as Supreme Administrative Authority:

. . . .

(7) To conclude treaties of peace informing Congress thereof at its next session.

(8) To conclude treaties ... and to ratify them with the previous approval of the Legislative Power.

## 60. Norway

(a) CONSTITUTION OF 17 MAY 1814, AS AMENDED. TEXT (IN ENGLISH)  
FURNISHED BY THE NORWEGIAN GOVERNMENT

*Article 26.* The King shall have the right to assemble troops, to commence war in defence of the Kingdom and to conclude peace, to conclude and abrogate alliances, to send and to receive diplomatic envoys. Treaties bearing on matters of special importance, and, in any case, such treaties as, according to the Constitution, necessitate a new law or a decision on the part of the Storting in order to be carried into effect shall not be binding until the Storting has given its consent thereunto.

(b) MEMORANDUM OF 4 APRIL 1951 FROM THE NORWEGIAN GOVERNMENT  
(ORIGINAL IN ENGLISH)

1. In spite of the expression "of special importance", the rule is to obtain the consent of the Storting regarding all treaties of any importance.

2. The consent of the Storting is always necessary if the treaty, according to the Constitution, requires a new law or a decision of the Storting. A new law is necessary when the treaty requires a change in existing legislation, and also when the State assumes responsibilities contrary to present laws, or obligations encroaching upon the rights of the citizens in such a way that, according to the Constitution, they must be authorized by a formal law.

3. Action, other than legislation, by the Storting, is especially required when the treaty affects the Storting's authority in financial matters.

4. The Storting must give its consent before a treaty is ratified. If the treaty requires legislation, the correct procedure is for the Storting both to give its consent to the treaty and to enact the law, before ratification takes place. However, in some cases the Storting gives a general consent in advance for the conclusion of treaties in a special field.

5. If the foregoing formal requirements are not fulfilled, the treaty is not binding. The regulation therefore limits not only the King's right but also his capacity to create binding obligations.

6. Treaties that are in conflict with absolute prohibitions of the Constitution cannot be entered into, even with the consent of the Storting. The abrogation of a treaty does not require consent by the Storting. The countersigning of international ratification documents is done by the Foreign Minister.

## 61. Pakistan

MEMORANDUM OF 28 DECEMBER 1951 FROM THE GOVERNMENT OF PAKISTAN  
(ORIGINAL IN ENGLISH)

1. There are no laws, regulations, decrees or judicial decisions regarding the negotiation and conclusion of treaties in Pakistan. The matter is governed by custom and usage. Since the creation of Pakistan as a separate Dominion of the Commonwealth, i.e., 15 August 1947, its treaty-making power has been exercised by the Government of Pakistan. When a treaty is to be negotiated as between Governments, the Government of Pakistan authorizes its representatives to exercise its treaty-making powers. These representatives receive Full Powers signed by the Governor-General which authorize them to negotiate, conclude and sign the treaty or other bilateral and multilateral agreements on behalf of Pakistan. When the treaty is to be negotiated and concluded as between Heads of States, the powers of the Head of State are exercised by the Governor General.

2. For agreements of a non-political character of minor importance, certain functionaries are recognized as competent to exercise the treaty-making power of Pakistan to the extent it is delegated to them. Such functionaries are, by virtue of their offices and duties, competent to enter into certain agreements without the requirement of ratification. Thus, for instance, the Director-General of Posts and Telegraphs of Pakistan can enter into bilateral agreements concerning postal and telecommunication matters for which no subsequent ratification is necessary.

3. Ratification of a treaty or other international agreement takes the form of a document—an instrument of ratification. If the treaty or agreement is in Governmental form, the instrument of ratification is signed by the Foreign Minister. If the treaty or agreement is in the Head of State form, the instrument of ratification is signed by the Governor-General. Accession to multilateral international agreements, conventions, protocols, etc., is done by the Government of Pakistan through an instrument of accession, notified by the Foreign Minister or by the Envoy of Pakistan accredited to the country to which the accession is to be notified, or by the Permanent Representative of Pakistan in the United Nations or any of its allied organizations.

## 62. Panama

CONSTITUTION OF 1 MARCH 1946. TEXT FROM CONSTITUCIÓN DE LA REPÚBLICA DE PANAMA (EDICIÓN OFICIAL, PANAMA 1946). TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

*Article 118.* The legislative functions of the National Assembly shall be ... and, in particular, the following: