

ARTICLES 110 AND 111

TEXT OF ARTICLE 110

1. The present Charter shall be ratified by the signatory States in accordance with their respective constitutional processes.
2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory States of each deposit as well as the Secretary-General of the Organization when he has been appointed.
3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory States. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory States.
4. The States signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

TEXT OF ARTICLE 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory States.

NOTE

1. Articles 110 and 111 are combined in one study in this *Supplement*, because the material requiring treatment during the period under review is relevant to both Articles. The present study deals with the deposit by Member States of ratifications of amendments to the Charter and the communication of such ratifications by the depositary to all Member States. The procedure for amendment of the Charter is treated under Articles 108 and 109.

2. In its resolutions 1991A and B (XVIII) of 17 December 1963, the General Assembly decided to adopt amendments to Articles 23, 27 and 61 of the Charter and to submit them for ratification by the States Members of the United Nations. In a note verbale dated 13 April 1964 to the Ministers of Foreign Affairs of all Member States, the Secretary-General stated:

“2. Neither the above-mentioned resolutions nor the Charter of the United Nations designate the authority with which the instruments of ratification

of the amendments should be deposited. The Charter in its Article 110, paragraph 2, provides that the ratifications of the Charter shall be deposited with the Government of the United States of America and that this Government shall notify all the signatory States and the Secretary-General of each deposit. But there is no analogous provision relating to the ratifications of the amendments.

“3. As a general rule it can be said that, unless a treaty provides otherwise, it is the responsibility of the depositary of the authentic text of the treaty to receive and communicate all instruments and notifications relating to that treaty. However, in respect of the Charter of the United Nations, precedents have been established under which certain functions of a depositary nature, for which no express provision was made in the Charter, have been performed by the Secretary-General. In particular, the Secretary-General acts as depositary of the instruments by which new Members accept