

ARTICLE 110

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.

NOTE

1. During the period under review a change took place regarding the representation of China in the United Nations inasmuch as the General Assembly, by its resolution 2758 (XXVI) of 25 October 1981, no longer recognized the representatives of the Republic of China as representatives of China. This change is dealt with under Articles 9 and 18 of the *Repertory* and has no direct relevance to Article 110 except for the reference of one delegation during the General Assembly debate to the fact that the Republic of China was explicitly named in Article 110.¹

2. Regarding the question of 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 Secretary-General, in 1964, initiated the practice that such functions should be undertaken by him rather than by the United States of America, which, pursuant to Article 110, held such functions in regard of the Charter itself.² This practice was followed during the period under review: The General Assembly, in its resolution 2847 (XXVI) of 20 December 1971 dealing with the enlargement of the Economic and Social Council and a consequent amendment to the Charter (Article 61), urged all Member States "to ratify the above amendment in accordance with their respective constitutional processes as soon as possible and to deposit their instruments of ratification with the Secretary-General".

NOTES

¹G A (26), Plen., 1973rd mtg., Australia, para. 81.

²See *Repertory, Supplement No. 3*, vol. IV, pp. 263 *et seq.*