

## 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

the obligations contained in the Charter under its Article 4. He also acts as depositary of the declarations by which non-member States accept under Article 93 of the Charter the conditions to become parties to the Statute of the International Court of Justice.

"4. In the circumstances, the Secretary-General considered that it might be appropriate for him to undertake the depositary functions in respect of the instruments of ratification of the amendments to the Charter provided in Articles 108 and 109. The Government of the United States of America, whom the Secretary-General consulted in its capacity as depositary of the Charter of the United Nations, concurred with that view.

"5. Accordingly, the Secretary-General invites Member States to transmit to him for deposit the instruments of ratification of the amendments adopted by General Assembly resolutions 1991A and B (XVIII) of 17 December 1963. The Secretary-General will notify all Member States of the deposit of each instrument of ratification."<sup>1</sup>

<sup>1</sup> *United Nations Juridical Yearbook, 1964*, (United Nations publication, Sales No.: 66.V.4), p. 249.

3. When the necessary ratifications had been deposited with the Secretary-General, as of 31 August 1965, the above-mentioned amendments entered into force on that day. A list of ratifications was annexed to the Protocol of entry into force prepared by the Secretary-General. The Protocol included the full text of the amended Articles in the Chinese, English, French, Russian and Spanish languages. One of the two original copies in each language was deposited in the archives of the Secretary-General of the United Nations, and the other was transmitted to the Government of the United States of America as the depositary of the Charter of the United Nations. Copies of the Protocol were communicated to all Members of the United Nations.<sup>2</sup>

4. Similar procedures were followed with respect to the amendment of Article 109 of the Charter.<sup>3</sup>

<sup>2</sup> United Nations, *Treaty Series*, vol. 557, No. 8132, pp. 143-171.

<sup>3</sup> This amendment was adopted by the General Assembly in its resolution 2101 (XX) of 20 December 1965. See also this *Supplement* under Articles 108 and 109.



---

#### HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

#### COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre librairie ou adressez-vous à: Nations Unies, Section des ventes, New York ou Genève.

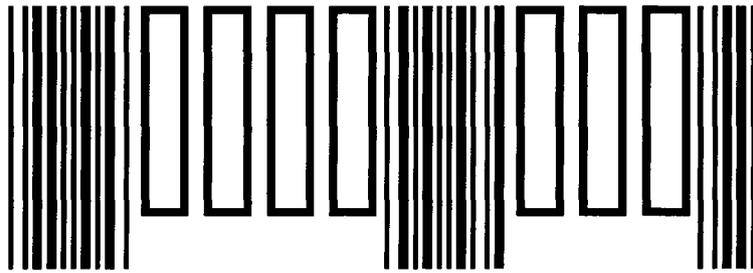
#### КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в нашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

#### COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

---



\*Start\_Book\*

