

**REGISTRATION AND PUBLICATION OF TREATIES AND
INTERNATIONAL AGREEMENTS:
REGULATIONS TO GIVE EFFECT TO ARTICLE 102 OF THE
CHARTER OF THE UNITED NATIONS**

Adopted by the General Assembly on 14 December 1946 [Resolution 97 (1)], as modified by resolutions 364 B (IV), 482 (V) and 33/141 A, adopted by the General Assembly on 1 December 1949, 12 December 1950 and 18 December 1978, respectively.

The General Assembly,

Considering it desirable to establish rules for the application of Article 102 of the Charter of the United Nations which provides as follows:

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Recognizing, in making provision therefore, the importance of orderly registration and publication of such treaties and international agreements and the maintenance of precise records;

Adopts accordingly, having given consideration to the proposals of the Secretary-General submitted pursuant to the resolution of the General Assembly of 10 February 1946, the following regulations:

PART ONE

REGISTRATION

Article 1

1. Every treaty or international agreement, whatever its form and descriptive name, entered into by one or more Members of the United Nations after 24 October 1945, the date of the coming into force of the Charter, shall as soon as possible be registered with the Secretariat in accordance with these regulations.

2. Registration shall not take place until the treaty or international agreement has come into force between two or more of the parties thereto.

3. Such registration may be effected by any party or in accordance with article 4 of these regulations.

4. The Secretariat shall record the treaties and international agreements so registered in a register established for that purpose.

Article 2

1. When a treaty or international agreement has been registered with the Secretariat, a certified statement regarding any subsequent action which effects a change in the parties thereto, or the terms, scope or application thereof, shall also be registered with the Secretariat.

2. The Secretariat shall record the certified statement so registered in the register establishment under article 1 of these regulations.

Article 3

1. Registration by a party, in accordance with article 1 of these regulations, relieves all other parties of the obligation to register.

2. Registration effected in accordance with article 4 of these regulations relieves all parties of the obligation to register.

Article 4

1. Every treaty or international agreement subject to article 1 of these regulations shall be registered ex officio by the United Nations in the following cases:

- (a) Where the United Nations is a party to the treaty or agreement;
- (b) Where the United Nations has been authorized by the treaty or agreement to effect registration;
- (c) Where the United Nations is the depository of a multilateral treaty or agreement.

2. A treaty or international agreement subject to article 1 of these regulations may be registered with the Secretariat by a specialized agency in the following cases:

- (a) Where the constituent instrument of the specialized agency provides for such registration;
- (b) Where the treaty or agreement has been registered with the specialized agency pursuant to the terms of its constituent instrument;
- (c) Where the specialized agency has been authorized by the treaty or agreement to effect registration.

Article 5

1. A party or specialized agency, registering a treaty or international agreement under article 1 or 4 of these regulations, shall certify that the text is a true and complete copy thereof and includes all reservations made by parties thereto.

2. The certified copy shall reproduce the text in all the languages in which the treaty or agreement was concluded and shall be accompanied by two additional copies and by a statement setting forth, in respect of each party:

- (a) The date on which the treaty or agreement has come into force;
- (b) The method whereby it has come into force (for example: by signature, by ratification or acceptance, by accession, et cetera).

Article 6

The date of receipt by the Secretariat of the United Nations of the treaty or international agreement registered shall be deemed to be the date of registration, provided that the date of registration of a treaty or agreement registered ex officio by the United Nations shall be the date on which the treaty or agreement first came into force between two or more of the parties thereto.

Article 7

A certificate of registration signed by the Secretary-General or his representative shall be issued to the registering party or agency and also, upon request, to any party to the treaty or international agreement registered.

Article 8

1. The register shall be kept in the English and French languages. The register shall comprise in respect of each treaty or international agreement, a record of:

- (a) The serial number given in the order of registration;
- (b) The title given to the instrument by the parties;
- (c) The names of the parties between whom it was concluded;
- (d) The dates of signature, ratification or acceptance, exchange of ratification, accession, and entry into force;
- (e) The duration;
- (f) The language or languages in which it was drawn up;
- (g) The name of the party or specialized agency which registers the instrument and the date of such registration;
- (h) Particulars of publication in the treaty series of the United Nations.

2. Such information shall also be included in the register in regard to the statements registered under article 2 of these regulations.

3. The texts registered shall be marked "ne varietur" by the Secretary-General or his representative, and shall remain in the custody of the Secretariat.

Article 9

The Secretary-General, or his representative, shall issue certified extracts from the register at the request of any Member of the United Nations or any party to the treaty or international agreement concerned. In other cases he may issue such extracts at his discretion.

PART TWO

FILING AND RECORDING

Article 10

The Secretariat shall file and record treaties and international agreements, other than those subject to registration under article 1 of these regulations, if they fall in the following categories:

- (a) Treaties or international agreements entered into by the United Nations or by one or more of the specialized agencies;
- (b) Treaties or international agreements transmitted by a Member of the United Nations which were entered into before the coming into force of the Charter, but which were not included in the treaty series of the League of Nations;
- (c) Treaties or international agreements transmitted by a party not a member of the United Nations which were entered into before or after the coming into force of the Charter which were not included in the treaty series of the League of Nations, provided, however, that this paragraph shall be applied with full regard to the provisions of the resolution of the General Assembly of 10 February 1946 set forth in the Annex to these regulations.

Article 11

The provisions of articles 2, 5 and 8 of these regulations shall apply, *mutatis mutandis*, to all treaties and international agreements filed and recorded under article 10 of these regulations.

PART THREE

PUBLICATION

Article 12

1. The Secretariat shall publish as soon as possible in a single series every treaty or international agreement which is registered or filed and recorded, in the original language or languages, followed by a translation in English and in French. The certified statements referred to in article 2 of these regulations shall be published in the same manner.

2. The Secretariat will, however, have the option not to publish *in extenso* a bilateral treaty or international agreement belonging to one of the following categories:

- (a) Assistance and cooperation agreements of limited scope concerning financial, commercial, administrative or technical matters;
- (b) Agreements relating to the organization of conferences, seminars or meetings;
- (c) Agreements that are to be published otherwise than in the series mentioned in paragraph 1 of this article by the United Nations Secretariat or by a specialized or related agency.

3. In deciding whether or not to publish *in extenso* a treaty or international agreement belonging to one of the categories mentioned in paragraph 2 of this article, the

Secretariat shall duly take into account, *inter alia*, the practical value that might accrue from *in extenso* publication. Treaties and international agreements that the Secretariat intends not to publish *in extenso* shall be identified as such in the monthly statements of treaties and international agreements provided for in article 13 of these regulations, it being understood that a decision not to publish *in extenso* may be reversed at any time.

4. Any State or intergovernmental organization may obtain from the Secretary-General a copy of the text of any treaty or international agreement which it has been decided, pursuant to paragraph 2 of this article, not to publish *in extenso*. The Secretariat shall likewise make a copy of any such treaty or agreement available to private persons against payment.

5. In respect of each treaty or international agreement registered or filed and recorded, the series referred to in paragraph I of this article shall include at least the following information: the registration or recording number, the names of the parties, the title, the date and place of conclusion, the date and method of entry into force, the duration (where appropriate), the languages of conclusion, the name of the State or organization that has registered it or transmitted it for filing and recording, and, if appropriate, references to publications in which the complete text of the treaty or international agreement is reproduced.

Article 13

The Secretariat shall publish every month a statement of the treaties and international agreements registered, or filed and recorded, during the preceding month, giving the dates and numbers of registration and recording.

Article 14

The Secretariat shall send to all Members of the United Nations the series referred to in article 12 and the monthly statement referred to in article 13 of these regulations.

ANNEX

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY ON 10 FEBRUARY 1946

ON REGISTRATION OF TREATIES AND INTERNATIONAL AGREEMENTS ^{1/}

NOTE BY THE SECRETARIAT

Under Article 102 of the Charter of the United Nations every treaty and every international agreement entered into by any Member of the United Nations after the coming into force of the Charter shall, as soon as possible, be registered with the Secretariat and published by it. Furthermore, no party to a treaty or international agreement subject to registration which has not been registered may invoke that treaty or agreement before any organ of the United Nations. The General Assembly, by resolution 97 (1), established regulations to give effect to Article 102 of the Charter (see text of the regulations, vol. 76, p. XVIII).

The terms "treaty" and "international agreement" have not been defined either in the Charter or in the regulations, and the Secretariat follows the principle that it acts in accordance with the position of the Member State submitting an instrument for registration that so far as that party is concerned the instrument is a treaty or an international agreement within the meaning of Article 102. Registration of an instrument submitted by a Member State, therefore, does not imply a judgment by the Secretariat on the nature of the instrument, the

status of a party or any similar question. It is the understanding of the Secretariat that its action does not confer on the instrument the status of a treaty or an international agreement if it does not already have that status and does not confer on a party a status which it would not otherwise have.

Unless otherwise indicated, the translations of the original texts of treaties, etc., published in this Series have been made by the Secretariat of the United Nations.

^{1/} United Nations, *Treaty Series*, Vol. 1, p. XXVIII.