

United Nations Nations Unies

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REFERENCE: LA 41 TR/230/Registration and Publication Requirements/2009

The Legal Counsel presents her compliments to the Permanent Representatives to the United Nations and the heads of international organizations and has the honour to convey the following in relation to the submission of treaties for registration and publication in accordance with Article 102 of the Charter of the United Nations.

In relation to the obligation pursuant to Article 102 of the Charter of the United Nations for Member States to register treaties and international agreements with the Secretariat, and in view of the increasing importance of treaties in the development of international law and the international legal order, the Legal Counsel wishes to again remind Member States to submit all treaties and international agreements concluded by them for registration with the Secretariat of the United Nations.

Should any State require assistance in undertaking the relevant actions, the Secretariat may be in a position to provide such assistance, consistent with the strategies for actions described in the *Road map towards the implementation of the United Nations Millennium Declaration (A/56/326, Section II, A)*, the Action Plan developed by the Secretariat on the basis of the report *An Era of Application of International Law*, and the report of the Inter-Departmental Group approved by the Secretary-General (<http://www.un.org/law/technical/technical.htm>).

The Legal Counsel also has the honour to remind the Member States of the following:

Registration and publication requirements

With a view to assisting Member States in the preparation of their submissions in accordance with Article 102 of the Charter of the United Nations, the Treaty Section has prepared the attached document which lists the various registration and publication requirements. **It would be greatly appreciated if Member States could use this list as a reference to ensure the completeness of their submissions.** It is noted that a certifying statement should accompany all submissions, a model of which is also attached.

Translations

Efforts continue to reduce the production time further for publication of the *United Nations Treaty Series (UNTS)*. The attention of Member States is drawn to General Assembly resolutions A/RES/482 (V) of 12 December 1950 and A/RES/54/28 of 17 November 1999, addressing the question of translations. Paragraph 6 of the latter resolution, the General Assembly "...urges States and international organizations, in particular depositaries, to continue assisting the Secretariat in its efforts to expedite the

registration of treaties and their publication by providing it with paper copies of treaties, as well as electronic copies, including maps, for registration and, wherever possible, translations of treaties in English or French." These views were also reflected in General Assembly resolutions A/RES/52/153 and A/RES/53/100. Formal or courtesy translations in English and French, provided by a State submitting treaties and other international agreements for registration, would clearly contribute to cost savings, enhance efficiency and expedite the registration and publication processes.

Submission in electronic format

In light of the refinements to the computerization programme undertaken by the Treaty Section of the Office of Legal Affairs of the United Nations and with a view to further streamlining the registration and desktop publishing processes, Member States, when submitting treaties for registration to the Secretariat, are strongly encouraged to *"provide, where available, a copy of the text of any treaty in disk or other electronic format..."* as requested in paragraph 8 of General Assembly resolution A/RES/53/100 of 8 December 1998 (see also A/RES/52/153 and A/RES/54/28). The preferred media for this purpose are computer diskette, compact disc (CD) or e-mail attachment.

Treaties submitted should be in Microsoft Word (except Microsoft Word 1997), PDF format, or as a text file (the generic ASCII text) or image format (TIFF). Electronic copies should be accessible using the Microsoft Windows operating system (Windows 2000, XP).

Each treaty submitted in electronic format for registration should also be accompanied by one certified true copy on paper in accordance with the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations. However, to facilitate speedy translations, two additional copies on paper would be appreciated. The certifying statement accompanying such a submission must state that both the electronic copy and the paper copy of the treaty are true and complete. The paper copy must be machine readable and legible for use by the optical character recognition mechanism employed in the desktop publishing process, and must be clean, sharp, with clear character definition. It is reminded that the submission of treaties in electronic format greatly contributes to cost savings, enhance efficiency and expedite the registration and publication processes. All electronic submissions by e-mail should be transmitted to the following address: TreatyRegistration@un.org.

Member States which are not in a position to submit treaties in electronic format should continue to submit one certified true copy and two additional copies on paper, as required under article 5(2) of the General Assembly regulations to give effect to Article 102 of the Charter.

Treaty publications on the Internet

The Treaty Section will continue to discharge its registration and publication functions in accordance with Article 102 of the Charter of the United Nations and the relevant General Assembly regulations and contribute to the goal of strengthening the international rule of law. Consistent with the wishes of Member States as reflected in General Assembly resolution A/RES/51/158 of 16 December 1996 and subsequent resolutions, the Treaty Section has placed on its website at <http://treaties.un.org> over 2,300 volumes of the UN *Treaty Series* (UNTS), the information on the status of *Multilateral Treaties Deposited with the Secretary-General* (MTDSG), which is now updated intra-daily, certified true copies of the treaties deposited with the Secretary-General, the *Treaty Handbook*, the *Handbook of Final Clauses*, depositary notifications and the *Statement of Treaties and International Agreements* (published monthly) as well as various related publications (<http://treaties.un.org>), and will continue to explore new methods for expediting the registration and publication processes. All of these publications are also available in paper format. It is noted that the realization of this objective is dependent also on the active cooperation of Member States, especially with regard to courtesy translations in English and French.

The Legal Counsel greatly appreciates the continued cooperation of Member States and international organizations in these matters.

2 February 2009



CHECKLIST FOR REGISTRATION

Requirements for submission of treaties and international agreements for registration and publication in accordance with Article 102 of the Charter of the United Nations

DOCUMENTATION/ INFORMATION TO BE PROVIDED	FORMAT / TYPE OF INFORMATION
• Treaty / Agreement	<ul style="list-style-type: none"> ➤ ONE certified true copy and complete copy of all authentic text(s), and ➤ TWO additional copies or ONE electronic copy (on diskette)
• All attachments (annexes, minutes, proces- verbaux, etc.)	➤ Same as above
• Text of reservations, declarations, objections	➤ Same as above
• Translations of the Agreement and all attachments into English and/or French (if available)	➤ One paper copy and one electronic copy, if available, where necessary
• Title of Treaty / Agreement	➤ If not printed as part of the text (e.g., for exchange of notes)
• Names of signatories	➤ If not appearing in typed format as part of signature block
• Date of signature	➤ If not clear from the text
• Place of signature	➤ If not clear from the text
• Date of entry into force	➤ In accordance with entry into force provisions
• Method of entry into force	<ul style="list-style-type: none"> ➤ Signature, ratification, approval, accession, etc., including: <ul style="list-style-type: none"> • In the case of a bilateral agreement, date and place of exchange of the instruments of ratification or notification; or • In the case of a multilateral agreement, date and nature of the instruments deposited by each Contracting Party with the Depository
• Maps (if applicable)	<ul style="list-style-type: none"> ➤ In order of preference: <ul style="list-style-type: none"> • Original document • Facsimile document • High resolution scanned digital file • In the case of colour originals, either same-size, colour-separated film negatives or good quality, panchromatic, halftone film negative 4 x 5 inch colour slide (original to be photographed with standard colour bar and ruler) • High quality microfilm • Same size, electrostatic, colour or black and white copies [oversized originals are to be copied with overlaps and left as separate sheets (not taped together)]

SUBMISSION OF TREATIES FOR REGISTRATION AND PUBLICATION
IN ACCORDANCE WITH ARTICLE 102 OF THE U.N. CHARTER¹

MODEL FOR THE CERTIFYING STATEMENT REQUIRED UNDER THE GENERAL ASSEMBLY
REGULATIONS TO GIVE EFFECT TO ARTICLE 102 OF THE CHARTER

I, THE UNDERSIGNED [*— name of the authority—*], hereby certify that the attached text is a true and complete copy of [*— title of the Agreement—, — name of the Parties —, — date and place of conclusion —*]; that it includes all reservations made by Signatories or Parties thereto (in the absence of any reservation, declaration or objection, the certifying statement would read "that no reservations or declarations or objections were made by the Signatories or Parties thereto"), and that it was concluded in the following languages: [*—....—*]. **I further certify that the additional copy of this Agreement contained in the diskette is a true and complete copy of [*—title of the Agreement—*].²**

I FURTHER CERTIFY that the Agreement came into force on [*—date—*] by [*—method of entry into force—*], in accordance with [*— article or provision in the Agreement —*], and that it was signed by [*—....—*] and [*—....—*].

*[Place and date of signature of certifying
statement]*

*[Signature and title of the certifying
authority]*

¹ For the text of the regulations adopted by the General Assembly resolution 97 (1) of 14 December 1946 and later amended by the General Assembly resolutions 364 B (IV) of 1 December 1949, 482 (V) of 12 December 1950 and 33/141 A of 19 December 1978, see United Nations, *Treaty Series*, vol. 859/860, p. VIII. See also *Repertory of Practice of United Nations Organs*, vol. V, Articles 92-111 of the Charter, and *Supplements 1 to 5*.

² The language in bold must be included when additional copies of a treaty are provided in a diskette.