

No. 154

**UNITED NATIONS
and
INTERNATIONAL LABOUR ORGANISATION**

Memorandum of Agreement concerning the procedure to be followed for the deposit and registration with the United Nations of International Labour Conventions and certain other instruments adopted by the International Labour Conference. Signed at Lake Success, New York, on 17 February 1949

English and French official texts. The filing and recording took place on 17 February 1949.

**ORGANISATION DES NATIONS UNIES
et
ORGANISATION INTERNATIONALE DU TRAVAIL**

Mémorandum d'accord relatif à la procédure à suivre pour le dépôt et l'enregistrement auprès de l'Organisation des Nations Unies des conventions internationales du travail et de certains autres instruments adoptés par la Conférence internationale du travail. Signé à Lake Success, New-York, le 17 février 1949.

Textes officiels anglais et français. Le classement et l'inscription au répertoire ont eu lieu le 17 février 1949.

No. 154. MEMORANDUM OF AGREEMENT¹ CONCERNING THE PROCEDURE TO BE FOLLOWED FOR THE DEPOSIT AND REGISTRATION WITH THE UNITED NATIONS OF INTERNATIONAL LABOUR CONVENTIONS AND CERTAIN OTHER INSTRUMENTS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE. SIGNED AT LAKE SUCCESS, NEW YORK, ON 17 FEBRUARY 1949

Article 102 of the Charter of the United Nations provides that every treaty and every international agreement entered into by any Member of the United Nations after the Charter has come into force shall as soon as possible be registered with the Secretariat of the United Nations and published by it.

By Resolution dated 14 December 1946, the General Assembly of the United Nations adopted certain regulations relating to the registration and publication of treaties and international agreements designed to give effect to Article 102 of the Charter of the United Nations (hereinafter described as "Registration Regulations").

Article 19 of the Constitution of the International Labour Organisation provides that two copies of each Convention or Recommendation adopted by the International Labour Conference shall be authenticated by the signature of the President of the Conference and the Director-General of the International Labour Office and that one of these copies shall be deposited in the archives of the International Labour Office and the other with the Secretary-General of the United Nations.

Article 19 of the Constitution of the International Labour Organisation and the relevant provisions of the Conventions adopted by the International Labour Conference provide that the said Conventions shall come into force by the communication of ratifications thereof to the Director-General of the International Labour Office for registration.

Article 20 of the Constitution of the International Labour Organisation provides that Conventions so ratified shall be communicated by the Director-General of the International Labour Office to the Secretary-General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

The relevant provisions of the Conventions adopted by the International Labour Conference (including the Final Articles Revision Convention 1946) provide that the Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with Article 102 of the Charter of the United Nations, full par-

¹ Came into force on 17 February 1949, in accordance with paragraph 9.

particulars of all ratifications, declarations and acts of denunciation registered by him in pursuance of the provisions of the said Conventions.

Those provisions confer on the International Labour Organisation the responsibility for registering International Labour Conventions and particulars of ratifications thereof with the United Nations.

Article XIII, paragraph 3 of the Agreement between the United Nations and the International Labour Organisation provides that arrangements should be made between the United Nations and the International Labour Organisation in regard to the registration and deposit of official documents.

With a view to facilitating the application of these various provisions, the Secretary-General of the United Nations and the Director-General of the International Labour Office have agreed upon the following arrangements concerning the procedure to be followed for the registration with the United Nations of International Labour Conventions and other instruments adopted by the International Labour Conference for ratification or acceptance by Members of the International Labour Organisation:

1. In accordance with Article 19 of the Constitution of the International Labour Organisation, a copy of the text of each Convention and Recommendation adopted by the International Labour Conference, authenticated by the signatures of the President of the Conference and the Director-General of the International Labour Office, will be communicated by the Director-General to the Secretary-General of the United Nations for deposit as soon as possible after the session of the International Labour Conference during which such Convention or Recommendation is adopted.

2. In accordance with Article 20 of the Constitution of the International Labour Organisation, as soon as International Labour Convention first comes into force under the procedure laid down in such Convention, the Director-General of the International Labour Office will proceed to register the Convention with the United Nations in the manner provided for in the Registration Regulations.

3. In accordance with relevant provisions of the Conventions (including the Final Articles Revision Convention) and of Article 2 of the Registration Regulations, the Director-General of the International Labour Office will communicate to the Secretary-General of the United Nations certified statements notifying him of all ratifications, declarations and acts of denunciation which relate to a Convention and which the Director-General has registered in accordance with the provisions thereof; on receipt of such a statement by the Secretary-General, it will be registered in accordance with Article 2 of the Registration Regulations.

4. In accordance with Article 7 of the Registration Regulations, the Secretary-General of the United Nations or his representative will issue to the Director-

General of the International Labour Office and to each Member of the International Labour Organisation a certificate of registration in respect of each Convention registered; the date of entry into force of the Convention notified to the Secretary-General by the Director-General of the International Labour Office will be endorsed on the certificate or indicated in an accompanying communication.

5. The Secretary-General of the United Nations will notify the Director-General of the International Labour Office of any communication received from any government requesting the registration of an International Labour Convention.

6. The procedure provided for in the preceding paragraphs will be applied *mutatis mutandis* to any other instrument adopted by the International Labour Conference for ratification or acceptance by Members of the International Labour Organisation which is submitted to the United Nations for registration.

7. If difficulties arise with regard to the application or interpretation of the arrangements provided for in the present memorandum, the Secretary-General of the United Nations and the Director-General of the International Labour Office, or their duly accredited representatives, will consult together.

8. The arrangements provided for in the present memorandum may be modified by agreement between the Secretary-General of the United Nations and the Director-General of the International Labour Office.

9. The arrangements provided for in the present memorandum, the English and French texts of which are equally authoritative, will come into effect on the approval of the memorandum by the Secretary-General of the United Nations and the Director-General of the International Labour Office.

DONE at Lake Success, New York, this seventeenth day of February, one thousand nine hundred and forty-nine.

Approved on behalf of the Secretary-General of the
United Nations:

Ivan KERNO

Assistant Secretary-General in charge
of the Legal Department

Approved on behalf of the Director-General of the
International Labour Office:

C. Wilfred JENKS

Assistant Director-General and Legal
Adviser