

MEMORANDUM TO CABINET BY THE MINISTER OF COMMONWEALTH
AND FOREIGN AFFAIRS

Amendment to United Nations Charter

The amendments to articles 23, 27 and 61 of the Charter of the United Nations which were adopted by General Assembly Resolutions 1991 A and B (XV III) of 17 December, 1963 and which Malta ratified by depositing an instrument of ratification on the 23rd June, 1965, came into force for all members of the United Nations Organisation on the 31st August 1965.

These amendments provided for an increase in the composition of the Security Council from 11 to 15 members and of the Economic and Social Council from 18 to 27, at the same time changing the voting requirements in the Security Council for the adoption of Resolutions from 7 to 9 affirmative votes.

In view of these Amendments it has become necessary also to amend Article 109 of the Charter and the General Assembly consequently adopted Resolution 2101 (XX) on the 20th December, 1965.

This resolution, copies of which are enclosed at Annexure A, calls for the amendment of paragraph 1 of Article 109, wherein the word "seven" in the first sentence should be replaced by the word "nine", since, as mentioned above, article 27 now provides that decisions of the Security Council should be taken by an affirmative vote of nine members instead of seven. This paragraph and ^{article} paragraph 108 are reproduced in the extract from the Charter shown at Annexure B.

As Malta has ratified the amendments to articles 23, 27 and 61, it follows that the amendment to article 109 should also be ratified, and Ministers are therefore invited to agree to the ratification of the said amendment.

CFA 521/65

18th April, 1966.

Twentieth Session
Agenda item 104

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A/RES/2101 (XX)
19 January, 1965.

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

on the report of the sixth Committee (A/6180)

2101 (XX). Amendment to article 109 of the Charter of the United Nations

The General Assembly,

Considering that the Charter of the United Nations has been amended to provide that the membership of the Security Council, as provided in Article 23, should be increased from eleven to fifteen and that decisions of the Security Council should be taken, as provided in Article 27, by an affirmative vote of nine members instead of seven,

Considering that these amendments make it necessary also to amend Article 109 of the Charter,

1: Decides to adopt, in accordance with Article 108 of the Charter of the United Nations, the following amendment to the Charter and to submit it for ratification by the States Members of the United Nations:

In Article 109, paragraph 1, the word "seven" in the first sentence shall be replaced by the word "nine";

2. Calls upon all Member States to ratify the above amendment, in accordance with their respective constitutional processes, at the earliest possible date.

1404th plenary meeting,

20 December, 1965

Extract from Chapter XVIII of the
Charter of the United Nations
Amendments

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.