

Decision of the GAC on Unified Measures for Concluding Treaties, Agreements, Protocols, Contracts, etc. with Foreign Countries

September 14, 1951

(Adopted at the 102nd meeting of the GAC on September 14, 1951, and approved at the 17th meeting of the Central People's Government Committee on August 7, 1952)

I. All treaties and agreements concluded between the People's Republic of China and foreign countries shall be handled uniformly by the Ministry of Foreign Affairs in accordance with this decision.

II. The Ministry of Foreign Affairs is responsible for all matters concerning the conclusion or accession to international conventions and the signing of political, economic, and cultural treaties and agreements with foreign countries. However, if any matter involves the jurisdiction of other agencies, the Ministry of Foreign Affairs shall consult with the relevant competent agency for handling.

Agreements, protocols, contracts, etc., that are purely business-related or purely technical, shall be handled by the competent authority in conjunction with the Ministry of Foreign Affairs.

III. For all treaties and agreements concluded under Article II, Paragraph 1 of this Decision, the Ministry of Foreign Affairs shall request the Premier of the GAC to appoint a representative or delegation and issue them with full powers. For those of particularly important importance, the Ministry of Foreign Affairs shall request the GAC to forward the request to the Chairman of the Central People's Government to appoint a representative or delegation and issue them with full powers. For all agreements, protocols, contracts, etc., concluded under Article II, Paragraph 2 of this Decision, the Premier of the GAC may appoint a representative or delegation and issue them with full powers.

IV. The Ministry of Foreign Affairs shall report to the Premier of the GAC at any time regarding the negotiation progress of any treaties or agreements that fall under Article II, Paragraph 1 of this Decision, and request instructions from the Premier. For any agreements, protocols, contracts, etc., that fall under Article II, Paragraph 2 of this Decision, during the negotiation process, the competent authority shall promptly notify the Ministry of Foreign Affairs of the negotiation progress and, together with the Ministry of Foreign Affairs, report to the Premier of the GAC or the relevant commission director for instructions.

The provisions of treaties, agreements, protocols, contracts, etc., agreed upon in accordance with the preceding paragraph shall be reviewed by the Ministry of Foreign Affairs and approved by the Premier of the GAC or forwarded to the Chairman of the Central People's Government for approval, and then the Ministry of Foreign Affairs shall notify the signing of the agreement.

V. After signing, the Ministry of Foreign Affairs or the Ministry of Foreign Affairs in conjunction with the competent authority shall promptly report the process of the signing of the treaty, together with the treaty document, to the GAC.

VI. All treaties and agreements signed that fall under Article 2, Paragraph 1 of this Decision, and whose articles stipulate that ratification and exchange of instruments of ratification are required, shall be submitted to the Central People's Government Committee for approval after being passed by the GAC's administrative meeting. If necessary, certificates of full authority for the exchange of ratification shall be issued. In cases of urgency, after being passed by the GAC's administrative

meeting, the matter may be submitted to the Chairman of the Central People's Government for prior approval, and then submitted to the Central People's Government Committee for ratification. All treaties and agreements falling under Article 2, Paragraph 1 of this Decision, whose articles stipulate that ratification is required but do not specify the exchange of instruments of ratification, shall be approved by the GAC's administrative meeting and then submitted to the Central People's Government Committee for record. Those whose articles do not stipulate that ratification is required shall be approved by the Premier of the GAC.

All agreements, protocols, contracts, etc., falling under Article 2, Paragraph 2 of this Decision shall be approved by the Prime Minister.

VII. For treaties, agreements, protocols, contracts, etc. that have been approved, the Ministry of Foreign Affairs or the Ministry of Foreign Affairs in conjunction with the competent authorities shall handle the procedures for exchange of approvals and notification of approval.

VIII. The originals of treaties, agreements, protocols, contracts, etc., that have been approved or authorized shall be kept by the Ministry of Foreign Affairs, and copies thereof shall be kept by the competent authorities.

IX. The Ministry of Foreign Affairs shall be responsible for the publication, compilation, interpretation, and other matters concerning treaties, agreements, protocols, contracts, etc.

X. This decision shall be submitted to the Central People's Government Committee for approval and implementation after being adopted by the GAC's administrative meeting.