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UNITED NATIONS CONFERENCE ON ROAD AND MOTOR TRANSPORT

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MEMORANDUM COMPARING TEXTS OF THREE CONVENTIONS  
TO BE REVISED AND WORKING PAPERS I AND II

PART II - GENERAL PROVISIONS

PART II. GENERAL PROVISIONS

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CHAPTER I. PREAMBLE

Road Traffic Convention  
of 1926

The undersigned Plenipotentiaries of the Governments of the States named below, having met in conference at Paris on April 20-24, 1926, with a view to facilitating international road traffic as far as possible, have drawn up the following Convention:

Motor Traffic Convention  
of 1926

The undersigned Plenipotentiaries of the Governments of the States mentioned below, gathered in conference in Paris from 20-24 April, 1926, in order to examine the modifications to be made in the International Convention of 11 October 1909, relative to motor traffic, have agreed upon the following stipulations:

Signals Convention  
of 1931

The Eight Contracting Parties, Desiring to increase the safety of road traffic and to facilitate international road traffic by a uniform system of road signalling, Have appointed as their Plenipotentiaries: ..... Who, having produced their full powers, found in good and due form, have agreed upon the following provisions:

Inter-American Convention  
of 1943

The Governments of the American Republics, desirous of establishing uniform rules among themselves to control and regulate international automotive traffic on their highways, and to facilitate the movement of motor vehicles among such States, Have decided to conclude the present Convention in order to effectuate the foregoing purposes, and have agreed upon the following articles:

ECE Draft Provisions  
of 1949

The Contracting States, desirous of promoting the development and safety of international road traffic by establishing certain uniform rules, Have agreed upon the following provisions:

CHAPTER 2: DEFINITIONS

Road Traffic Convention  
of 1936

Article 2: All Passenger and goods-carrying motor vehicles running on any road to which the public have access, other than vehicles running on rails, are regarded as motor-vehicles for the purposes of the present Convention.

Signals Convention  
of 1931

Inter-American Convention  
of 1943

Article II: Under the terms of the present Convention, a motor vehicle shall be defined as any self-propelled vehicle circulating upon a public highway without the need of rails and used for the transport of persons or merchandise.

A highway shall be defined as any public way maintained for and open to the use of the public for purposes of vehicular travel.

An operator shall be defined as any person who drives in or is in actual physical control of a motor vehicle upon a highway.

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of 1949

Article 4: 1. For the purpose of this Convention and its annexes the following expressions shall have the meanings hereby assigned to them:

"International traffic" means any traffic which crosses at least one frontier.

"Road" means any way open to the public for the circulation of vehicles.

"Carriageway" means that portion of a road normally used by vehicular traffic.

"Lane" means that portion of the carriageway of width sufficient to ensure a safe and easy flow of a moving line of vehicles.

"Driver" means any person who drives a vehicle including cycles, or guides draught, pack or saddle animals or herds or flocks on the road, or who is in actual physical control of the same.

<u>Road Traffic Convention</u>	<u>Motor Traffic Convention</u>	<u>Signals Convention</u>	<u>Inter-American Convention</u>
<u>of 1926</u>	<u>of 1926</u>	<u>of 1931</u>	<u>of 1943</u>

ECE Draft Provisions  
of 1949

"Motor vehicle" means any self-propelled vehicle normally used for the transport of persons or property upon a road, other than vehicles running on rails or connected to electric conductors. Cycles having an auxiliary engine of low power may be excluded from this definition by Contracting States which have accepted Annex 1.

"Trailer" means any vehicle designed to be drawn by a motor vehicle.

"Cycle" means any cycle not mechanically propelled. In the territories of the States which have accepted Annex 1, a cycle using an auxiliary engine of the type described in that Annex shall be deemed to be included in that definition.

2. The definitions laid down in Annex 2 shall apply to all the other Annexes to the present Convention.

ANNEX 1: Cycles fitted with an auxiliary internal combustion engine having a maximum cylinder capacity of 50 cc 3 are not considered as motor vehicles.

Traffic Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

ECE Draft Provisions  
of 1952

ARTICLE 2. (3): "articulated vehicles" means any motor vehicle with a trailer having no steering and so attached that part of the trailer is superimposed upon the motor vehicle and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle. Such a trailer is called a "semi-trailer".

ANNEX 3, Article I, Part I, 1. Although not coming within the definition of motor vehicles given in Article 4 of the Convention, trolley-buses are subject to the provisions of Chapter II of the present Convention applicable to motor vehicles.

CHAPTER 3: IMPLEMENTATION OF THE CONVENTION AND NATIONAL LEGISLATION

Road Traffic Convention  
of 1926

Article 1: Each of the Contracting States undertakes, insofar as its authority permits, to render or recognise as applicable on roads open to public traffic in its territory the following provisions:

Motor Traffic Convention  
of 1926

Article 1: The Convention applies to road motor traffic in general irrespective of the object and nature of the transport, subject, however, to the special national regulations regarding public passenger transport services and public goods transport services.

Article 8: The driver of a motor vehicle travelling in a country is bound to conform to the laws and regulations regarding traffic which are in force in that country.

An extract from these laws and regulations may be given to motorists on entry into a country at the office at which the Customs formalities are carried out.

Signals Convention  
of 1931

Article 1, first sentence: The High Contracting Parties adopt the international system of road signalling described in the annex to the present Convention and undertake to introduce it, or cause it to be introduced as soon as possible into their territories to which this Convention applies.

Inter-American Convention  
of 1943

Article I: It is recognised that each State has exclusive jurisdiction over the use of its own highways, but agrees to their international use as specified in this Convention.

Article III: The operator of a motor vehicle circulating in any State which is a party to this Convention is subject to the traffic laws and regulations in force in that State or sub-division thereof.

A copy of such laws and regulations may be handed to the operator at the time of entering each State by the Customs authorities who are checking the vehicle for entry, or by any authorised agency.

Article II: Until otherwise provided by the laws and regulations of the State or sub-division through which the vehicle is passing, all to

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of 1949

Article 1: While reserving the exclusive right to regulate the use of its own roads, each Contracting State, in respect of any part of its territories to which this Convention may be applied, agrees to the use of its roads for international road traffic under the conditions set out in this Convention.

Protocol. This Convention is not to be taken as authorising the carriage of persons for hire or reward or the carriage of goods other than the personal baggage of the occupants of the vehicle nor as affecting the rules on labour conditions.

These matters remain within the competence of domestic legislation subject to the application of other relevant international conventions or agreements.

Road Traffic Convention  
of 1948

Vienna Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

ECE Draft Provisions  
of 1949

limited to the following:

.....(1)

Article XI - Unless the laws  
and regulations of the  
respective States or poli-  
tical sub-divisions thereof  
provide otherwise, the  
following requirements as  
to equipment shall be  
indispensable for motor  
vehicles admitted to inter-  
national traffic:

.....(2)

Article XVII, first para.:  
Infractions of this  
Convention shall be  
punished in conformity with  
the laws and regulations of  
the country in which  
committed.

(1) See Part V, Chapter 2 for the limits referred to.

(2) See Part V, Chapters 3, 4, 10, 11, 12 and 13 for the requirements referred to.



CHAPTER 4: EXCHANGE OF INFORMATION

Road Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

ECE Draft Provisions  
of 1949

Article 10: The Contracting States undertake to communicate to each other such information as will establish the identity of the persons holding international certificates or international driving permits when their motor vehicle has been involved in a serious accident or when they have been declared guilty of an infraction of the traffic regulations.

They further undertake to make known to the States which have delivered the certificates or international permits the names, Christian names and addresses of the persons whose right to make use of these certificates and permits has been withdrawn.

Article VIII: Each state or its political subdivisions shall maintain central bureaux of registration with facilities for the exchange of information with other States as to registration of vehicles and operators. Article XVII, second para: Infractions which shall have incurred judicial penalty shall be communicated by the judge or magistrate to the proper authorities, who in turn shall communicate them to the authorities of the State or its political subdivision in which the vehicle and its owner or operator were originally registered.

Article 23: The Contracting States undertake to communicate to each other such information as will enable them to establish the identity of persons holding domestic or international driving permits when they are liable to proceedings for a breach of the traffic regulations. They further undertake to make known the information required to establish the identity of owners of a foreign vehicle which has been involved in a serious accident.

CHAPTER 3: ANNEXES

Road Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

Geneva Convention  
of 1931

Inter-American Convention  
of 1943

ECE Draft Provisions  
of 1949

Article 13: Each High Contracting Party may at any time propose any alterations or additions which he may consider necessary in the Annex to the present Convention. The proposals shall be communicated to the Secretary-General of the League of Nations and by him to all the other High Contracting Parties, and if it is accepted by all the High Contracting Parties (including those High Contracting Parties which have deposited ratifications or accessions which have not yet become operative), the Annex to the present Convention shall be amended accordingly.

Article 2: 1. A Contracting State may on signature or ratification of, or accession to, this Convention or at any time thereafter, declare that it will be bound by the provisions of one or more annexes to this Convention or parts thereof. These annexes may be amended in accordance with the procedure laid down in article .....  
2. Additional annexes conforming to the principles of this Convention may be drawn up at any time, in accordance with the procedure laid down in the same article.

CHAPTER 6: INTERPRETATION

<u>Road Traffic Convention</u> <u>of 1926</u>	<u>Motor Traffic Convention</u> <u>of 1946</u>	<u>Signals Convention</u> <u>of 1931</u>	<u>Inter-American Convention</u> <u>of 1943</u>	<u>ECF Draft Provisions</u> <u>of 1949</u>
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Article 5: Should a dispute arise between any two or more High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, and should such dispute not be settled directly between the Parties, it may be submitted to the Advisory and Technical Committee for Communications and Transit of the League of Nations, for an advisory opinion.

CHAPTER 7: TRANSITIONAL VALIDITY

Road Traffic Convention  
of 1926

Article 10: (a) The present Convention shall apply as of full right only to the home territories of the Contracting States.

(b) If a Contracting State desires the Convention to be put into force in its colonies, possessions, protectorates, overseas territories, and mandated territories, it shall expressly declare its intention in the instrument of ratification itself or by a special written notification to the French Government, which shall be deposited in the archives of that Government. If the State making the declaration chooses the latter procedure, the French Government shall immediately transmit to all the other Contracting States a certified copy of the declaration.

Motor Traffic Convention  
of 1926

Article 12: A. The contracting States are bound to apply the present Convention only in their metropolitan territories.  
B. If a contracting State desires that it should be applicable in its colonies, possessions, protectorates, overseas territories or territories under its mandate, its intention will be mentioned in the instrument of ratification or will be the object of a special notification which shall be addressed in writing to the French Government and deposited in the archives of that Government. If the State making the declaration chooses the last method the French Government will immediately transmit to all the other contracting States a certified copy of the declaration.

Signals Convention  
of 1931

Article 6, first, second, and fourth paras: Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates, and overseas territories, or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of

Inter-American Convention  
of 1943

Article VII: Evidence of compliance with the conditions of this Convention shall entitle motor vehicles and motor vehicle operators to circulate on the highways of any of the Contracting States.

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of 1949

<u>Road Traffic Convention</u> <u>of 1926</u>	<u>Motor Traffic Convention</u> <u>of 1926</u>	<u>Signals Convention</u> <u>of 1931</u>	<u>Inter-American Convention</u> <u>of 1943</u>	<u>ECE Draft Provisions</u> <u>of 1949</u>
the notification indicating the date on which it was received.	will indicate the date on which they have received it.	the territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice six months after its receipt by the Secretary-General. ..... The Secretary- General shall communicate to all the Members of the League of Nations and non-member States mentioned in Article 7, all declarations and notices received in virtue of this Article.		

CHAPTER 8: SIGNATURE

Road Traffic Convention  
of 1926

Article 14: The States represented at the Conference convened at Paris on April 20th - 24th, 1926 may sign the present Convention at any time until June 30th, 1926.

Motor Traffic Convention  
of 1926

Article 17: The present Convention will be open until the 30 June 1926 for signature by the States represented at the conference held in Paris from the 20 to the 24 April 1926.

Signale Convention  
of 1931

Article 7: The present Convention, of which the French and English texts are both authentic, shall bear this day's date.

Until September 30th, 1931, it may be signed on behalf of any Member of the League of Nations or non-member State represented at the Conference which drew up this Convention or to which the League of Nations shall have communicated a copy of the Convention for this purpose.

Inter-American Convention  
of 1943

Article XIX, first sentence: The original of the present Convention in Spanish, English, Portuguese and French shall be deposited with the Pan American Union and opened for signature by the American republics.

Article XIX, third sentence: The Pan American Union shall transmit authentic certified copies to the Governments for the purpose of ratification.

ECE Draft Provisions  
of 1949

CHAPTER 9: ACCEPTANCE

Road Traffic Convention  
of 1926

Article 9: (a) The present Convention shall be ratified and the deposit of ratifications shall take place on October 1, 1926.

(b) The ratifications shall be deposited in the archives of the French Republic.

(c) The deposit of ratifications shall be recorded by a process-verbal signed by the representatives of the States taking part therein and by the Minister for Foreign Affairs of the French Republic.

(d) Governments which are unable to deposit their instruments of ratification on 1 October 1926, may do so by means of a written notification to the Government of the French Republic accompanied by the instrument of ratification.

Motor Traffic Convention  
of 1926

Article 11: The present Convention will be ratified.

A. Each Government will inform the French Government as soon as it is ready to deposit its ratifications. As soon as twenty States actually bound by the Convention of the 11 Oct. 1909, shall have declared themselves ready to effect this deposit, the deposit will be proceeded within the space of the month which follows the receipt of the last declaration by the French Government and on the day fixed by this Government.

The States, not parties to the Convention of 11 October 1909, which before the date thus fixed for the deposit of ratification, shall have declared themselves ready to deposit the instrument of ratification of the present Convention, will participate in the deposit referred to above.

Signals Convention  
of 1931

Article 6: The present Convention shall be ratified.

The instruments of ratification shall be deposited with the Secretary-General of the League of Nations who shall notify their receipt to all the Members of the League of Nations and non-member States referred to in Article 7.

Article 10: Each High Contracting Party may render his ratifications or accession conditional on the ratifications or accessions of any one or more Members of the League of Nations or non-member States named in the instrument of ratification or accession.

Inter-American Convention  
of 1943

Article XIX: Third sentence  
The Pan American Union shall transmit authentic certified copies to the Governments for the purpose of ratification.

Article XX: The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications.

ECE Draft Provisions  
of 1949

Road Traffic Convention  
of 1926

(e) A certified true copy of the proces-verbal regarding the first deposit of ratifications mentioned in (c) and of the instruments of ratification accompanying them shall immediately be transmitted by the French Government through the diplomatic channel to the Governments which have signed the present Convention. In the cases referred to in (d), the French Government shall at the same time inform the signatory Governments of the date on which it received the notification.

B. The ratifications will be deposited in the archives of the French Government.

C. The deposit of ratifications will be recorded in a proces-verbal signed by the representatives of the States which take part in it and by the Minister for Foreign Affairs of the French Republic.

D. The Governments which have not been able to deposit the instrument of their ratification in the conditions laid down in paragraph A of the present article, will be able to do it by means of a written notification addressed to the Government of the French Republic and accompanied by the instrument of ratification.

Signals Convention  
of 1931

Inter-American Convention  
of 1943

ECF Draft Provisions  
of 1949



Road Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

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E. A certified exact copy of the proces-verbal of the first deposit of ratifications, of the notifications mentioned in the preceding paragraph and of the instruments of ratification which accompany them will be immediately transmitted, by the French Government, through the diplomatic channel, to the Governments which have signed the present Convention. In the cases mentioned in the preceding paragraph, the French Government will make ~~known~~ to them, at the same time, the date on which they have received the notification.

CHAPTER 10: ACCESSION

Road Traffic Convention  
of 1926

Article 11: (a) States which are not signatories of the present Convention may accede thereto.  
(b) They shall effect their accession by transmitting the act of accession to the French Government through the diplomatic channel, and the said act shall be deposited in the archives of that Government.  
(c) The French Government shall immediately transmit to all the other Contracting States a certified copy of the notification and of the act of accession, indicating the date on which it received the notification.

Motor Traffic Convention  
of 1926

Article 13: A. Every State which is not signatory of the present Convention shall be able to accede to it at the moment of the deposit of the ratifications referred to in Article II, paragraph A. or after this date.  
B. The accession shall be made by the transmission to the French Government, through the diplomatic channel, of the act of accession which shall be deposited in the archives of that Government.  
C. That Government will immediately transmit to all the contracting States a certified exact copy of the notification as well as of the act of accession and will indicate the date on which they have received the notification.

Signals Convention  
of 1931

Article 9: As from 1 October 1931, the present Convention may be acceded to on behalf of any Member of the League of Nations or non-member State referred to in Article 7.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations who shall notify their receipt to all the Members of the League and non-member States referred to in that article.

Article 10: Each High Contracting Party may render his ratification or accession conditional on the ratifications or accessions of any one or more Members of the League of Nations or non-member States named in the instrument of ratification or accession.

Inter-American Convention  
of 1943

Article XIX, second sentence: The Convention shall also be opened for the adherence and accession of American States which are not members of the Pan American Union.....

ECG Draft Provisions  
of 1949

CHAPTER 11: AMENDMENTS

Road Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

ECE Draft Provisions  
of 1949

Article 14: Revision of the present Convention may be requested by not less than three High Contracting Parties at any moment after it has been in force for a period of eight years.

The request mentioned in the preceding paragraph shall be addressed to the Secretary-General of the League of Nations, who will notify the other High Contracting Parties and inform the Council of the League of Nations of the request made.

CHAPTER 12: DENUNCIATION

Road Traffic Convention  
of 1926

Article 13: If any one of the Contracting States denounce the present Convention, the denunciation shall be notified in writing to the French Government, which shall immediately communicate a certified true copy of the notification to all the other States, informing them of the date on which it received the notification.

The denunciation shall apply only in regard to the State which notified it, and shall take effect one year after the notification has been received by the French Government.

The same provisions shall apply in regard to the denunciation of the present Convention in respect of colonies, possessions, protectorates, overseas territories and mandated territories.

Motor 12-13-14 Convention  
of 1926

Article 15: Each contracting State, party to the Convention of 11 October 1909, undertakes to denounce that Convention at the moment of the deposit of the instrument of its ratification or of its accession to the present Convention.

The same procedure will be followed in the case of the declarations referred to in Article 12, paragraph B.

Article 16: Should one of the contracting States denounce the present Convention, the denunciation will be notified in writing to the French Government, which will immediately communicate to all the other States a certified true copy of the notification, informing them of the date on which they have received it.

Signals Convention  
of 1931

Article 6, third paragraph: Any High Contracting Party, at any time after the expiration of the period of eight years mentioned in Article 15 declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate and the Convention shall cease to apply to the territories named in such declaration one year after its receipt by the Secretary-General.

Article 15: After the expiration of eight years from the date of its entry into force, the present Convention may be denounced by any High Contracting Party.

Inter-American Convention  
of 1943

Article XXII, first paragraph: The present Convention shall remain in effect indefinitely, but may be denounced by means of one year's notice given to the Pan-American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Convention shall cease in its effects. As regards the party which denounces it, but shall remain in effect for the remaining High Contracting Parties.

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of 1949

Load Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

The denunciation will only be effective as regards the State which has notified it and one year after the receipt of the notification by the French Government.

The same provisions apply to the denunciation of the present Convention for the colonies, possessions, protectorates, overseas territories and territories under mandate.

Signals Convention  
of 1931

Denunciation shall be effected by a notification in writing addressed to the Secretary-General of the League of Nations who shall inform all the Members of the League of Nations and non-member States referred to in Article 7 of the denunciation made.

The denunciation shall take effect one year after the date of its receipt by the Secretary-General and shall operate only in respect of the Member of the League or non-member State on whose behalf it has been made.

It is the result of international law and practice, the principle of the League of Nations and the provisions of the present Convention that the Convention shall be denounced by the Secretary-General of the League of Nations.

Inter-american Convention  
of 1943

ECI Draft Provisions  
of 1949

CHAPTER 13: ENTRY INTO FORCE

Road Traffic Convention  
of 1926

Article 12: The present Convention shall take effect in respect of the States which took part in the first deposit of ratifications one year after the date of the said deposit and in respect of States which ratify it subsequently or accede to it in respect of colonies, possessions, protectorates, overseas territories and mandated territories not mentioned in the instruments of ratification, one year after the date on which the ratifications provided for in Article 9 (d), Article 10 (b), and Article 11 (b) are received by the French Government.

Motor Traffic Convention  
of 1926

Article 14: The present Convention will come into force for the contracting States, which shall have taken part in the first deposit of ratifications, one year after the date of this deposit, and, for the States which shall ratify it later or shall accede to it, as well as for the colonies, protectorates, overseas territories and territories under mandate, not mentioned in the instruments of ratification, one year after the date on which the notifications mentioned in Article 11, paragraph D, Article 12, paragraph B, and Article 13, paragraph B, have been received by the French Government.

Signals Convention  
of 1931

Article 11: The present Convention shall come into force six months after the receipt by the Secretary-General of the League of Nations of ratifications or accessions on behalf of five Members of the League of Nations or non-member States. No ratification or accession to which any conditions are attached in accordance with the preceding article shall count for this purpose until these conditions are fulfilled.

Article 12: Each ratification or accession received after the entry into force of the Convention shall take effect six months after its receipt by the Secretary-General of

Inter-American Convention  
of 1943

Article III: The present Convention shall come into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

1978 Draft Provisions  
of 1978

Road Traffic Convention  
of 1926

Motor Traffic Convention  
of 1926

Signals Convention  
of 1931

Inter-American Convention  
of 1943

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of 1949

the League of Nations  
or six months after  
the fulfilment of the  
conditions attached to  
it in accordance with  
Article 10 as the  
case may be.