

United Nations Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

TEL.: 1 (212) 963.1234 • FAX: 1 (212) 963.4879

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2 April 2009

Excellency,

I have the honour to refer to the Secretary-General's letter of invitation addressed to Heads of State and Government to participate in this year's treaty event entitled "2009 Treaty Event: Towards Universal Participation and Implementation". This year's treaty event will be held from 23 to 25 and on 28 and 29 September 2009 at United Nations Headquarters in New York during the general debate of the sixty-fourth session of the General Assembly. The treaty event will highlight treaties deposited with the Secretary-General that cover areas of global reach including climate change, terrorism, penal matters, disarmament, human rights and the protection of United Nations personnel.

States are encouraged to utilize the occasion of the 2009 Treaty Event to demonstrate their continuing commitment to the central role of the rule of law in international relations. It is emphasized that the event may be used to sign and ratify or accede to any treaty for which the Secretary-General acts as depositary.

It is noted that, consistent with the rules of international law and the practice of the Secretary-General as depositary of multilateral treaties, a Head of State or Government or a Foreign Minister does not require full powers to execute a treaty action in person. Furthermore, full powers are not required in cases where an instrument conferring general full powers has been issued to a designated person and has been deposited with the Secretary-General in advance.

However, where an action, such as a signature, relating to a treaty deposited with the Secretary-General is to be undertaken by a person other than the Head of State or Government or the Foreign Minister, duly executed full powers are necessary.



The Secretary-General's requirements for a valid instrument of full powers must include the following:

- Title of the treaty;
- Full name and title of the person duly authorized to sign the treaty concerned (in the case of signature) or the relevant instrument (in the case of ratification, acceptance, approval or accession);
- Date and place of signature; and
- Signature of the Head of State, Head of Government or Foreign Minister.

Instruments of ratification, acceptance, approval or accession must also be issued and signed by one of the above three authorities, and should include all declarations and reservations related thereto. Full powers and instruments of ratification, acceptance, approval or accession should be submitted for verification to the Treaty Section well in advance of the intended date of the relevant treaty action. Further information on full powers and instruments of ratification, acceptance, approval or accession can be obtained from the *Treaty Handbook* and the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties* (ST/LEG/7/Rev.1). These documents are also available in the United Nations Treaty Collection at the web site <http://treaties.un.org>.

Information on the status of treaties deposited with the Secretary-General may be obtained from the above-mentioned website.

I note that on 21 and 22 April 2009, the Treaty Section of the Office of Legal Affairs will conduct a seminar in English and French at Headquarters on treaty law and practice, which is customized to meet the needs of government officials in relation to the participation in treaties deposited with the Secretary-General (including signatures, full powers, deposit of instruments) and the registration of treaties. I encourage you to nominate one or more of your staff to participate.



Advice before **4 September 2009** on your Government's intention to sign, ratify or accede to any of the multilateral treaties deposited with the Secretary-General would assist us in making the necessary arrangements, including appropriate media coverage. I am attaching a list of all multilateral treaties deposited with the Secretary-General to enable a more comprehensive review of your country's participation in these multilateral treaties. It is requested that appointments be made by contacting the Treaty Section of the Office of Legal Affairs (telephone: (212) 963-5047; fax: (212) 963-3693; or e-mail: depositaryCN@un.org).

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Patricia O'Brien', with a stylized flourish at the end.

Patricia O'Brien
Under-Secretary-General for Legal Affairs
The Legal Counsel