

**Briefing on the Ceremony for the Opening for Signature
of the Paris Agreement
Remarks of the Legal Counsel**

Excellencies,

Secretary-General,

I am pleased to have this opportunity to brief you on the legal aspects of the upcoming high-level signature ceremony of the Paris Agreement. Indeed, this ceremony carries a particular legal significance and therefore entails a number of precise legal requirements.

As you know, the Secretary-General has been designated as the depositary of the Paris Agreement, which means, among others, that he is the custodian of the original of the Agreement and the recipient of all signatures and instruments of ratification, acceptance, approval or accession relating to the Agreement. It is my Office, through its Treaty Section, that discharges the depositary functions of the Secretary-General with respect to the Agreement.

In accordance with its Article 20, the Paris Agreement is open to signature by States and regional economic integration organizations that are Parties to the United Nations Framework Convention on Climate Change.

The signature is subject to later ratification, acceptance or approval. By their signature, States indicate that they will take the necessary steps to consent to be bound by the Agreement. The signature also establishes the obligation for the State to refrain from acts that would defeat the object and purpose of the Agreement.

Under established international practice, only Heads of State, Heads of Government and Ministers for Foreign Affairs are empowered, by virtue of their functions, to sign the Agreement on behalf of their State without having to produce full powers. Any other representative wishing to sign the Agreement, including other members of Government, such as Ministers of the Environment, must be in possession of appropriate full powers emanating from one of these three authorities.

In order to participate to the ceremony, States and regional economic integration organizations are requested to contact the Treaty Section of the Office of Legal Affairs as soon as possible and well in advance of the signature ceremony of 22 April. The Treaty Section shall receive, in particular: (1) a formal confirmation that the State or organization wishes to participate in the ceremony; (2) the name and title of the person who will sign the Agreement on behalf of the State; and (3) when needed, a signed advance copy of the instrument of full powers. It is the Treaty Section that will perform the legal review of the instruments of full powers received and confirm that the State or organization will be able to sign the Agreement on 22 April.

Certified True Copies of the Paris Agreement will be distributed by the Treaty Section to Permanent Missions in advance of the ceremony, and will also be made available on the Treaty Section's website (treaties.un.org). The text of the Paris Agreement in all its authentic languages (Arabic, Chinese, English, French, Russian and Spanish) is currently being finalised by the Climate Change Secretariat and we expect that it will be transmitted to the Treaty Section by the end of this month. After receipt of the authentic text, the Treaty Section will prepare the original of the Paris Agreement and distribute the Certified True Copies in the course of the month of March.

A depositary notification announcing the opening for signature of the Paris Agreement is being circulated this week, with precise information on the legal requirements for participation in the high-level signature ceremony.

As the Secretary-General has pointed out, the widest possible participation in the Paris Agreement is essential and my Office is determined to play its role in making this first step a great success. All States intending to attend the high-level signature ceremony on 22 April 2016 are encouraged to contact my colleagues in the Treaty Section with any queries they might have.

Thank you.