

UNITED NATIONS



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REFERENCE: LA41TR/221/Full Powers Guidelines/2009

The Legal Counsel presents her compliments to the Permanent Representatives to the United Nations and has the honour to communicate the following in relation to full powers for the signing of treaties deposited with the Secretary-General as depositary of multilateral treaties.

With a view to assisting States in increasing participation in the multilateral treaty framework, the Treaty Section of the Office of Legal Affairs, which discharges the functions of the Secretary-General in his capacity as depositary of multilateral treaties, has prepared the attached Guidelines. These Guidelines address the Secretary-General's requirements, consistent with treaty law and his practice, applicable to instruments of full powers.

Additional information regarding full powers may be obtained from the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties* (ST/LEG/7/Rev.1) and the *Treaty Handbook* published by the Treaty Section. Please also refer to the *Treaty Handbook* for a model instrument of full powers. Both publications are available in the United Nations Treaty Collection at the following address: <http://treaties.un.org>.

The Legal Counsel of the United Nations avails herself of this opportunity to renew to the Permanent Representatives to the United Nations the assurances of her highest consideration.

2 February 2009

A handwritten signature in black ink, appearing to be 'AEB'.

## **FULL POWERS GUIDELINES**

Proper full powers are required by all persons seeking to sign a treaty deposited with the Secretary-General or to make a reservation upon signature, except Heads of State or Government, or Foreign Ministers or a person acting, *ad interim*, in one of the above positions.

### **Secretary-General's requirements applicable to full powers:**

1. Signature by the Head of State, Head of Government or Minister for Foreign Affairs or a person acting, *ad interim*, in one of the above positions;
2. Title of the treaty;
3. Express authorization to sign the treaty concerned;
4. Full name and title of the person duly authorized to sign;
5. Date and place of signature of the instrument of full powers; and
6. Official seal. This is optional and cannot replace the signature of one of the three authorities of State.

### **Please note:**

- Where general full powers have been issued to a named person and have been deposited with the Secretariat in advance, specific full powers are not required.
- Full powers must be submitted for verification to the Treaty Section in advance of the intended date of signature.
- Copies of signed instruments of full powers may be faxed to the Treaty Section for verification in advance of the signature, provided that the original promptly follows (Fax: +1 (212) 963-3693). The depositary will also accept a scanned copy of a signed instrument of full powers transmitted by electronic mail. To obtain an email address, please contact the Treaty Section at +1 212 963-5047.