

**CAPACITY-BUILDING WORKSHOP
CHINA**

13-17 October

DEPOSITARY WORKSHOP MATERIALS

- I. The International Convention for the Protection of all Persons from Enforced Disappearance is open for signature. You have been presented with the below draft full powers for review and approval. After review of the document, is it your opinion that it constitutes full powers in good form?

REPUBLIC OF
MINISTRY OF FOREIGN AFFAIRS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

Know ye, that reposing special trust and confidence in the integrity and ability of the Honourable [John Doe], Minister of Justice, Head of Delegation and the Honourable [Mary Smith], Deputy Director for Legal Affairs, Ministry for Justice, Member of Delegation to the Conference of plenipotentiaries on the International Convention for the Protection of all Persons from Enforced Disappearances convened in Paris (France) in December 2006. I, in the name of the President of the Republic of the, have vested them with full power and authority for and in the name of the Republic of the to meet and confer with any person or persons duly authorized by the Governments of States represented at the Conference of Plenipotentiaries on the Convention for the Protection of all Persons from Enforced Disappearances being vested with like power and authority and with them to do and perform on behalf of the Republic of the, all necessary acts in relation to the general or specific objects to be discussed at the said Conference.

In witness whereof, I have caused the seal of this Republic to be hereto affixed this 28th Day of November In the year of our Lord Two Thousand and Six.

[Signature]

DEPUTY MINISTER FOR FOREIGN AFFAIRS
ACTING MINISTER FOR FOREIGN AFFAIRS

- II. The following document has been lodged for deposit with the Secretary-General. Should this document be accepted in deposit as a valid binding instrument?

Document 2

*Note that the below Amendment is open for “acceptance”
by States that are party to the Convention.*

14 July 2005

Your Excellency,

I have the honour to inform that the President of the Republic signed the Law No..... to accept the amendment to paragraph 2, article 43 of the Convention on the Rights of the Child.

The Republic of welcomes the steps undertaken by the United Nations to promote rights of the child around the world and confirms its intention to observe the rights of the child and contribute to the achieving of the honourable goals of the Convention.

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

[Name of President]

[Signature]

H.E. Mr. Kofi Annan
Secretary-General of
The United Nations
New York

- III. The following document has been lodged for deposit with the Secretary-General. Should this document be accepted in deposit as a valid binding instrument?

Document 3

Assume that the State has signed the below Convention.

Decree No. 2001/154 of 24 October 2001 ratifying the
United Nations Convention Against Transnational Organized Crime

THE PRESIDENT OF THE REPUBLIC,

Considering the Constitution;

Considering Law 98/005 of 10 October 2001 authorizing the President of the Republic to ratify the United Nations Convention Against Transnational Organized Crime;

DECREES:

ARTICLE 1 – The United Nations Convention Against Transnational Organized Crime has been ratified.

ARTICLE 2 – This decree will be registered, published on an urgent basis, and then inserted in the Official Journal./

THE PRESIDENT OF THE REPUBLIC

[Signature]

- IV. State B would like to become a party to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (*relevant provisions of the Protocol follow*). State B has signed the Convention on the Rights of the Child, but has not ratified it. You are a lawyer in your treaty office and you have just been handed the below instrument for deposit by your Ambassador. The Ambassador needs to inform the Ministry of Foreign Affairs on an urgent basis of the status of the instrument. What do you advise?

REPUBLIC OF B
MINISTRY OF FOREIGN AFFAIRS

I, [name], the Minister for Foreign Affairs, declare that the Government of the Republic of B hereby ratifies the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and undertakes faithfully to perform and carry out the stipulations contained herein.

IN WITNESS WHEREOF, I have signed the present instrument.

Done at [place], on [date].

[Signature]

Relevant Treaty Provisions

Optional Protocol to the Convention on the Rights of the Child
on the involvement of children in armed conflict

Article 3

2. Each State party shall deposit a binding declaration upon ratification of or accession to this Protocol that sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced.

Article 9

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.
2. The present Protocol is subject to ratification and is open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

V. State B would like to become party to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, with Protocols I, II, III, IV and V, (Geneva, 10 October 1980). The relevant provisions of the Convention follow. The instrument below has been submitted for deposit. As a lawyer in your treaty office, what do you advise?

THE PRESIDENT OF THE REPUBLIC OF B

Proclaims that in accordance with the Law on Security of July 2006, the Republic of B accedes to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects,

Moreover, the Republic of B consents to be bound by Protocol I on Non-Detectable Fragments, and declares that the above-mentioned Convention and Protocol will be strictly and faithfully observed,

In witness whereof the President of the Republic of B has signed this Instrument of Accession and authenticated it with his Seal.

[Signature]
President of the Republic of B

[Date]

RELEVANT TREATY PROVISIONS

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II, III, IV and V) (Geneva, 10 October 1980)

Article 3 Signature

This Convention shall be open for signature by all States at United Nations Headquarters in New York for a period of twelve months from 10 April 1981.

Article 4 Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval by the Signatories. Any State which has not signed this Convention may accede to it.
2. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.
3. Expressions of consent to be bound by any of the Protocols annexed to this Convention shall be optional for each State, provided that at the time of the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, that State shall notify the Depositary of its consent to be bound by any two or more of these Protocols.
4. At any time after the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, a State may notify the Depositary of its consent to be bound by any annexed Protocol by which it is not already bound.
5. Any Protocol by which a High Contracting Party is bound shall for that Party form an integral part of this Convention.