

United Nations  Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

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

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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 annual treaty event, *Focus 2006: Crossing Borders*. This year's event will be held from 13 to 15 September 2006 at United Nations Headquarters in New York during the High-Level Dialogue on International Migration and Development of the sixty-first General Assembly. Consistent with the report of the Global Commission on International Migration entitled *Migration in an Interconnected World: New directions for action*, the treaty event will highlight treaties deposited with the Secretary-General associated with international migration and development. Such treaties cover a range of migration-related topics from human rights, trafficking, refugees and stateless persons to organized crime, corruption, and environmental and disarmament issues.

You may recall the successful treaty events which have been held annually since the Millennium Summit. Consistent with this tradition, the Treaty Section of the Office of Legal Affairs will organize another high profile ceremony this year also.

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 include:

- Title of the treaty must be identified;
- 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) must be specified;
- Date and place of signature; and
- Signed by the Head of State, Head of Government or Minister for Foreign Affairs.

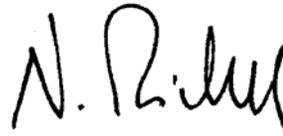
Instruments of ratification, acceptance, approval or accession must also be issued and signed by one of the above three authorities, and should include all declarations and reservations related thereto. Instruments of full powers, ratification, acceptance, approval or accession should be submitted for verification to the Treaty Section well in advance of the intended date of the 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 on the Internet (UNTC) at <http://untreaty.un.org>.

Information on the status of treaties deposited with the Secretary-General may be obtained from the publication *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2005* (ST/LEG/SER.E/24), which is also available in the UNTC on the Internet and is updated daily.

The Secretary-General in his letter requested advice on the nature of any assistance that may be required by a State in order to undertake treaty actions or to give internal effect to the relevant treaty obligations. In this connection, I draw your attention to the website containing information on legal technical assistance available within the United Nations system (see <http://www.un.org/law/technical/technical.htm>). Also, during spring 2006, the Treaty Section of the Office of Legal Affairs will conduct a seminar at Headquarters on treaty law and practice, which is customized to meet the needs of government officials in relation to the deposit of treaty actions with the Secretary-General and the registration of treaties. Treaties relating to international migration will be highlighted during the seminar.

Advice before **1 September 2006** 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 for appropriate media coverage. I am also 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 at telephone: (212) 963-5047; fax: (212) 963-3693; or e-mail: treaty@un.org.

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



Nicolas Michel
Under-Secretary-General for Legal Affairs
The Legal Counsel