



UNITED NATIONS

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# Economic Commission for Latin America and the Caribbean

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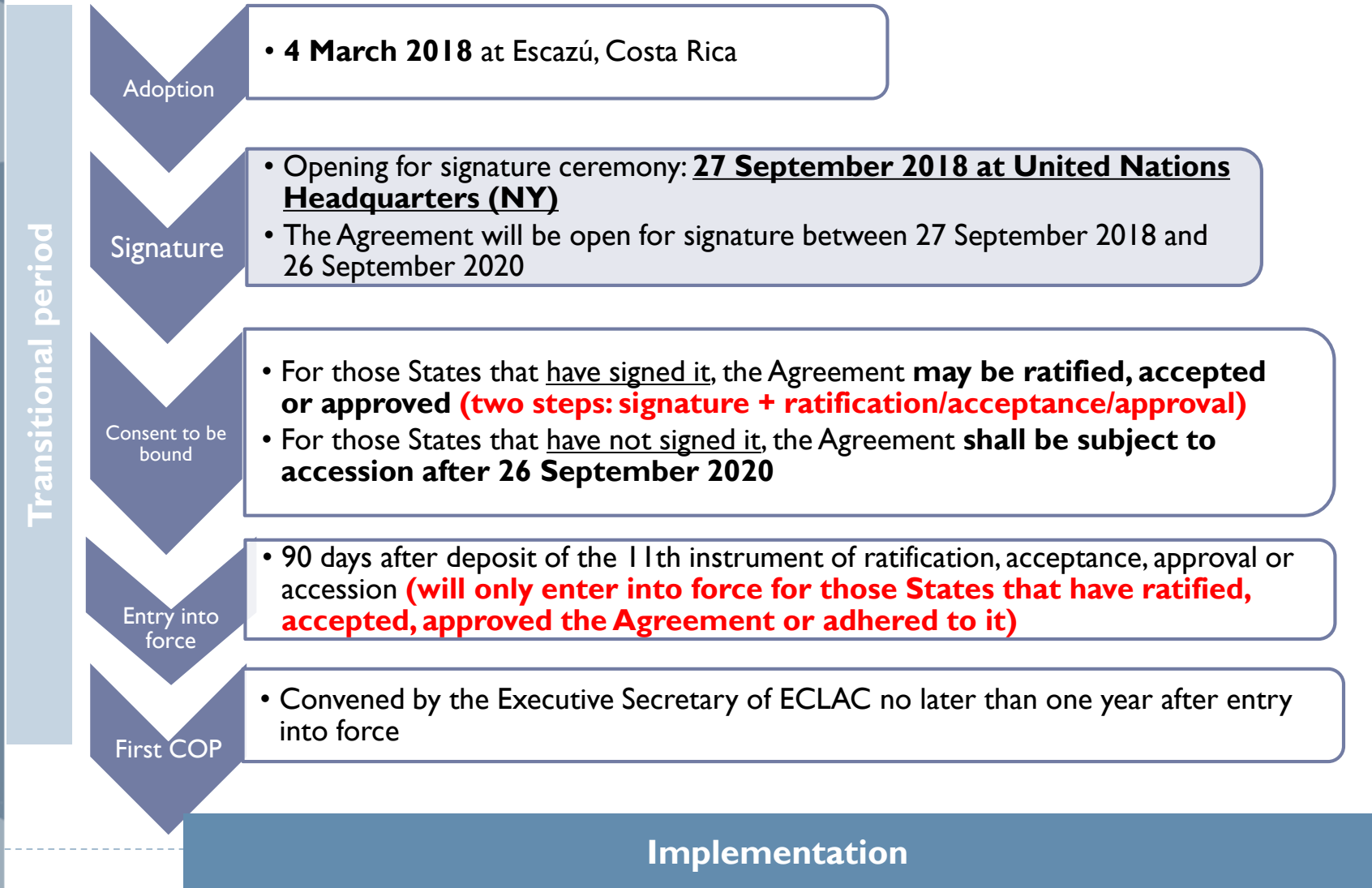
Opening for signature and depositing of instruments of  
ratification, approval, acceptance of or accession to  
the Escazú Agreement

Sustainable Development and Human Settlements Division

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# Stages in the Escazú Agreement



# Requirements for signature

The Head of State, Head of Government or Minister for Foreign Affairs may sign a treaty on behalf of the State without an instrument of full powers

## **FULL POWERS**

- ▶ A person other than the Head of State, Head of Government or Minister for Foreign Affairs may sign a treaty **only** if that person possesses a valid instrument of full powers.
- ▶ There is no specific form for an instrument of full powers, but it must include the **following information**:
  - ▶ Be signed by the Head of State, Head of Government or Minister for Foreign Affairs and must unambiguously empower a specified person to sign the Regional Agreement. Full powers may also be issued by a person exceptionally exercising the power of one of the above-mentioned three authorities of State ad interim. This should be stated clearly on the instrument.
  - ▶ Indicate the title of the treaty: Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.
  - ▶ State the full name and title of the representative authorized to sign. They are individual and cannot be transferred.
  - ▶ Date and place of signature must be indicated.
  - ▶ Official seal. This is optional and it cannot replace the signature of one of the three authorities of State.



# Requirements for ratification, approval, acceptance or accession

When a State wishes to ratify, accept, approve or accede to a treaty, it must execute an instrument of ratification, acceptance, approval or accession, signed by one of three specified authorities, namely the Head of State, Head of Government or Minister for Foreign Affairs.

- ▶ There is no mandated form for the instrument, but it must include the **following**:
  - ▶ Title, date and place of conclusion of the treaty (Escazú, Cosa Rica, 4 March 2018)
  - ▶ Full name and title of the person signing the instrument, i.e., the Head of State, Head of Government or Minister for Foreign Affairs or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities;
  - ▶ An unambiguous expression of the intent of the Government, on behalf of the State, to consider itself bound by the treaty and to undertake faithfully to observe and implement its provisions;
  - ▶ Date and place where the instrument was issued;
  - ▶ Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal only is not adequate) or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities.
  
- ▶ **An instrument of ratification, acceptance, approval or accession becomes effective only when it is deposited with the Secretary-General of the United Nations at United Nations Headquarters in New York.**



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# Practical information

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- ▶ The depositary functions of the Secretary-General are exclusively carried out by the Treaty Section of the United Nations Office of Legal Affairs in New York;
  - ▶ To expedite the process, the instruments of full powers, ratification, acceptance, approval or accession should be sent directly to the Treaty Section;
  - ▶ To sign the treaty, an appointment must be made with the Treaty Section. To confirm the appointment, a signed copy of the instruments of full powers shall be submitted to the Treaty Section prior to the ceremony for legal review;
  - ▶ To deposit instruments of ratification, acceptance, approval or accession, the original documents shall be sent to the Treaty Section in New York (the Section can proceed with the deposit with a copy, subject to receiving the original as soon as possible)
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**Technical Secretariat of the Regional Agreement**  
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