
**Framework Convention
for the Protection of the Marine
Environment of the Caspian Sea**

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**CONFERENCE OF THE PARTIES
Third Meeting
Aktau, 10-12 August 2011**

Item 3 of the provisional agenda

**REQUIREMENTS FOR CREDENTIALS AND FULL POWERS FOR THE
MEETING OF THE CONFERENCE OF THE PARTIES TO THE FRAMEWORK
CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF
THE CASPIAN SEA¹**

Note by the interim Secretariat

Reference is made to Rules 10, 11 and 12 of the Rules of Procedure for the Meetings of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea.

Submission of credentials and full powers

1. Credentials take form of a document issued according to the national legislation of the Contracting Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea and empower a delegate or delegation of that State to attend a conference, including where necessary for the purpose of negotiating and adopting its decisions. A State may also issue credentials to enable a signature of the Final Act of a Conference. Credentials are distinct from full powers. Credentials permit a delegate or a delegation to adopt decisions and/or sign the Final Act, while full powers permit a person to undertake any given treaty action, in particular, signature of a treaty.
2. In accordance with recognized customary international treaty law, as codified in Article 7 of the Vienna Convention on the Law of Treaties, only Heads of State, Heads of Government and Ministers of Foreign Affairs (referred to herein as “qualified authorities”) are, by virtue of their functions, and without having to produce full powers, considered as representing their State for the purpose of performing all acts relating to the conclusion of a treaty, including their signature with or without reservations. All individuals other than these authorities must be in

¹ Please refer to the Rules of procedure for the Conference of the Parties, section “Representation and Credentials”, Rules 10, 11 and 12.

possession of appropriate full powers, which expressly authorize signature of a specific treaty by a named representative issued and signed by one of these authorities. Full powers are distinct from credentials. Credentials alone are not adequate for the purpose of signing a treaty.

3. Both, the credentials and the full powers shall be submitted to the Secretariat before the end of the first session. The Bureau shall examine the credentials and the full powers and submit the report thereon to the Conference of the Parties for decision.
4. Please note that submission of credentials and full powers prior to the Meeting would facilitate the advance clearing process by the Secretariat.
5. Submission of credentials and full powers is vital for full participation in the Meeting. The absence of credentials or any ambiguity therein may affect the exercise of right to vote. Signature of a treaty without proper full powers is not acceptable. If credentials and/or full powers are submitted in copy or by fax, it is understood that the delegation will submit the original not later than twenty-four hours prior the closure of the Meeting (by 13:00, 11 August 2011).

Issuance of credentials

6. The credentials should be issued according to the national legislation and must bear the name of the persons who are members of the delegation indicating their positions in the delegation, such as head of delegation, alternative head of the delegation, advisers.

Issuance of full powers

7. Full powers must be issued and signed by one of the three qualified authorities and must unambiguously empower the representative of the Government concerned to sign the treaty or treaties covered by full powers. Full powers must be granted to a given individual and indicate his name and surname. Due to the individual character of the full powers, it is prudent to name at least two representatives, in case one is hindered by some unforeseen circumstance from performing the designated act.
8. Full powers are usually limited to one specific treaty and must indicate the title of the treaty. If the title of the treaty is not yet agreed, the full powers must indicate the subject matter and the name of the conference or the international organization where the negotiations are taking place.
9. Date and place of signature must be indicated.

Language

10. If credentials and/or full powers are issued in a language other than the languages of the Meeting provided by the Secretariat (English and Russian) as set forth in Rule 39 of the Rules of procedure, they shall be accompanied by an official translation into one of these languages.

SAMPLE FORMAT FOR CREDENTIALS
FOR THE THIRD MEETING OF THE CONFERENCE OF THE
PARTIES TO
THE FRAMEWORK CONVENTION FOR THE PROTECTION OF THE
MARINE ENVIRONMENT OF THE CASPIAN SEA

CREDENTIALS

I, the undersigned [*Head of State or Government or Minister for Foreign Affairs*] hereby make known that the following delegation has been duly appointed, authorized and empowered to represent [*country*] at the third meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea to be held in Astana, Kazakhstan, from the twenty-fourth to the twenty-sixth of November in the year two thousand and ten.

Head of Delegation [*Name of Head of Delegation*]

Alternate Head of Delegation [*Name of Alternate Head of Delegation*]

Representative(s) [*Name(s) of representative(s)*]

DONE in [*city*] on this [*day*] of [*month*] in the [*year*]

Seal and Signature

SAMPLE FORMAT FOR FULL POWERS
FOR THE THIRD MEETING OF THE CONFERENCE OF THE
PARTIES TO
THE FRAMEWORK CONVENTION FOR THE PROTECTION OF THE
MARINE ENVIRONMENT OF THE CASPIAN SEA

**(To be signed by the Head of State, Head of Government
or Minister for Foreign Affairs)**

FULL POWERS

I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs],

HEREBY AUTHORISE [name and title] to sign the [title of Protocol] on behalf of the Government of [name of State].

Done at [place] on [date].

Seal and Signature