



THE SECRETARY-GENERAL

30 December 2009

Excellency,

I refer to your joint letter dated 30 November 2009, by which you informed me that the Treaty of Lisbon, which amends the Treaty on European Union and the Treaty establishing the European Community, entered into force on 1 December 2009.

You indicate that as of that date, the European Union has replaced and succeeded the European Community in all its rights and obligations, including those rights and obligations exercised by the European Community within the United Nations, whilst continuing to exercise existing rights and assume obligations of the European Union. You have asked that the United Nations takes, where necessary, appropriate steps in order to give effect to this change.

In particular, I take note that your letter states that the European Union "will succeed to all agreements concluded and all commitments made by the European Community with the United Nations and to all agreements or commitments adopted within the United Nations and binding on the European Community". In this connection, it is the understanding of the United Nations that effective 1 December 2009, the European Union shall enjoy all the rights and maintain full responsibility for all the obligations with respect to all agreements concluded and all commitments made by the European Community with the United Nations and with respect to treaties deposited with the Secretary-General.

I further take note that as from 1 December 2009, the "Delegation of the European Commission" accredited to the United Nations has become the "Delegation of the European Union" and that the necessary changes to arrangements with respect to the European Union's representation will be communicated to me in due course.

His Excellency
Mr. Fredrik Reinfeldt
President of the European Union Council
Brussels

29-13234

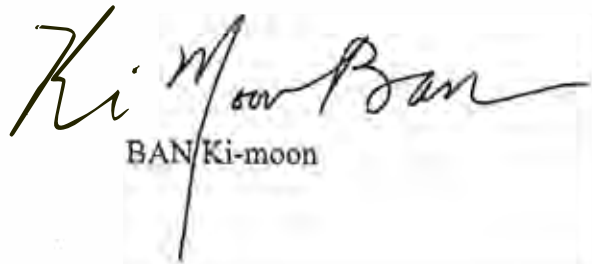
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I will, in light of your letter, also take immediate steps to change the name of the observer entity "European Community" in the United Nations General Assembly and its subsidiary organs to "European Union". This change will be made on nameplates in the General Assembly and its other subsidiary bodies as well as on all official communications and issuances that emanate from the Secretariat.

I will circulate your letter of 30 November 2009 and my present response, thereto, to Member States and all Observers for their information.

Finally, an identical letter has been sent to President Barroso and copies of both letters have been sent to President van Rompuy and to Baroness Ashton.

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



BAN Ki-moon



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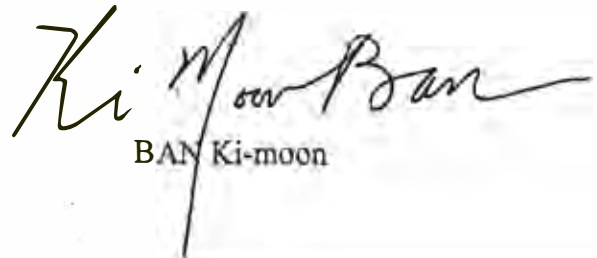
His Excellency
Mr. José Manuel Barroso
President of the European Commission
Brussels

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BAN Ki-moon

United Nations



Nations Unies

Executive Office of the Secretary-General
Cabinet du Secrétaire général

To: Mr. Nambiar,

Attached are two identical letters from the SG addressed to the President of the European Council and the President of the Commission of the European Community, in response to their communication dated 30 November 2009.

These concern the entry into force of the Treaty of Lisbon and its effects on the legal status of the EU in the UN, mainly related to the changes of name of the observer entity in the GA and its subsidiary organs; and the assumption of the rights and obligations with respect to all agreements and treaties in which the EC participates.

Your consideration and approval of the same is requested.


Nicholas Haysom
30 December 2009

cc: KWS

29-13234

17.07

LAH
UN (Amber)

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Note to Mr. Nambiar

Changes resulting from the entry into force of the Treaty of Lisbon

1. I refer to the attached letter to the Secretary-General, dated 30 November 2009, co-signed by the President of the European Council and the President of the Commission of the European Community on changes resulting from the entry into force of the Treaty of Lisbon on 1 December 2009. While you had already issued an acknowledgement upon receipt of the letter, we now wish to suggest a more substantive response from the Secretary-General. Please find attached two draft letters for the Secretary-General's consideration and signature. The draft letters have informally been agreed by European Union representatives.
2. As you are aware, the entry into force of the Treaty of Lisbon occasions several changes with regard to the legal status of the European Union in the United Nations. In this connection, the European Union representatives pursue two main objectives with their 30 November letter: (1) to change the name of the observer entity in the General Assembly and its subsidiary organs from "European Community" to "European Union"; and (2) to assume the rights and obligations with respect to all agreements and treaties in which the European Community participates.
4. For the name change, the letter of 30 November is sufficient. In the event that the Secretary-General agrees with the draft letters, the name change could be effected as soon as the letters are signed and dispatched. Once this is done, we would ask Protocol to send them, together with copies of the 30 November letter, to all Missions and Observer Offices in New York for information.
5. On the other issues, such as succession and representation, that are raised in the 30 November letter, this Office is informally in contact with EU representatives to find mutually acceptable solutions.
6. We will keep you closely informed of new developments in this matter.


Peter Taksøe-Jensen
24 December 2009

cc.: Mr. Pascoe
Mr. Shaaban
Mr. Kim
Mr. Haysom
Ms. de Ameller

**COUNCIL OF THE
EUROPEAN UNION**

The President



**COMMISSION OF THE
EUROPEAN COMMUNITIES**

The President

Brussels, 30 November 2009

SSS9/13744

H.E. Mr Ban Ki-moon,
Secretary General of the United Nations,
United Nations Plaza,
NY 10017 - NEW YORK,
U.S.A.



Your Excellency,

We have great pleasure in notifying you of the following:

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community will enter into force on 1 December 2009.

As a consequence, as from that date the European Union will replace and succeed the European Community (Article 1, third paragraph, of the Treaty on European Union as it results from the amendments introduced by the Treaty of Lisbon).

Therefore, as from that date the European Union will exercise all rights and assume all obligations of the European Community, including its status within the United Nations, whilst continuing to exercise existing rights and assume obligations of the European Union.

In particular, as from that date the European Union will succeed to all agreements concluded and all commitments made by the European Community with the United Nations and to all agreements or commitments adopted within the United Nations and binding on the European Community.

As from that date the Delegation of the European Commission accredited to the United Nations becomes the "Delegation of the European Union".

Consequential changes to representation arrangements will be communicated in due course.

We trust that the relevant bodies and authorities in the United Nations will, where necessary, take the appropriate steps in this respect.

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

A handwritten signature in blue ink, likely belonging to J. Van der Stoep, the President of the Council of the European Union at the time.

A handwritten signature in blue ink, likely belonging to J.-V. Giscard d'Estaing, the President of the Commission of the European Communities at the time.



EUROPEAN UNION

DELEGATION TO THE UNITED NATIONS

Chargé d'Affaires a.i.

Protocol	
DEC 16 2009	
ACTION TO AA W7	
1.....	
2.....	
<input type="checkbox"/> ACTION COMPLETED	
INITIALS.....	
FILE NO. 12437	

The Delegation of the European Union to the United Nations presents its compliments to the the Protocol and Liaison Service of the United Nations and has the honour to transmit the original letter signed by the President of the Council of the European Union and the President of the Commission of the European Communities notifying His Excellency the Secretary General of the United Nations of:

- the date of entry into force of the Treaty of Lisbon, the replacement and the succession of the European Community by the European Union,
- the change of denomination of the Delegation of the Commission of the European Communities to "Delegation of the European Union", as well as precisions regarding the modalities of the European Union's representation.

A copy of the letter was transmitted to **your** office on 30 November 2009.

The Delegation of the European Union to the United Nations has the honour to request the Protocol and Liaison Service of the United Nations for a proof of receipt of the present Verbal Note and avails itself of this opportunity to renew the assurances of its highest consideration.



New York, 15 December 2009

United Nations Protocol and Liaison Service
New York