

Reference: C.N.82.2025.TREATIES-XXI.10 (Depositary Notification)

AGREEMENT UNDER THE UNITED NATIONS CONVENTION ON THE LAW
OF THE SEA ON THE CONSERVATION AND SUSTAINABLE USE OF
MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL
JURISDICTION

NEW YORK, 19 JUNE 2023

FRANCE: RATIFICATION

The Secretary-General of the United Nations, acting in his capacity as depositary,
communicates the following:

The above action was effected on 5 February 2025, with:

Declarations (Translation) (Original: French)

1. In accordance with article 70 and article 10, paragraph 1, of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction, France hereby makes an exception to exclude retroactive application, as provided for in the second sentence of article 10, paragraph 1, such that the provisions of this Agreement, for France, apply only to activities with respect to marine genetic resources and digital sequence information on marine genetic resources of areas beyond national jurisdiction collected or generated after the entry into force of this Agreement for France.

2. With reference to article 71 of the Agreement, France wishes to reaffirm that it fully supports the United Nations Declaration on the Rights of Indigenous Peoples, adopted on 13 September 2007, which is mentioned in the preamble to the Agreement. The Declaration represents the culmination of a long process marking a vital advance in the protection of the human rights of Indigenous and local populations.

With reference to the interpretive statement that it made at the time of adoption of the Declaration, France wishes to reaffirm that, by virtue of the constitutional principles of the indivisibility of the Republic, the unity of the French people and the equality of citizens before the law, all French citizens have the same rights and obligations under the Constitution, irrespective of their origin.

France is directly concerned with the populations of its overseas territorial communities and has established specific provisions in its national laws that are aligned with its constitutional principles. France thus carries out programmes to support their economic and social development within a framework that is tailored to the specificities of those populations, which are holders of traditional knowledge, and to their cultural expression. Those specificities are reflected in Act No. 2016-1087 on the restoration of biodiversity, nature and the countryside, adopted on 8 August 2016, through which France meets its international obligations under the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity. Title V of the Act, on access to genetic resources and the sharing of benefits arising from their utilization, enables France to honour in particular its obligations to protect the traditional knowledge held by local communities.

In order to ensure consistency with the laws in force and legal certainty for users, the provisions of the Agreement relating to the traditional knowledge held by local communities will be interpreted in a manner consistent with our constitutional principles.

3. With reference to article 60, paragraph 4, of the Agreement, France reaffirms the declaration that it made when it ratified the United Nations Convention on the Law of the Sea concerning Part XV, on settlement of disputes:

“With reference to the provisions of article 298, paragraph 1, France does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

- Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.”

4. With regard to the division of the competence of regional economic integration organizations and their member States in respect of the matters governed by this Agreement, France refers to the declaration of competence to be made by the European Union in accordance with article 67, paragraph 2, of the Agreement.

6 February 2025

A handwritten signature in black ink, consisting of the letters 'DN' with a horizontal line underneath.