

8. CONVENTION ON BIOLOGICAL DIVERSITY

Rio de Janeiro, 5 June 1992

ENTRY INTO FORCE: 29 December 1993, in accordance with article 36(1).

REGISTRATION: 29 December 1993, No. 30619.

STATUS: Signatories: 168. Parties: 196.¹

TEXT: United Nations, *Treaty Series*, vol. 1760, p. 79; and depositary notification C.N.29.1996.TREATIES-2 of 18 March 1996 (procès-verbal of rectification of the authentic Arabic text).

Note: The Convention was adopted by the Intergovernmental Negotiating Committee for a Convention on Biological Diversity, during its Fifth session, held at Nairobi from 11 to 22 May 1992. The Convention was open for signature at Rio de Janeiro by all States and regional economic integration organizations from 5 June 1992 until 14 June 1992, and remained open at the United Nations Headquarters in New York until 4 June 1993.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA), Succession(d)</i>
Afghanistan.....	12 Jun 1992	19 Sep 2002	Bulgaria	12 Jun 1992	17 Apr 1996
Albania.....		5 Jan 1994 a	Burkina Faso.....	12 Jun 1992	2 Sep 1993
Algeria	13 Jun 1992	14 Aug 1995	Burundi	11 Jun 1992	15 Apr 1997
Andorra.....		4 Feb 2015 a	Cabo Verde	12 Jun 1992	29 Mar 1995
Angola	12 Jun 1992	1 Apr 1998	Cambodia.....		9 Feb 1995 a
Antigua and Barbuda.....	5 Jun 1992	9 Mar 1993	Cameroon.....	14 Jun 1992	19 Oct 1994
Argentina	12 Jun 1992	22 Nov 1994	Canada	11 Jun 1992	4 Dec 1992
Armenia	13 Jun 1992	14 May 1993 A	Central African Republic	13 Jun 1992	15 Mar 1995
Australia.....	5 Jun 1992	18 Jun 1993	Chad.....	12 Jun 1992	7 Jun 1994
Austria	13 Jun 1992	18 Aug 1994	Chile.....	13 Jun 1992	9 Sep 1994
Azerbaijan.....	12 Jun 1992	3 Aug 2000 AA	China ²	11 Jun 1992	5 Jan 1993
Bahamas.....	12 Jun 1992	2 Sep 1993	Colombia	12 Jun 1992	28 Nov 1994
Bahrain.....	9 Jun 1992	30 Aug 1996	Comoros.....	11 Jun 1992	29 Sep 1994
Bangladesh.....	5 Jun 1992	3 May 1994	Congo.....	11 Jun 1992	1 Aug 1996
Barbados	12 Jun 1992	10 Dec 1993	Cook Islands	12 Jun 1992	20 Apr 1993
Belarus	11 Jun 1992	8 Sep 1993	Costa Rica.....	13 Jun 1992	26 Aug 1994
Belgium	5 Jun 1992	22 Nov 1996	Côte d'Ivoire	10 Jun 1992	29 Nov 1994
Belize	13 Jun 1992	30 Dec 1993	Croatia	11 Jun 1992	7 Oct 1996
Benin.....	13 Jun 1992	30 Jun 1994	Cuba.....	12 Jun 1992	8 Mar 1994
Bhutan.....	11 Jun 1992	25 Aug 1995	Cyprus.....	12 Jun 1992	10 Jul 1996
Bolivia (Plurinational State of).....	13 Jun 1992	3 Oct 1994	Czech Republic.....	4 Jun 1993	3 Dec 1993 AA
Bosnia and Herzegovina		26 Aug 2002 a	Democratic People's Republic of Korea.....	11 Jun 1992	26 Oct 1994 AA
Botswana	8 Jun 1992	12 Oct 1995	Democratic Republic of the Congo.....	11 Jun 1992	3 Dec 1994
Brazil	5 Jun 1992	28 Feb 1994	Denmark	12 Jun 1992	21 Dec 1993
Brunei Darussalam		28 Apr 2008 a			

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA), Succession(d)</i>
Djibouti.....	13 Jun 1992	1 Sep 1994	Kiribati.....		16 Aug 1994 a
Dominica.....		6 Apr 1994 a	Kuwait.....	9 Jun 1992	2 Aug 2002
Dominican Republic.....	13 Jun 1992	25 Nov 1996	Kyrgyzstan.....		6 Aug 1996 a
Ecuador.....	9 Jun 1992	23 Feb 1993	Lao People's Democratic Republic.....		20 Sep 1996 a
Egypt.....	9 Jun 1992	2 Jun 1994	Latvia.....	11 Jun 1992	14 Dec 1995
El Salvador.....	13 Jun 1992	8 Sep 1994	Lebanon.....	12 Jun 1992	15 Dec 1994
Equatorial Guinea.....		6 Dec 1994 a	Lesotho.....	11 Jun 1992	10 Jan 1995
Eritrea.....		21 Mar 1996 a	Liberia.....	12 Jun 1992	8 Nov 2000
Estonia.....	12 Jun 1992	27 Jul 1994	Libya.....	29 Jun 1992	12 Jul 2001
Eswatini.....	12 Jun 1992	9 Nov 1994	Liechtenstein.....	5 Jun 1992	19 Nov 1997
Ethiopia.....	10 Jun 1992	5 Apr 1994	Lithuania.....	11 Jun 1992	1 Feb 1996
European Union.....	13 Jun 1992	21 Dec 1993 AA	Luxembourg.....	9 Jun 1992	9 May 1994
Fiji.....	9 Oct 1992	25 Feb 1993	Madagascar.....	8 Jun 1992	4 Mar 1996
Finland.....	5 Jun 1992	27 Jul 1994 A	Malawi.....	10 Jun 1992	2 Feb 1994
France.....	13 Jun 1992	1 Jul 1994	Malaysia.....	12 Jun 1992	24 Jun 1994
Gabon.....	12 Jun 1992	14 Mar 1997	Maldives.....	12 Jun 1992	9 Nov 1992
Gambia.....	12 Jun 1992	10 Jun 1994	Mali.....	30 Sep 1992	29 Mar 1995
Georgia.....		2 Jun 1994 a	Malta.....	12 Jun 1992	29 Dec 2000
Germany.....	12 Jun 1992	21 Dec 1993	Marshall Islands.....	12 Jun 1992	8 Oct 1992
Ghana.....	12 Jun 1992	29 Aug 1994	Mauritania.....	12 Jun 1992	16 Aug 1996
Greece.....	12 Jun 1992	4 Aug 1994	Mauritius.....	10 Jun 1992	4 Sep 1992
Grenada.....	3 Dec 1992	11 Aug 1994	Mexico.....	13 Jun 1992	11 Mar 1993
Guatemala.....	13 Jun 1992	10 Jul 1995	Micronesia (Federated States of).....	12 Jun 1992	20 Jun 1994
Guinea.....	12 Jun 1992	7 May 1993	Monaco.....	11 Jun 1992	20 Nov 1992
Guinea-Bissau.....	12 Jun 1992	27 Oct 1995	Mongolia.....	12 Jun 1992	30 Sep 1993
Guyana.....	13 Jun 1992	29 Aug 1994	Montenegro ³		23 Oct 2006 d
Haiti.....	13 Jun 1992	25 Sep 1996	Morocco.....	13 Jun 1992	21 Aug 1995
Honduras.....	13 Jun 1992	31 Jul 1995	Mozambique.....	12 Jun 1992	25 Aug 1995
Hungary.....	13 Jun 1992	24 Feb 1994	Myanmar.....	11 Jun 1992	25 Nov 1994
Iceland.....	10 Jun 1992	12 Sep 1994	Namibia.....	12 Jun 1992	16 May 1997
India.....	5 Jun 1992	18 Feb 1994	Nauru.....	5 Jun 1992	11 Nov 1993
Indonesia.....	5 Jun 1992	23 Aug 1994	Nepal.....	12 Jun 1992	23 Nov 1993
Iran (Islamic Republic of).....	14 Jun 1992	6 Aug 1996	Netherlands ⁴	5 Jun 1992	12 Jul 1994 A
Iraq.....		28 Jul 2009 a	New Zealand.....	12 Jun 1992	16 Sep 1993
Ireland.....	13 Jun 1992	22 Mar 1996	Nicaragua.....	13 Jun 1992	20 Nov 1995
Israel.....	11 Jun 1992	7 Aug 1995	Niger.....	11 Jun 1992	25 Jul 1995
Italy.....	5 Jun 1992	15 Apr 1994	Nigeria.....	13 Jun 1992	29 Aug 1994
Jamaica.....	11 Jun 1992	6 Jan 1995	Niue.....		28 Feb 1996 a
Japan.....	13 Jun 1992	28 May 1993 A	North Macedonia.....		2 Dec 1997 a
Jordan.....	11 Jun 1992	12 Nov 1993	Norway.....	9 Jun 1992	9 Jul 1993
Kazakhstan.....	9 Jun 1992	6 Sep 1994			
Kenya.....	11 Jun 1992	26 Jul 1994			

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Oman	10 Jun 1992	8 Feb	1995	St. Vincent and the Grenadines		3 Jun	1996 a
Pakistan.....	5 Jun 1992	26 Jul	1994	State of Palestine		2 Jan	2015 a
Palau		6 Jan	1999 a	Sudan	9 Jun 1992	30 Oct	1995
Panama.....	13 Jun 1992	17 Jan	1995	Suriname.....	13 Jun 1992	12 Jan	1996
Papua New Guinea	13 Jun 1992	16 Mar	1993	Sweden.....	8 Jun 1992	16 Dec	1993
Paraguay	12 Jun 1992	24 Feb	1994	Switzerland	12 Jun 1992	21 Nov	1994
Peru	12 Jun 1992	7 Jun	1993	Syrian Arab Republic	3 May 1993	4 Jan	1996
Philippines	12 Jun 1992	8 Oct	1993	Tajikistan		29 Oct	1997 a
Poland.....	5 Jun 1992	18 Jan	1996	Thailand.....	12 Jun 1992	31 Oct	2003
Portugal ²	13 Jun 1992	21 Dec	1993	Timor-Leste		10 Oct	2006 a
Qatar	11 Jun 1992	21 Aug	1996	Togo.....	12 Jun 1992	4 Oct	1995 A
Republic of Korea.....	13 Jun 1992	3 Oct	1994	Tonga.....		19 May	1998 a
Republic of Moldova.....	5 Jun 1992	20 Oct	1995	Trinidad and Tobago	11 Jun 1992	1 Aug	1996
Romania.....	5 Jun 1992	17 Aug	1994	Tunisia	13 Jun 1992	15 Jul	1993
Russian Federation	13 Jun 1992	5 Apr	1995	Turkey.....	11 Jun 1992	14 Feb	1997
Rwanda	10 Jun 1992	29 May	1996	Turkmenistan.....		18 Sep	1996 a
Samoa	12 Jun 1992	9 Feb	1994	Tuvalu.....	8 Jun 1992	20 Dec	2002
San Marino	10 Jun 1992	28 Oct	1994	Uganda.....	12 Jun 1992	8 Sep	1993
Sao Tome and Principe..	12 Jun 1992	29 Sep	1999	Ukraine	11 Jun 1992	7 Feb	1995
Saudi Arabia		3 Oct	2001 a	United Arab Emirates	11 Jun 1992	10 Feb	2000
Senegal.....	13 Jun 1992	17 Oct	1994	United Kingdom of Great Britain and Northern Ireland ⁶	12 Jun 1992	3 Jun	1994
Serbia ⁵	8 Jun 1992	1 Mar	2002	United Republic of Tanzania.....	12 Jun 1992	8 Mar	1996
Seychelles	10 Jun 1992	22 Sep	1992	United States of America.....	4 Jun 1993		
Sierra Leone.....		12 Dec	1994 a	Uruguay	9 Jun 1992	5 Nov	1993
Singapore	10 Mar 1993	21 Dec	1995	Uzbekistan		19 Jul	1995 a
Slovakia	19 May 1993	25 Aug	1994 AA	Vanuatu.....	9 Jun 1992	25 Mar	1993
Slovenia	13 Jun 1992	9 Jul	1996	Venezuela (Bolivarian Republic of)	12 Jun 1992	13 Sep	1994
Solomon Islands	13 Jun 1992	3 Oct	1995	Viet Nam.....	28 May 1993	16 Nov	1994
Somalia		11 Sep	2009 a	Yemen.....	12 Jun 1992	21 Feb	1996
South Africa.....	4 Jun 1993	2 Nov	1995	Zambia	11 Jun 1992	28 May	1993
South Sudan.....		17 Feb	2014 a	Zimbabwe	12 Jun 1992	11 Nov	1994
Spain ^{6,7}	13 Jun 1992	21 Dec	1993				
Sri Lanka.....	10 Jun 1992	23 Mar	1994				
St. Kitts and Nevis	12 Jun 1992	7 Jan	1993				
St. Lucia.....		28 Jul	1993 a				

Declarations
(Unless otherwise indicated, the declarations were made upon ratification, accession, acceptance, approval or succession.)

ARGENTINA

The Argentine Government considers that this Convention represents a step forward in that it establishes among its objectives the sustainable use of biological diversity. Likewise, the definitions contained in article 2 and other provisions of the Convention indicate that the terms "genetic resources", "biological resources" and "biological material" do not include the human genome. In accordance with the commitments entered into in the Convention, the Argentine Nation will pass legislation on the conditions of access to biological resources and the ownership of future rights and benefits arising from them. The Convention is fully consistent with the principles established in the "Agreement on trade-related aspects of intellectual property rights", including trade in counterfeit goods, contained in the Final Act of the Uruguay Round of GATT.

AUSTRIA

"The Republic of Austria declares in accordance with article 27, paragraph 3 of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."

CHILE

The Government of Chile, on ratifying the Convention on Biological Diversity of 1992, wishes to place on record that the pine tree and other species that the country exploits as one of its forestry resources are considered exotic and are not taken to fall within the scope of the Convention.

CUBA

The Government of the Republic of Cuba declares, with respect to article 27 of the Convention on Biological Diversity, that as far as the Republic of Cuba is concerned, disputes that arise between Parties concerning the interpretation or application of this international legal instrument shall be settled by negotiation through the diplomatic channel or, failing that, by arbitration in accordance with the procedure laid down in Annex II on arbitration of the Convention.

EUROPEAN UNION

"Within their respective competence, the European Community and its Member States wish to reaffirm the importance they attach to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For the European Community and its member States, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

The European Community and its Member States will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by European operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

FRANCE

With reference to article 3, that it interprets that article as a guiding principle to be taken into account in the implementation of the Convention;

With reference to article 21, paragraph 1, that the decision taken periodically by the Conference of the Parties concerns the "amount of resources needed" and that no provision of the Convention authorizes the Conference of the Parties to take decisions concerning the amount, nature or frequency of the contributions from Parties to the Convention.

With reference to article 3, that it interprets that article as a guiding principle to be taken into account in the implementation of the Convention;

The French Republic reaffirms its belief in the importance of the transfer of technology and biotechnology in guaranteeing the protection and long-term utilization of biological diversity. Respect for intellectual property rights is an essential element of the implementation of policies for technology transfer and co-investment.

The French Republic affirms that the transfer of technology and access to biotechnology, as defined in the Convention on Biological Diversity, will be implemented according to article 16 of that Convention and with respect for the principles and rules concerning the protection of intellectual property, including multilateral agreements signed or negotiated by the Contracting Parties to the present Convention.

The French Republic will encourage recourse to the financial mechanism established by the Convention for the purpose of promoting the voluntary transfer of intellectual property rights under French ownership, *inter alia*, as regards the granting of licences, by traditional commercial decisions and mechanisms while ensuring the appropriate and effective protection of property rights.

With reference to article 21, paragraph 1, the French Republic considers that the decision taken periodically by the Conference of the Parties concerns the "amount of resources needed" and that no provision of the Convention authorizes the Conference of the Parties to take decisions concerning the amount, nature or frequency of the contributions from Parties to the Convention.

Upon its ratification of 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, the French Republic reiterated its declaration made upon its ratification of the Convention on Biological Diversity.

GEORGIA

"The Republic of Georgia will use both means for dispute settlement referred to in the Convention:

1. Arbitral consideration in accordance with the procedure given in the enclosure II, Part I.

2. Submitting of disputes to the International Court."

IRELAND

"Ireland wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For Ireland, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the contracting parties to this Convention.

Ireland will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Irish operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

ITALY

"The Italian Government [. . .] declares its understanding that the decision to be taken by the Conference of the Parties under article 21.1 of the Convention refers to the 'amount of resources needed' by the financial mechanism, not to the extent or nature and form of the contributions of the Contracting Parties."

LATVIA

"The Republic of Latvia declares in accordance with article 27 paragraph 3 of the Convention that it accepts both the means of dispute settlement mentioned in this paragraph as compulsory."

LIECHTENSTEIN

"The Principality of Liechtenstein wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For the Principality of Liechtenstein, transfers of technology and access to biotechnology, as defined in the text of the [said] Convention, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

The Principality of Liechtenstein will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Liechtenstein operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

NETHERLANDS

"The Kingdom of the Netherlands declares, in accordance with paragraph 3 of Article 27 of the Convention on Biological Diversity, that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both means of dispute settlement."

PAPUA NEW GUINEA

"The Government of the Independent State of Papua New Guinea declares its understanding that ratification of the Convention shall in no way constitute a renunciation of any rights under International Law concerning State responsibility for the adverse effects of Biological Diversity as derogating from the principles of general International Law."

SUDAN

"With respect to the principle stipulated in article 3, the Government of the Sudan agrees with the spirit of the article and interprets it to mean that no state is responsible for acts that take place outside its control even if they fall within its judicial jurisdiction and may cause damage to

the environment of other states or of areas beyond the limits of national judicial jurisdiction."

"The Sudan also sees as regards article 14 (2), that the issue of liability and redress for damage to biological diversity should not form a priority to be tackled by the Agreement as there is ambiguity regarding the essence and scope of the studies to be carried out, in accordance with the above-mentioned article. The Sudan further believes that any such studies on liability and redress should shift towards effects of areas such as biotechnology products, environmental impacts, genetically modified organisms and acid rains."

SWITZERLAND

The Swiss Government wishes to emphasize particularly the progress made in establishing standard terms for cooperation between States in a very important field: research activities and activities for the transfer of technology relevant to resources from third countries.

The important provisions in question create a platform for even closer cooperation with public research bodies or institutions in Switzerland and for the transfer of technologies available to governmental or public bodies, particularly universities and various publicly-funded research and development centres.

It is our understanding that genetic resources acquired under the procedure specified in article 15 and developed by private research institutions will be the subject of programmes of cooperation, joint research and the transfer of technology which will respect the principles and rules for the protection of intellectual property.

These principles and rules are essential for research and private investment, in particular in the latest technologies, such as modern biotechnology which requires substantial financial outlays. On the basis of this interpretation, the Swiss Government wishes to indicate that it is ready, at the opportune time, to take the appropriate general policy measures, particularly under articles 16 and 19, with a view to promoting and encouraging cooperation, on a contractual basis, between Swiss firms and the private firms and governmental bodies of other Contracting Parties.

With regard to financial cooperation, Switzerland interprets the provisions of articles 20 and 21 as follows: the resources to be committed and the management system will have regard, in an equitable manner, to the needs and interests of the developing countries and to the possibilities and interests of the developed countries.

Switzerland wishes to reaffirm the importance it attaches to transfers of technology and to biotechnology, in order to ensure the conservation and sustainable use of biological diversity. The compliance with intellectual property rights constitutes an essential element for the implementation of policies for technology transfer and co-investment.

For Switzerland, transfers of technology and access to biotechnology, as defined in the text of the Convention on Biological Diversity, will be carried out in accordance with article 16 of the said Convention and in compliance with the principles and rules of protection of intellectual property, in particular multilateral and bilateral agreements signed or negotiated by the Contracting Parties to this Convention.

Switzerland will encourage the use of the financial mechanism established by the Convention to promote the voluntary transfer of intellectual property rights held by Swiss operators, in particular as regards the granting of licences, through normal commercial mechanisms and decisions, while ensuring adequate and effective protection of property rights."

SYRIAN ARAB REPUBLIC

It is being understood that the signing of this

Convention shall not constitute recognition of Israel or leading to any inter- course with it.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Government of the United Kingdom of Great Britain and Northern Ireland declare their understanding that article 3 of the Convention sets out a guiding principle to be taken into account in the implementation of the Convention.

The Government of the United Kingdom of Great Britain and Northern Ireland also declare their understanding that the decisions to be taken by the Conference of the Parties under paragraph 1 of article 21 concern "the amount of resources needed" by the financial mechanism, and that nothing in article 20 or 21 authorises the Conference of the Parties to take decisions concerning the amount, nature, frequency or size of the contributions of the Parties under the Convention.

Notes:

¹ For the purpose of entry into force of the [Convention/Protocol] , any instrument of ratification, acceptance, approval or accession deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that Organization.

² On 28 June 1999, the Government of Portugal informed the Secretary-General the the Convention would also apply to Macau.

Subsequently, the Secretary-General received the following communications on the dates indicated hereinafter:

Portugal (9 December 1999):

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

China (15 December 1999):

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following]:

The Convention on Biological Diversity, done at Nairobi on 5 June 1992 (hereinafter referred to as the "Convention"), to which the Government of the People's Republic of China deposited the instrument of ratification on 5 January 1993, will

apply to the Macau Special Administrative Region with effect from 20 December 1999.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Macau Special Administrative Region.

China (Declaration of 9 May 2011):

In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the Government of the People's Republic of China decides that the Convention applies to the Hong Kong Special Administrative Region of the People's Republic of China.

³ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

⁴ On 4 June 1999: for the Netherlands Antilles and Aruba

⁵ See note 1 under "former Yugoslavia" and note 1 under "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

⁶ In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the British Virgin Islands, the Cayman Islands, Gibraltar, St. Helena and St. Helena Dependencies.

On 8 May 2012, the Secretary-General received the following communication:

"... The Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom's ratification of the [Convention on Biological Diversity] to be extended to the following territory for whose international relations the United Kingdom is responsible:

Isle of Man

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the aforesaid Convention to the Isle of Man to enter into force on the ninetieth day after the deposit of this notification [i.e. on 6 August 2012]."

On 27 March 2015, the Secretary-General received the following communication:

"... the Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom's Ratification of the Convention be extended to the territory of South Georgia and South Sandwich Islands for whose international relations the United Kingdom is responsible.

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the Convention to South Georgia and South Sandwich Islands to enter into force from the day of deposit of this notification ..."

On 14 July 2015, the Secretary-General received the following communication:

"Upon instructions from my Government, I have the honor to address you, in your capacity as depositary of the Convention on Biological Diversity, in order to refer to the note sent to you by the United Kingdom of Great Britain and Northern Ireland on 27 March 2015 regarding the attempt of that country to apply the Convention to the South Georgias and South Sandwich Islands.

The Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas, are integral part of the national territory of the Argentine Republic and, being illegitimately occupied by the United Kingdom of Great Britain and Northern Ireland, are subject to a sovereignty dispute recognized by the United Nations and other international fora and organizations.

The illegitimate occupation of the United Kingdom of Great Britain and Northern Ireland led the United Nations General Assembly to adopt resolutions 2065(XX), 3169 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, in which it recognized the existence of a sovereignty dispute regarding the question of the Malvinas islands and calls on the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations with a view to finding, as soon as possible, a peaceful, just and lasting solution to the dispute. The United Nations Special Committee on Decolonization has made repeated statements to the same effect, the most recently by means of the resolution adopted on 25 June 2015.

Therefore, the Argentine Republic objects and rejects the attempt of the United Kingdom of Great Britain and Northern Ireland to apply the Convention on Biological Diversity to the South Georgias and South Sandwich Islands.

The Argentine Republic recalls that the Convention, adopted in Rio de Janeiro on 5 June 1992, is applicable to the Malvinas, South Georgias and South Sandwich Islands because they are integral part of the territory of the Argentine Republic, as a result of the ratification made by the Argentine Government on 22 November 1994.

The Argentine Republic reaffirms its sovereignty rights over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas.

The Argentine Republic should be grateful if you, acting as a depositary of the Convention, would register this statement,

notify the Parties and Contracting Parties and distribute it as document of the Organization among its Member States."

On 29 June 2016, the Secretary-General received the following communication:

"... the Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom's Ratification of the Convention be extended to the following territory:

Falkland Islands

for whose international relations the United Kingdom is responsible.

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the Convention to the territory of the Falkland Islands to enter into force on the date of deposit of this notification..."

On 22 July 2016, the Secretary-General received a communication from the Argentine Republic relating to the territorial application by the United Kingdom of Great Britain and Northern Ireland in respect of Falkland Islands (Malvinas).

See C.N.566.2016.TREATIES-XXVII.8 dated 29 July 2016 for the text of the above-mentioned communication.

⁷ On 9 July 2014, the Secretary-General received from the Government of Spain the following communication with regard to the Territorial Application by the United Kingdom of Great Britain and Northern Ireland to Gibraltar:

1. Gibraltar is a Non-Self-Governing Territory for whose international relations the Government of the United Kingdom is responsible and which is subject to a process of decolonization in accordance with the relevant decisions and resolutions of the General Assembly.

2. The authorities of Gibraltar are local in character, and exercise competences exclusively over internal affairs that originate in and are based on the powers allocated to and conferred on them by the United Kingdom, in accordance with its domestic legislation and in its capacity as the sovereign State upon which depends the said Non-Self-Governing Territory.

3. Consequently, any involvement by the Gibraltar authorities in the implementation of this Convention shall be understood to take place exclusively within the framework of the internal affairs of Gibraltar and shall not be considered to affect in any way the content of the two preceding paragraphs.

4. The procedure envisaged in the Arrangements relating to Gibraltar authorities in the context of certain international treaties, which were agreed to by Spain and the United Kingdom on 19 December 2007 (together with "Agreed Arrangements relating to Gibraltar authorities in the context of European Union and European Community Instruments and Related Treaties" of 19 April 2000) applies to the present Convention.

5. The application to Gibraltar of the present Convention cannot be interpreted as recognition of any rights or situations

involving matters not included in Article 10 of the Treaty of Utrecht of 13 July 1713, signed by the crowns of Spain and Great Britain.

