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SUA.4/Circ.35
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**PROTOCOL OF 2005 TO THE PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL
ACTS AGAINST THE SAFETY OF FIXED PLATFORMS
LOCATED ON THE CONTINENTAL SHELF**

Approval by France

The Secretary-General of the International Maritime Organization has the honour to refer to the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf and to state that, in accordance with article 8(3), approval by the French Republic was effected by deposit of an instrument on 9 May 2018.

The instrument of approval by France contained the following declarations and reservations:

- "1. Concerning article 3, paragraph 3 of the present Protocol replacing article 2, paragraph 2 of the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, the French Republic understands "threatens"/"threat" to mean a threat [Fr. *menace*] such as it is defined in the conditions provided for by French criminal legislation.
2. Concerning article 4, paragraph 2 of the present Protocol, which inserts an article 2^{ter} in the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, the French Republic understands "attempts to commit an offence", "participates as an accomplice in an offence" and "organizes [the commission of] an offence" to mean an attempt [Fr. *tentative*] and participation as an accomplice [Fr. *complicité*] such as they are defined in the conditions provided for by French criminal legislation.
3. The French Republic does not consider itself bound by the provisions of article 2 of the present Protocol, which replaces article 1, paragraph 1 of the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, in that they refer to the provisions of article 16, paragraph 1 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, as revised by the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, according to which "Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court."

The Protocol will enter into force for France on 7 August 2018, in accordance with article 9(2) of the Protocol.

There are, at present, 37 Contracting States to the Protocol.
