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**INTERNATIONAL CONVENTION FOR THE CONTROL
AND MANAGEMENT OF SHIPS' BALLAST WATER
AND SEDIMENTS, 2004**

Accession by Liberia and France

The Secretary-General of the International Maritime Organization has the honour to refer to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004, and to state that accession by the Republic of Liberia and the French Republic was effected by the deposit of instruments on 18 September 2008 and 24 September 2008 respectively.

Article 18 of the Convention provides as follows:

“1. This Convention shall enter into force twelve months after the date on which not less than thirty States, the combined merchant fleets of which constitute not less than thirty-five percent of the gross tonnage of the world's merchant shipping, have either signed it without reservation as to ratification, acceptance or approval, or have deposited the requisite instrument of ratification, acceptance, approval or accession accordance with Article 17.”

The instrument of accession of France contained the following declaration:

“In accordance with IMO Assembly resolution A.1005(25) of 29 November 2007, France declares that a ship subject to regulation B-3.3 constructed in 2009 will not be required to comply with regulation D-2 until its second annual survey, but will have to comply with it not later than 31 December 2011.

France also declares that, until such time as regulation D-2 is enforced, it will ensure that ships to which the preceding declaration refers comply with regulation D-1 for as long as they do not comply with regulation D-2.

France declares, in accordance with article 17.4 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (including one annex and two appendices), signed in London on 13 February 2004, that the convention shall be applicable in Mayotte, New Caledonia, French Polynesia, Saint Barthélemy, Saint Martin, Saint Pierre and Miquelon, Wallis and Futuna, and the French Southern and Antarctic Lands.”

There are, at present, sixteen Contracting States to the Convention, representing approximately 14.24%* of the gross tonnage of the world's merchant shipping.

* This tonnage percentage is based on world tonnage figures provided by Lloyd's Register/Fairplay, effective as at 31 December 2007.