CONFERENCE OF THE PARTIES
Seventh session
Nairobi, 17 – 28 October 2005

STATUS OF RATIFICATION OF THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION

Note by the secretariat

1. The text of the Convention was adopted in Paris on 17 June 1994, at the Headquarters of the United Nations Educational, Scientific and Cultural Organization; it was opened for signature in Paris on 14 and 15 October 1994, and thereafter at United Nations Headquarters in New York until 13 October 1995. By that date, the Convention had received 115 signatures. The Convention entered into force on 26 December 1996. Those States which have not signed the Convention may accede to it at any time.

2. For any States ratifying, accepting or approving the Convention or acceding thereto after the date of entry into force, the Convention shall enter into force on the ninetieth day after the date of deposit by such State of its instrument of ratification, acceptance, approval or accession.

3. This document contains information concerning dates of signature and ratification received by the Secretary-General of the United Nations, as Depositary, as at 11 October 2005.

4. The information is presented in two tables. All Parties to the Convention as at 11 October 2005 are listed in alphabetical order in table 1. The second table shows the general status of ratification of the Convention. The dates in the column on ratification are those of the receipt of the instrument of ratification or accession by the Depositary.

5. For the purpose of this document, all references to ratification include information on accession, acceptance and approval of the Convention.

GE.05-63829
Table 1. Parties to the Convention (as at 11 October 2005)

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Notes:

a  For the Kingdom of the Netherlands in Europe.

b  “New Zealand declares that, consistent with the constitutional status of Tokelau and taking into account its commitment to the development of self-government through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory.”

c  For the United Kingdom of Great Britain and Northern Ireland, the British Virgin Islands, St. Helena and Ascension Island. Subsequently, on 24 December 1996, the Government of the United Kingdom notified the Secretary-General that the Convention would apply to Montserrat.

Declarations:

**ALGERIA**

The People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 28, paragraph 2, of the [said Convention], to the effect that any dispute must be submitted to the International Court of Justice.

The People's Democratic Republic of Algeria declares that for a dispute submitted to the International Court of Justice, the consent of both parties will be necessary in each case.

**AUSTRIA**

"The Republic of Austria declares in accordance with article 28 of the Convention that it accepts both of the means of dispute in paragraph 2 as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement."
GUATEMALA

"The Republic of Guatemala declares that, in respect of any dispute concerning the interpretation or application of the Convention, it recognizes arbitration in accordance with procedures adopted by the Conference of the Parties in an annex as soon as practicable as a means of dispute settlement, compulsory in relation to any Party accepting the same obligation. This declaration shall remain in force until three months after written notice of its revocation has been deposited with the Depositary."

KUWAIT

With respect to the State of Kuwait, any additional regional implementation annex or any amendment to any regional implementation annex shall enter into force only upon the deposit of its instrument of ratification or accession with respect thereto.

NETHERLANDS

"The Kingdom of the Netherlands declares, in accordance with paragraph 2 of article 28 of [the said Convention] that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any party accepting one or both of these means of dispute settlement."

NEW ZEALAND

"Any additional regional implementation annex or any amendment to any regional implementation annex to the Convention shall enter into force for New Zealand only upon the Government of New Zealand’s deposit of its instrument of ratification, acceptance, approval or accession with respect thereto."

UNITED STATES OF AMERICA

Understandings:

“(1) Foreign assistance.-- The United States understands that, as a "developed country," pursuant to Article 6 of the Convention and its Annexes, it is not obligated to satisfy specific funding requirements or other specific requirements regarding the provision of any resource, including technology, to any "affected country," as defined in Article 1 of the Convention. The United States understands that ratification of the Convention does not alter its domestic legal processes to determine foreign assistance funding or programs.

“(2) Financial resources and mechanism.-- The United States understands that neither Article 20 nor Article 21 of the Convention impose obligations to provide specific levels of funding for the Global Environmental Facility, or the Global Mechanism, to carry out the objectives of the Convention, or for any other purpose."
“(3) United States land management.-- The United States understands that it is a "developed country party" as defined in Article 1 of the Convention, and that it is not required to prepare a national action program pursuant to Part III, Section 1, of the Convention. The United States also understands that no changes to its existing land management practices and programs will be required to meet its obligations under Articles 4 or 5 of the Convention.

“(4) Legal process for amending the Convention.-- In accordance with Article 34 (4), any additional regional implementation annex to the Convention or any amendment to any regional implementation annex to the Convention shall enter into force for the United States only upon the deposit of a corresponding instrument of ratification, acceptance, approval or accession.

“(5) Dispute settlement.-- The United States declines to accept as compulsory either of the dispute settlement means set out in Article 28(2), and understands that it will not be bound by the outcome, findings, conclusions or recommendations of a conciliation process initiated under Article 28 (6). For any dispute arising from this Convention, the United States does not recognize or accept the jurisdiction of the International Court of Justice.”