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МОРСЬКЕ ПРАВО



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FRENCH EEZs IN THE PACIFIC IN THE CONTEXT OF OCEAN CHANGE

ФРАНЦУЗЬКІ ВЕЗ У ТИХОМУ ОКЕАНІ У КОНТЕКСТІ ЗМІН ОКЕАНУ

ABSTRACT

France is present in the Pacific region via its overseas collectivities being French Polynesia, New Caledonia, and Wallis & Futuna. This geostrategic region is also called the Blue Pacific bearing in mind its enormous maritime areas in comparison to the land. 93% of French Exclusive Economic Zones (EEZs) are located in the Indian and Pacific Oceans. The area itself is home to 1.5 million French people, as well as 8,000 soldiers stationed in the region. It has also become a strategical and global economy's centre of gravity, which had shifted from the Atlantic to the Pacific. The maritime trade routes linking Europe and the Persian Gulf, via the Indian Ocean and South-East Asia, to the Pacific Ocean, have become very important. The Pacific's

growing share of world trade and investment means that it is at the forefront of globalization. Therefore further research on this geopolitical region seems to be crucial and requires deeper analysis, also when it comes to the discipline of public international law and international relation. Ocean change is now the biggest threat facing the Pacific islands because of the loss of territory, and thus sovereignty of the submerged states. Another factor is the downsizing of EEZs and possible and already existing political tensions between France and its collectivities and the rest of the countries in the region..

The key words: France, EEZ, Pacific, South Pacific, climate change, ocean change.

Introduction

When talking and conducting research on the Pacific area, one cannot underestimate the last colonial power in the region – the Republic of France. For the government in Paris, the Pacific basin is a geopolitical reality, at it keeps owning overseas territories since the colonial times. French Polynesia, New Caledonia, and Wallis & Futuna have different legal status both in national, as well as an international legal order. However, the final political decision and accordingly its economic consequences are in the domain of the French State. Some sort of international autonomy, possessed by those three entities, will be presented in this article. Nonetheless, France was and always will be reluctant to give away the area of key global importance in climate change and biodiversity. Besides the already existing quotas on fishing within the Exclusive Economic Zones (EEZs), France is aware of the potential to exploit undersea resources, as well as get the revenues from foreign fishing fleets, which are operating in the Pacific. What also has to be underlined at the beginning of this article are the figures. The Indo-Pacific is home to 1.5 million French people, but also 8,000 soldiers stationed in the region. The French State contributes noteworthy funding to its three Pacific dependencies, in the amount of nearly €2.5 billion each year. The French EEZs in the Pacific are the second-largest following only the United States of America (USA). Out of the French 11 million km² overseas EEZs, more than 7 million are located in the Pacific Ocean.

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geopolitical region seems to be crucial and requires deeper analysis, also when it comes to the discipline of public international law and international relation. Economic weight and energy intensity is also fuelled by the fact that six out of the G20 group, namely Australia, China, India, Indonesia, Japan and South Korea, are located in this region.

1. France in the Pacific

The region of the Pacific is divided into three subregions, being Micronesia, Polynesia and Melanesia. More than any other part of the world, the South Pacific is different in cultural matters, the course of history, attitude to colonization and modern influence of the world superpowers. Oceania is a part of the Australian continent, but unlike the other continents comprises of different international law entities. Besides the two largest states in this region, Australia and New Zealand, there are also nine fully sovereign states. Kiribati and Nauru are situated in Micronesia in the west part of the region. Melanesia is represented here by Papua New Guinea, the Solomon Islands, Vanuatu and Fiji. The largest subregion in the South Pacific region is Polynesia with its three independent states; Tonga, Samoa and Tuvalu. There are also two free associated states with New Zealand (Niue and the Cook Islands). The same legal status is shared by the Marshall Islands, the Federated States of Micronesia and Palau, to which the USA provides military and diplomatic assistance. Finally, there are also some dependent territories, the “relic” of the colonies, sub-sovereign by Australia, Chile, Japan, New Zealand, the United Kingdom, the USA, and France. This legal diversification is very important when it comes to conducting regional policy, multilateral contacts, or finally combating climate change effects. Limited sovereignty causes limited capability.

The French were one of the first European explorers in the region. After all, it was Jules Dumont d’Urville, who has made the distinction of three subregions in the Pacific. In the colonial times, France was present in Oceania via its four colonies; the New Hebrides, French Polynesia, New Caledonia, and Wallis and Futuna. The Republic Vanuatu, formerly known as the New Hebrides, was the British-French condominium, the colonial phenomenon *sui generis*. It gained independence on 30 July 1980. New Caledonia, closest neighbour of Vanuatu in Melanesia, is a special collectivity (fr. *collectivité*) of France. It is governed under the

Nouméa Accord¹. When it comes to Polynesia, there is French Polynesia, and Wallis and Futuna. None of these two French overseas collectivities (fr. *collectivités d'outre-mer*, COM), unlike in the case of New Caledonia, were granted such a wide degree of autonomy. This is expressed in the separate citizenship (not French, which is valued also because of the access to the Schengen area) and slow transfer of public competences by the government in Paris to the governments of those islands².

The French head of states, as well as other politicians, do underline the huge importance of the Pacific territories for the governments in Paris. They highlight the French role in the region, as a sheriff, who can ensure security, stability and law obedience, also when it comes to the EEZs. Former President Nicolas Sarkozy said in 2010 that French COM are and will remain French. He added that he shall never accept French Polynesia's independence (Sarkozy, 2010). His successor, François Hollande, made a speech in 2016 in Tahiti, the largest island of French Polynesia. He said then to the audience: "You are not far from France, because you are France. (...) We have to ensure our presence so that no one can come to exploit the EEZ without our consent or authorisation" (Holland, 2016). According to Nic Maclellan, Australian journalist and researcher: "This [French policy over its Pacific territories] continues under French President Emmanuel Macron, who presents himself as a champion on climate and oceans policy, at a time of international uncertainty after Brexit and the election of US President Donald Trump." (Maclellan, 2018). Maclellan also quotes Sébastien Lecornu, former Secretary of State to the Ministry for the Ecological and Inclusive Transition in the Macron administration: "[T]here are several large nations which address the issue of climate change and global warming, but without as much enthusiasm, as much energy and maybe even courage as France. (...) France, which is a large Pacific nation, will henceforth be the only member nation of the European Union (EU) in the region. The three overseas collectivities French Polynesia, New Caledonia and Wallis and Futuna – the *pays et territoires d'outre-mer* (PTOM) as we call them – are the incarnation of Europe in this part of the world after Brexit" (Maclellan, 2018; Lecornu, 2017).

¹ (Fr. L'accord de Nouméa). The official name of the documents is Accord sur la Nouvelle-Calédonie of 5 May 1998.

² Accord sur la Nouvelle-Calédonie, art. 4, section 3.1.

French officials are aware of the high significance of their EEZs in the Pacific, but not only as it comes to living marine resources. There are, first of all, enormous mineral maritime resources like seabed minerals, gas reserves, as well as reef biodiversity. Thus, with no surprise, there are many French public and private agencies, which perceive the Pacific as their own “laboratory”. So just like it was in the time of French nuclear tests through three decades (1966-1996), the French State has been taking the most of the possibility to experiment outside of its European territory (Firth, von Storkirch, 1997). Besides French business-elites, there are also other groups of metropolitan citizens benefiting from the COM. Those are bureaucrats working in the islands’ administration, military, transnational corporations’ representatives, who benefit from trade in- and outside of the EU, as much as from deep-sea exploitations. Nowadays, French agencies see their chances in initiatives connected with climate geoengineering, energy, pharmaceuticals and aqua-business. Noteworthy is the fact that the microstates in Oceania rely strongly on their EEZs, as 80% of their national budgets come from tuna fishing (Jędrusik, 2005; Sibert, Senina, Lehodey, Hampton, 2012).

When it comes to the exact number, France possesses 10,754,858 km² overseas EEZs, among which more than 7 million are located in the Pacific basin. New Caledonia has 1,240,601 km² of EEZs (total maritime space of 1,440,161 km²), Wallis and Futuna – 256,644 km² of EEZs (total maritime space of 262,465 km²), while French Polynesia – 4,537,730 km² of EEZs (total maritime space of 4,787,978 km²)³. United Nations Convention on the Law of the Sea (UNCLOS), which was signed in 1982, but ratified not until 1994, provides advantages for France. Mainland France possesses “only” 297,123 km² of EEZs in Europe (total maritime space of 371,096 km²). However, after adding its COM EEZs in the Pacific, the sum amounts up to almost 11 mln km². Thus, instead of being at the 45th position in the world’s ranking of the ocean powers, the Republic of France comes in second position (Lorgeoux, Trillard, 2011). The first place comes to the USA.

³ Calculations made based on the French official website *Limites Maritimes*: French national portal of maritime limits. The authors added in the endnotes of the chart: “Calculations of the performed based on current knowledge of French maritime boundaries on 15 April 2019. These figures are subject to change, depending on the boundary agreements signed and updating of outer limits of the maritime space”. Areas of France’s maritime spaces of sovereignty and jurisdiction (2019). Retrieved from: <https://maritimelimits.gouv.fr/resources/areas-frances-maritime-spaces-sovereignty-and-jurisdiction>

2. Regional engagement

French engagement in the region is also highly noticeable in its membership in the local organizations and fora. Pacific regionalism has its beginnings in the 1980s, when after two bursts of decolonisation (1962-1970 and 1974-1980). Finally, sovereign states were able to independently enter into regional relations and create a new norm coming from the regional treaties (Quanchi, 2008). The Secretariat of the Pacific Community (SPC)⁴, previously called the South Pacific Commission, is the largest regional organization in the Pacific (Report of the Secretary-General on Regional and sub-regional inputs E/CN.18/2011/3). Since its establishment in 1947, France was one of the main drivers of the post-war regional policy in Oceania. After all, the French State was among the six founders. The Canberra Agreement (Agreement establishing the South Pacific Commission, 1947) was drafted and then signed by Australia, France, New Zealand, Kingdom of the Netherlands, the UK and the USA to legally consolidate their influence, bearing in mind aspirations for self-determination of the Pacific nations (First Regional Conference of Heads of Agriculture & Forestry Services by Secretariat of the Pacific Community. Heads of Agriculture and Forestry Services. Regional Conference, Secretariat of the Pacific Community).

The Pacific Islands Forum (PIF) calls itself as the main political and economic organization of the region⁵. Founded in 1971 under the name the South Pacific Forum, consists now of 18 countries – 16 self-governing states and 2 territories. PIF is open to various strategic partners, hence it does not close its membership to countries or organizations outside the region. New Caledonia and French Polynesia were initially granted observer status, and in 2006 – associated membership. In 2017 though, there was a huge change as PIF decided to include those two French territories as its full member, despite being non/sovereign states (Forum

⁴ For the record, it should be added that at the 50th Conference of SPC in 1997 the organization was renamed onto the Pacific Community. However, the name Secretariat of the Pacific Community, as well as its acronym “SPC”, are widely used in documents in international circulation. Hence, the author adopted the outdated de jure name, although functioning de facto in Pacific regionalism.

⁵ This concept was present at many speeches made by the head of states within the PIF. Compare: Taylor, M. (2019). GRIFFITH ASIA LECTURE 2019 – Delivered by the Secretary General of the Pacific Islands Forum, Dame Meg Taylor, Griffith University, Brisbane, Australia, 11 November 2019.

Foreign Ministers Meeting–Outcomes, Pacific Islands Forum Secretariat). The same path applied to Tokelau (in 2005 and 2014, respectively). Currently, the observer status of the Forum is held by Wallis and Futuna, however, the government in Paris is seeking to upgrade this status to associate membership (MacLellan, 2018).

France became an associate member in the Pacific Economic Cooperation Council (PECC) because of its Pacific territories. PECC was established as the Pacific Economic Cooperation Conference due to less formalized concept of regional conference meetings. The Council was launched in Canberra in 1980 when 11 independent states decided to create an independent regional mechanism. What needs to be clarified here is that the organ participating in PECC on behalf of France is France Pacific Territories National Committee for Pacific Economic Cooperation. The National Committee consists of the French Chair, as well as Secretariat, an ambassador being the Permanent Secretary for Pacific Affairs, but also Polynesian Chair and New Caledonian chair, what prevents those two territories from acting independently within PECC (Member Committees).

The latest inter-governmental organization (IGO) which builds up Pacific regionalism is the Pacific Islands Development Forum (PIDF). It was officially constituted in 2015 (Charter of the Pacific Islands Development Forum of 4 September 2015), after two previous meetings⁶, where the Pacific island countries and territories (PICT) specified their hopes for the *New Pacific*. They consider PIDF as being “the only platform that meets this” (Overview), in contrast to over-politicized PIF, and SPC – formed by former colonial powers (Fry, Tarte, 2015). Among 17 founding countries and regional organizations, there are also French Polynesia, New Caledonia, and Wallis and Futuna⁷.

Lastly, it is necessary to present two subregional organizations, in which the French territories participate. Melanesian Spearhead Group (fr. Groupe Fer de lance mélanésien) was inaugurated in 1986. Here is membership of the Kanak Socialist National Liberation Front (FLNKS) from New Caledonia (About MSG) is very controversial both in the region,

⁶ The inaugural PIDF summit took place in 2013 in Fiji. The idea of creating a formal cooperation framework was brought up a year later during the second summit.

⁷ Attachment to the PIDF Charter: Schedule 2: Foundational PIDF Members and Development Partners.

but especially for France. This has to be seen as a clear political statement that FLNKS of New Caledonia are perceived by its Pacific neighbours as a country, which should be independent of France. The second indeed vital subregional group is Polynesian Leaders Group. It was formed in 2011. Here French Polynesia is one of the core members (Memorandum of Understanding Establishing the Polynesian Leaders Group).

In the light of the presented above reality, France is promoting itself and its vision for the Pacific region as a stable state of inclusive and stabilizing mediating power (*La zone indopacifique: une priorité pour la France*). The Pacific region is a priority and a crucial partner for French diplomacy. French regional engagement since 2018⁸ can be summed up to 4 pillars; 1) involvement in settling regional crises (shipping routes, counterterrorism, radicalization and organized crime), 2) strengthening strategic global partnerships in the region (increasing partnership with China⁹), 3) maintaining the development of multilateralism through a greater role in regional organizations, 4) promoting climate change, biodiversity, healthcare, education, digital technology, high-quality infrastructure.

Legal and political presence of the French State is enormously visible in the Pacific. Thus, there is a notion calling France as an ocean power. But does colonialism is still a core element of the 21st-century politics of France? Successive governments were reluctant to accept the UN decision of inscription of New Caledonia and French Polynesia on the UN list. This list is supervised by the Special Committee on Decolonisation, which is responsible for legal protection of non-self-governing territories (NSGT). Inscription onto the NSGT list assumes slow but gradual legal steps to final independence. This process cannot be hampered by former metropolises, thus the UN servants need to monitor the accomplishing of the following legal phases (Fry, Tarte, 2015). However, from the French perspective, this international process is inconsistent and anyhow in favour to the French interest in the Pacific. Due to this, the government in Paris was ignoring, postponing, or even acting to turn the resolution into fiasco (Maclellan, 2013; Regnault, 2013; Roger, 2017).

⁸ Since the speech of Emmanuel Macron in Garden Island naval base in Sydney, Australia on 2 May 2018.

⁹ The French Pacific collectivities are sometimes seen also as a bulwark against Chinese expansionism in the region. Compare: A. du Chéné (2002) *Le Pacifique et la France, La France et les Outre-mers*, Hèrmes, No. 32–33.

Former French Minister of Overseas George Pau-Langevin has expressed the idea of France in the ocean policy, especially regarding the climate change effects. In 2014, she said: “France has been a world leader in the strategic domains of nuclear power, nuclear weapons, aeronautics and space technology, and telecommunications. It must be, and the government shares and promotes this ambition, a leader around oceans policy. I’m convinced that France can be a world leader in the global development of sustainable growth – “blue growth” (...) As well as traditional economic activities (fisheries and aquaculture, maritime transport), other activities can take place in the same domain: renewable offshore energy, offshore exploration for hydrocarbons, deep water sea-bed mineral resources, blue biotechnologies and more”. (Pau-Langevin, 2014).

The Blue Pacific became an important notion in the regional policy. Since the term *the blue economy* was launched, instead of “only” the green economy (Claudio, 2013), PICT started to seek for a common value. The value, which could integrate them more fundamentally at both regional level, but most importantly at the international arena. They have formed a kind of contingent, a group of states within the UN to speak up with the joint voice, previously unheard being so small in size and the global market relevance. They did it previously when launching the Pacific Small Island Developing States (PSIDS), which had brought some international actions on climate change¹⁰. Thus, the Blue Pacific can and already is seen as a coordinating framework for the regional environmental policy. The 3rd summit of PIDF was organized under the title: “Building Climate Resilient Green Blue Pacific Economies”, while PIF is launching the Blue Pacific idea as recapturing collective potential based on the shared Ocean identity. Both those IGO put at the centre of the regional policy joint actions for advocating PICT’s vision of their region.

France is not leaving behind either. Vincent Bouvier, the Former French High Commissioner to New Caledonia, underlined the importance of the blue economy in the era of maritimisation. He enumerated

¹⁰ “The Pacific bloc” within the UN has engaged itself into climate change diplomacy. The considerable success was achieved during the 13th session of the Conference of the Parties (COP 21) in Paris in 2015. The bloc managed to convince other states to approve the agreement on keeping a global temperature rise in the 21st century below 2 degrees Celsius above pre-industrial levels, through the so-called Paris Agreement. The official name of the document is Paris Agreement under the United Nations Framework Convention on Climate Change of 22 April 2016.

5 principal challenges for states, including his own, being an ocean power. Those are geopolitical challenge, where the new maritime powers have emerged (China, Russia, Japan and South Korea); security, with the focus on piracy, trafficking and terrorism; economic challenge leading to completion and tensions between the markets; environmental challenge; and the challenge of maritime space between these competing interests (Bouvier, 2017).

3. Ocean change as a regional problem

Maritime space between the competing states, mentioned by Mr Bouvier, is most probably the Exclusive Economic Zones. The Pacific Ocean comprises of about 25,000 islands, so more than all other water bodies combined. Many legal problems and dilemmas in the international law doctrine derive from the effects of ocean change in the Pacific region (Siekiera, 2019). The Law of the sea, based on UNCLOS, was not equipped for dealing with many challenges streaming from the sea level rise, decreasing or even losing the territory by the Pacific islands, along with their EEZs. EEZs are vital not only due to their migratory resources (fish and other shellfish species). Besides the already existing quotas on fishing within the zones, France is aware of the enormous and financially beneficial potential to exploit undersea resources with gas reserves and minerals. Finally, the revenues from foreign fishing fleets, operating in the Pacific, can increase the gross domestic product of PSIDS.

However, the Pacific is threatened already now by many factors, which all together put away economic consideration, while focusing on the nation survival. Tidal surges, submersion of atolls, coastal erosion, destruction of food crops, reduced access to potable water, acidization of the Ocean, and harm to maritime species and the whole ecosystem due to the rising temperature of water seem to be the most severe (Gerrard, Wannier, 2013; Scottie, 2020).

The attached picture 1. depicts the Pacific countries and territories' EEZs. When the boundaries of the zones do not meet, "a pocket" is created. As visibly seen below, there are quite a few high sea pockets in the South Pacific. They all, in accordance with the Law of the sea, create the open sea ("the Area", Art 1(1)). Importantly, according to UNCLOS, every state has the right to use from the Area (Art 141), even those countries from outside the region or land-locked states (UNCLOS Art 69), or geographically disadvantaged states (UNCLOS Art 79).



Picture 1 – The picture comes from the article “Effects of climate change on oceanic fisheries in the tropical Pacific: Implications for economic development and food security” by J.D. Bell, C. Reid, M. Batty, et al. (2013) Climatic Change, Vol. 119, no. 1

Since 2009, ten submissions concerning the vague definition of an EEZ have been made to the Council, an organ established by UNCLOS (Art 161), by Pacific nations. The Federated States of Micronesia, Solomon Islands, and Papua New Guinea are in the process of jointly revising, extending and seeking legal recognition of their EEZs (Pacific Islands News Association (2016) FSM, PNG and Solomon Islands on the cusp of historic milestone for extended continental shelf in the Ontong Java Plateau maritime area under the UNCLOS). Typically, this does not involve conflicting claims to the waters of the neighbour states, as all Oceania states perceive the Ocean as their joint home (Hau’ofa, 1994; Hviding, 2003). Thus, PICT prefer to opt for the high seas pockets, where the Pacific nations could fish, exploit undersea resources together, with no mutual tension, just like they have been doing since the beginning of islands population. They launched the process of negotiations over EEZs within the UN, called Biodiversity Beyond National Jurisdiction (BBNJ)¹¹. The negotiations also touch upon overfishing, as this problem is known for decades but no international measure was ever taken to prevent or stop it (Koop, 2020). At it can be easy to imagine, Pacific states do not take part in this operation, as first,

¹¹ The full title being: International legally binding instrument 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 of 24 December 2017 (A/72/L.7).

they do not harm its environment, which they fully rely on, and second – they do not have many vessels or high technology, unlike bigger and richer countries. Besides Russian and Chinese vessels overfishing natural resources in the Pacific Ocean, a new player has come forth – Vietnam¹².

Conclusions

Seeking of improved legal recognition of the zones through BBNJ is complex. At the final stage, when ratification and implementation will be needed, other UN members will also have to speak out. However, when it comes to France, the position of the government in Paris is well known. France will not accept the idea of sharing high seas pockets, as using the traditional doctrine of international law. It would most probably use the card of “illegal actions under UNCLOS”, against Art 141.

What was already proposed by the French State is legal protection over fishing resources and cooperation at the regional level, through IGOs, NGOs and other less formalized local and subregional groupings. Harmonisation of management and controls over fishing quotas, just like in the framework of the EU, is a proposition made by the government in Paris to PICT. Here the aim is “only” provisional. Combating “Illegal, Unreported, and Unregulated fishing (IUU) (Ligaiula, 2018) might solve the problem on the daily basis. However, the question of the EEZs, which downsize and will be downsizing due to ocean change, remains unsolved. France, as it was presented in this article, is not willing to give away its 2nd place of the largest maritime power in the world. The process of (re)gaining independence by the three French territories is also anyhow facilitated by the French State. The upcoming decade will be thus indeed interesting when it comes not only to the UN effects of the BBNJ negotiations, but also interregional tensions in the South Pacific. One remains certain: French Polynesia, New Caledonia, and Wallis & Futuna are part of the Pacific family and are perceived by other PICT as their equal and independent partners.

REFERENCES

About MSG. *Melanesian Spearhead Group Secretariat*. Retrieved from <https://www.msgsec.info/about-msg/> (2020, January, 5).

Accord sur la Nouvelle-Calédonie of 5 May 1998.

¹² Interview made by the author with Bastien Alex, a researcher at Institut de Relations Internationales et Stratégiques in Paris, France on 28.01.2020.

Agreement establishing the South Pacific Commission, 1947 (the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America). Retrieved from: <http://bif.lrd.spc.int/wp-content/uploads/Canberra-Agreement.pdf> (2020, January, 10).

Areas of France's maritime spaces of sovereignty and jurisdiction. *Limites Maritime*. Retrieved from: <https://maritimelimits.gouv.fr/resources/areas-frances-maritime-spaces-sovereignty-and-jurisdiction> (2020, January, 24).

Attachment to the PIDF Charter: Schedule 2: Foundational PIDF Members and Development Partners.

Bastien, A. (2020). Interview made by the author in Paris, France on 28.01.2020.

Bell, J.D., Reid, C., Batty, M., et al. (2013). Climatic Change, 119, 1.

Bouvier, V. (2017). La France puissance maritime enjeux atouts stratégique. *Revue juridique, politique et économique de Nouvelle-Calédonie*, 29.

Charter of the Pacific Islands Development Forum of 4 September 2015.

Chéné du, A. (2002). Le Pacifique et la France. *Hèrmes*, 32-33, 495-512. <https://doi.org/10.4267/2042/14407>

Claudio, C. (2013). From green to blue economy. *Philippine Daily Inquirer*, 23.06.2013.

Convention on the Law of the Sea, 1982 (United Nations). *The official website of UN*. Retrieved from: http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf (2019, December, 15).

First Regional Conference of Heads of Agriculture & Forestry Services by Secretariat of the Pacific Community. Heads of Agriculture and Forestry Services. Regional Conference, Secretariat of the Pacific Community, Suva 2005. (Secretariat of the Pacific Community).

Firth, S., von Strokirch, K. (1997). *A Nuclear Pacific*, in: *The Cambridge History of the Pacific Islanders*. Denoon, D., M. Meleisea, M. (ed.), Cambridge University Press, Cambridge.

Forum Foreign Ministers Meeting –Outcomes, Pacific Islands Forum Secretariat, Suva, Fiji, 11 August 2017.

Fry, G., Tarte, S. (2015). *The New Pacific Diplomacy*. Australian National University Press, Canberra.

Gerrard, M.B., Wannier, G.E. (2013). *Threatened Island Nations: Legal Implications of Rising Seas and a Changing Climate*. Cambridge University Press, Cambridge.

Hau'ofa, E. (1994). Our Sea of Islands. *The Contemporary Pacific*, 6.

Hollande, F. (2016). Speech to the Elected Members of the Assembly of French Polynesia, 22 February 2016.

Hvidig, E. (2003). *Both Sides of the Beach: Knowledges of Nature in Oceania*. In: Selin, H. (ed.). *Nature Across Cultures: Non-Western Views of the Environment and Nature*, Kluwer Academic, Dordrecht.

International legally binding instrument 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 of 24 December 2017 (A/72/L.7).

Jedrusik, M. (2005). *Wyspy tropikalne. W poszukiwaniu dobrobytu*. [Tropical Islands. In search of prosperity]. Wydawnictwa Uniwersytetu Warszawskiego, Warsaw. [in Polish].

Koop, F. (2020). 2020 Will Shape the Future of the Oceans. *The Maritime Executive*. Retrieved from: <https://www.maritime-executive.com/editorials/2020-will-shape-the-future-of-the-oceans> (2020, January, 24).

La zone indopacifique: une priorité pour la France. *Ministère de l'Europe et des Affaires étrangères*. Retrieved from: <https://www.diplomatie.gouv.fr/fr/dossiers-pays/asie-oceanie/la-zone-indopacifique-une-priorite-pour-la-france/> (2019, December, 29).

Lecornu, S. (2017), unpublished data, interview.

Ligaiula, P. (2018). France calls for strong collaboration to combat IUU. *Pacific Islands Oceanic Fisheries Management*, 12.12.2018. Retrieved from: <http://www.tunapacific.org/2018/12/12/france-calls-for-strong-collaboration-to-combat-iuu/> (2019, December, 28).

Lorgeoux, J., Trillard T. (2011). Maritimisation: la France face à la nouvelle géopolitique des océans. Rapport d'information, No. 674.

Maclellan, N. (2018). France and the Blue Pacific. *Asia & the Pacific Policy Studies*, 5, 3.

Maclellan, N. (2013). Hijacking Decolonisation: French Polynesia at the United Nations. *Inside Story*, 31.05.2013.

Member Committees. *Pacific Economic Cooperation Council*. Retrieved from: <https://www.pecc.org/about/member-committees#France> (2020, January, 6).

Memorandum of Understanding Establishing the Polynesian Leaders Group, 2011 (Tonga, Tuvalu, Cook islands, Samoa, Niue, American Samoa, French Polynesia and Tokelau).

Overview. *Pacific Islands Development Forum*. Retrieved from: <http://pacificidf.org/overview/> (2020, January, 7).

Pacific Islands News Association (2016) FSM, PNG and Solomon Islands on the cusp of historic milestone for extended continental shelf in the Ontong Java Plateau maritime area under the UNCLOS. Retrieved from <http://www.pina.com.fj/?p=pacnews&m=read&o=69479034557a11d289de452e51ac11> (2019, December, 27).

Pau-Langevin, G. (2014). Speech to French Senate Debate on “les Zones Économiques Exclusives Ultramarines”, 18.06.2014.

Quanchi, M. (2008). End of an Epoch: Towards Decolonisation and Independence in the Pacific. *Agora*, 43, 4.

Regnault, J-M. (2013). *L'ONU, la France et les Décolonisations Tardives: l'exemple des Terres Françaises d'Océanie*. Presses universitaires d'Aix-Marseille, Aix-en-Provence.

Report of the Secretary-General on Regional and sub-regional inputs E/CN.18/2011/3, 2010. (United Nations).

Roger, P. (2017). Colonisation: les propos inédits de Macron font polémique. *Le Monde*, 16.02.2017.

Sarkozy, N. (2010). Voeux à la France d'Outre-mer. *Saint Denis de la Réunion*, 19 January 2010.

Scottie, A. (2020). The Pacific Ocean is so acidic that it's dissolving Dungeness crabs' shells. *CNN Edition*, 27.01.2020.

Sibert, J., Senina, I., Lehodey, P., Hampton, J. (2012). Shifting from marine reserves to maritime zoning for conservation of Pacific bigeye tuna (*Thunnus obesus*). *PNAS*, 30.10.2012, 109, 44.

Siekiera, J. (2019). Legal Consequences of Ocean Change in the South Pacific – Outline of the Problem. *Lex Portus*, 19, 5, 7-20. <https://doi.org/10.26886/2524-101X.5.2019.1>

Taylor, M. (2019). GRIFFITH ASIA LECTURE 2019 – Delivered by the Secretary General of the Pacific Islands Forum, Dame Meg Taylor, Griffith University, Brisbane, Australia, 11 November 2019.

АНОТАЦІЯ

Сієкієра Й. Французькі ВЕЗ у Тихому океані у контексті змін океану. – Стаття.

Франція є присутньою у Тихоокеанському регіоні завдяки своїм закордонним спільнотам, таким як Французька Полінезія, Нова Каледонія, а також Уолліс і Футуна. Цей геостратегічний регіон іменується також Блакитним Тихим океаном, з огляду на його величезні, порівняно із сушею, морські райони. 93% французьких виключних економічних зон (ВЕЗ) розташовані в Індійському і Тихому океанах. У регіоні проживає 1,5 млн французів, а також 8 тис. дислокованих у ньому військовослужбовців. Крім того, він став центром тяжіння стратегічної і глобальної економіки, що перемістився з Атлантики до Тихого океану. Морські торговельні шляхи, що пов'язують Європу і Перську затоку через Індійський океан і Південно-Східну Азію з Тихим океаном, набули надзвичайно важливого значення. Зростаюча частка Тихого океану у світовій торгівлі та інвестиціях означає, що він займає лідируючі позиції у глобалізаційних процесах. У зв'язку з цим подальші дослідження даного геополітичного регіону є вкрай важливими і вимагають більш глибокого аналізу, у т.ч. стосовно дисципліни публічного міжнародного права і міжнародних відносин. Зміна океану на теперішній час – найбільша загроза для островів Тихого океану через втрату території і, отже, суверенітету держав, що поглинаються водою. Іншим фактором є зменшення ВЕЗ та можливої і вже існуючої політичної напруженості між Францією та її спільнотами, а також іншими країнами регіону.

Ключові слова: Франція, ВЕЗ, Тихий океан, південна частина Тихого океану, зміна клімату, зміна океану.

АННОТАЦИЯ

Сиекиера Й. Французские ИЭЗ в Тихом океане в контексте изменений океана. – Статья.

Франция присутствует в Тихоокеанском регионе благодаря своим зарубежным сообществам, таким как Французская Полинезия, Новая Каледония, а также Уоллис и Футуна. Этот геостратегический регион именуется также Голубым Тихим океаном, учитывая его огромные, по сравнению с сушей, морские районы. 93% французских исключительных экономических зон (ИЭЗ) расположены в Индийском и Тихом океанах. В регионе проживает 1,5 млн французов, а также 8 тыс. дислоцированных в нем военнослужащих. Кроме того, он стал центром притяжения стратегической и глобальной экономики, переместившись из Атлантики в Тихий океан. Морские торговые пути, связывающие Европу и Персидский залив через Индийский океан и Юго-Восточную Азию с Тихим океаном, стали чрезвычайно важны. Растущая доля Тихого океана в мировой торговле и инвестициях означает, что он занимает лидирующие позиции в глобализационных процессах. В связи с этим дальнейшие исследования данного геополитического региона представляются крайне важными и требуют более глубокого анализа, в т.ч. в том, что касается дисциплины публичного международного права и международных отношений. Изменение океана в настоящее время – самая большая угроза для островов Тихого океана из-за потери территории и, следовательно, суверенитета затонувших государств. Другим фактором является сокращение ИЭЗ и возможной и уже существующей политической напряженности между Францией и ее сообществами, а также остальными странами региона.

Ключевые слова: Франция, ИЭЗ, Тихий океан, южная часть Тихого океана, изменение климата, изменение океана.

