



## Council

Distr.: General  
16 July 2020

Original: English

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### Twenty-sixth session

Council session, part II

Kingston, 20–24 July 2020

Agenda item 6

**Issues relating to the election in 2021 of members of the Legal and Technical Commission**

### **Letter dated 8 July 2020 from the facilitator appointed by the Council regarding the election of members of the Legal and Technical Commission addressed to the Secretary-General of the International Seabed Authority**

I am transmitting herewith the amended draft of a mechanism for the election of members of the Legal and Technical Commission (see annex).

I request that the present letter and its annex be circulated as an official document of the Council and distributed among its members for their consideration.

(Signed) Vladislav **Kurbatskiy**  
Facilitator



## Annex

### Amended draft of a mechanism for the election of members of the Legal and Technical Commission

#### Prepared by the Facilitator

1. I would like to thank all the delegations who have made comments on my initial draft. This will help us to achieve a common goal and proceed with the elaboration of the election mechanism of the Legal and Technical Commission.
2. I tried to take on board as many comments as possible, making this draft simpler.
3. It seemed to be the common point that the Commission should consist of 30 members.
4. I am grateful to the Secretary-General, who made available his report on the issues related to the election of the Commission ([ISBA/26/C/14](#)). This allows member States to benefit from the discussions on the need for expertise among the future members of the Commission.
5. Many countries expressed views in favour of establishing a minimum limit of nominated experts rather than a maximum number. Some member States proposed exact quotas and others were against any limits for the regional groups.
6. Several member States pointed out that there was no place for the special interest group in a composition with two seats.
7. Having reflected on the comments, I propose in this amended draft the mechanism set out below.
8. I propose to establish a minimum limit of nominated experts for each regional group, as follows:

<i>Group</i>	<i>Minimum number</i>
African Group	6
Asia-Pacific Group	6
Eastern European Group	4
Latin American and Caribbean Group	5
Group of Western European and other States	4
Substitutes for regional groups	25
Candidates	5 <sup>a</sup>
Overall number of members	30

<sup>a</sup> These five candidates should be elected as suggested in paragraph 10 below.

9. If any of the groups fails to present enough candidates to fill its regional quota, those vacancies shall be filled by other regional groups upon the decision by the regional group that failed to present enough candidates.
10. The distribution of nominated experts per regional group is in line with the equal representation of the regional groups in the Commission. The remaining five candidates will be elected in accordance with the existing relevant provisions of the United Nations Convention on the Law of the Sea, the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 and the rules of procedure of the Council (rules 56, 66 and 77).
11. The Council shall endeavour to ensure that the membership of the Commission reflects all appropriate qualifications.