



## Council

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### Twenty-sixth session

Council session, part II

Kingston, 19–23 July 2021

Agenda item 6

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

#### **Decision of the Council of the International Seabed Authority concerning the extension of the term of office of the current members of the Legal and Technical Commission and other related matters**

*The Council of the International Seabed Authority,*

*Considering* the election of members of the Legal and Technical Commission as a matter of priority,

*Recalling* the procedures for the nomination of candidates for membership in the Legal and Technical Commission, which were established during the thirteenth session of the International Seabed Authority,<sup>1</sup>

*Recalling also* its decision of 20 February 2020 relating to the election in 2021 of members of the Legal and Technical Commission,<sup>2</sup>

*Taking into account* the continuing situation concerning the coronavirus disease (COVID-19) pandemic,

*Taking into account also* that, in view of the impossibility of holding face-to-face meetings, it has not been possible to make further progress in the negotiations concerning the development of a process to govern the election of the membership of the Legal and Technical Commission,

*Desiring* to continue to pursue all efforts in 2021 to reach a consensus on the proposed process to govern the election of the membership of the Legal and Technical Commission,

1. *Recognizes* that further progress in the negotiations on the mechanism to govern the next elections of members of the Legal and Technical Commission could not be made owing to the COVID-19 pandemic;

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<sup>1</sup> ISBA/13/C/6.

<sup>2</sup> ISBA/26/C/9.



2. *Invites* the facilitator to resume, at the next in-person meeting in 2021, his consultations on the composition of the Commission and to report thereon to the Council for consideration as a matter of priority, with a view to taking a decision at that meeting;

3. *Decides* that the terms of office of the current members of the Legal and Technical Commission shall be extended by one year, such that they will expire on 31 December 2022;

4. *Stresses* that the decision to extend the terms of office of the current members of the Legal and Technical Commission is being made on an exceptional basis, owing to the unprecedented circumstances arising as a result of the COVID-19 pandemic, and that this decision is without prejudice to article 163 of the United Nations Convention on the Law of the Sea<sup>3</sup> and does not constitute a precedent, either for the Commission or for other organs of the International Seabed Authority with elected members;

5. *Also stresses* the need to address the issue of the election of the membership of the Commission for the period 2023–2027 as a matter of priority at its meetings in July 2022;

6. *Urges* States to strictly adhere, in 2022, to the procedures for the nomination of candidates for membership in the Legal and Technical Commission, as set out in document [ISBA/13/C/6](#).

30 March 2021

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<sup>3</sup> United Nations, *Treaty Series*, vol. 1833, No. 31363.