



Council

Distr.: Limited
27 January 2020

Original: English

Twenty-sixth session

Council session, part I

Kingston, 17–21 February 2020

Item 6 of the provisional agenda*

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

Submitted on behalf of Australia, Canada, France, Germany, Italy, Norway, Spain and the United Kingdom of Great Britain and Northern Ireland

Proposal to amend draft decision [ISBA/25/C/L.2](#) of the Council of the International Seabed Authority relating to the election of members of the Legal and Technical Commission

The Council of the International Seabed Authority,

Recalling its decision [ISBA/22/C/29](#) of 22 July 2016, in particular paragraph 2,

Considering the increase in complexity of the matter of the election of members of the Legal and Technical Commission,

Recalling article 163, paragraphs 3 and 4, of the United Nations Convention on the Law of the Sea, which provides that members of the Commission shall have appropriate qualifications in the area of competence of the Commission; that States parties shall nominate candidates of the highest standards of competence and integrity with qualifications in relevant fields so as to ensure the effective exercise of the functions of the Commission; and that, in the election of members of the Commission, due account shall be taken of the need for equitable geographical distribution and the representation of special interests,

Also recalling article 163, paragraph 8 of the Convention, which provides that members of the Commission shall have no financial interest in any activity relating to exploration and exploitation in the Area,

Further recalling that in accordance with article 165, paragraph 1, of the Convention, members of the Commission shall have appropriate qualifications; and the Council shall endeavour to ensure that the membership of the Commission reflects all appropriate qualifications,

Desiring to establish more clarity in the process of future elections of members of the Commission,

* [ISBA/26/C/L.1](#).



1. *Takes note* of the report of the Secretary-General on the election of members of the Legal and Technical Commission;¹
2. *Confirms* that appropriate qualifications in relevant fields of expertise, equitable geographical representation, and representation of special interests, shall guide the process of election of members of the Commission;
3. *Requests* that the Secretary-General provide, in consultation with the Commission and no later than 15 months before an election, a report for consideration by the Council of the International Seabed Authority identifying the ideal size of the next Commission to be elected and the composition of the expertise among its members;
4. *Decides* that any future change in the size and composition of the Commission shall be determined by the Council no later than one year before the election after consideration of the report requested in paragraph 3 above and taking into account paragraph 2 above;
5. *Emphasizes* that States Parties shall take into account the considerations set out in the third preambular paragraph of the present decision.

¹ [ISBA/23/C/2](#).