



## Meeting of States Parties

Distr.: General  
8 December 2023

Original: English

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### Thirty-third Meeting (resumed)

New York, 28 November 2023

## Report of the thirty-third Meeting of States Parties resumed to elect members of the Commission on the Limits of the Continental Shelf

### I. Introduction

1. The thirty-third Meeting of States Parties to the United Nations Convention on the Law of the Sea was resumed at United Nations Headquarters on 28 November 2023, pursuant to article 2, paragraph 3, of annex II to the Convention, for the purpose of filling vacant seats in the Commission on the Limits of the Continental Shelf allocated to members of the Commission from Eastern European States, pursuant to the arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf approved at the nineteenth Meeting of States Parties on 26 June 2009 ([SPLOS/201](#)). One such seat had become vacant following the resignation of Mateusz Damrat (Poland). Another seat has remained vacant since 2015, owing to a lack of nominations from the Group of Eastern European States.<sup>1</sup>

2. The Meeting had before it the agenda, as amended (see para. 4 below); a note by the Secretary-General concerning the election of members of the Commission ([SPLOS/33/17](#)); a list of candidates nominated by States parties ([SPLOS/33/18](#)); and the curriculum vitae of the candidate nominated by the Government of Poland ([SPLOS/33/CRP.1](#)).

### II. Opening of the Meeting

3. The President of the thirty-third Meeting, Cornel Feruță (Romania), opened the resumed Meeting.

### III. Adoption of additional agenda item

4. Upon the proposal of the President, the Meeting reopened agenda item 4, entitled “Adoption of the agenda”, and decided to amend its agenda ([SPLOS/33/1](#)) by including item 16, entitled “Election of members of the Commission on the Limits of the Continental Shelf”. The agenda of the Meeting, as amended, is contained in the annex to the present report.

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<sup>1</sup> See [SPLOS/33/10](#), para. 24.



## IV. Credentials of representatives to the thirty-third Meeting of States Parties

5. The Meeting reopened agenda item 12, entitled “Report of the Credentials Committee”. The President recalled that the thirty-third Meeting had approved the report of the Credentials Committee ([SPLOS/33/11](#)) in June 2023 on the understanding that the credentials of the representatives of States parties participating in the thirty-third Meeting would continue to be valid until the convening of the thirty-fourth Meeting, in accordance with rule 1 of the rules of procedure for Meetings of States Parties (*ibid.*, para. 12).

6. The President recalled that the resumed twenty-eighth Meeting had decided, with a view to expediting the work of that and future resumed Meetings convened for the purpose of conducting elections, that if there were a limited number of new or updated credentials, it could proceed on the basis of an oral update by the Chair of the Credentials Committee on the credentials and other information concerning the appointment of representatives received from States parties since the adjournment of the Meeting ([SPLOS/327](#), para. 8).

7. On that basis, the Acting Chair of the Credentials Committee, Martin Zvachula (Federated States of Micronesia), provided an oral update.<sup>2</sup> He informed the Meeting that after the thirty-third Meeting had approved the report of the Credentials Committee, the following States parties had submitted formal credentials: Albania, Angola, Brazil, Czechia, Guyana, Honduras, Hungary, Iceland, Lithuania, Montenegro, Morocco, Panama, Sierra Leone, Sri Lanka, Sweden, Thailand, Ukraine and Uruguay. The Acting Chair also informed the Meeting that provisional information concerning the appointment of representatives had been received from Rwanda, in which the Convention had entered into force on 17 June 2023, after the adjournment of the thirty-third Meeting. As a consequence, in total, formal credentials had been received from 86 States parties and provisional information concerning the appointment of representatives had been received from 81 States parties, including the European Union, on the understanding that formal credentials would be communicated to the Secretariat as soon as possible.

8. The Meeting took note of the oral update by the Acting Chair of the Credentials Committee and decided to accept the credentials mentioned therein.

## V. Election of members of the Commission on the Limits of the Continental Shelf

9. The President drew the attention of the Meeting to the note by the Secretary-General on election procedures ([SPLOS/33/17](#)) and drew the attention of delegations to the relevant provisions of the Convention and the rules of procedure for Meetings of States Parties ([SPLOS/2/Rev.5](#)). Recalling that the Secretary-General had called for nominations to fill two vacant seats allocated to members of the Commission from the Group of Eastern European States, the President informed the Meeting that only one nomination had been received from that group by the deadline of 6 October 2023. Therefore, only one seat allocated to the Group of Eastern European States was to be

<sup>2</sup> For the credentials that were accepted at the Meeting in June 2023, see [SPLOS/33/11](#) and [SPLOS/33/15](#), paras. 11–12. The Meeting also endorsed a proposal by the Acting Chair of the Credentials Committee and took note of a technical correction regarding the report of the Credentials Committee which entailed including India in the list of States parties that had submitted formal credentials ([SPLOS/33/11](#), para. 4) and removing India from the list of States parties that had submitted provisional information concerning the appointment of representatives (*ibid.*, para. 5).

filled. Pursuant to article 2, paragraph 3, of annex II to the Convention, two thirds of States parties (in this case, 113 States) constituted a quorum.

10. The representatives of Australia, Latvia, Mauritius and Mexico acted as tellers.

11. In a single round of balloting, 131 ballots were cast. Michał Tomczak (Poland) was elected as a member of the Commission on the Limits of the Continental Shelf, with 123 votes in favour and 8 abstentions.<sup>3</sup> He will serve for the remainder of the term of Mr. Damrat, from the date of election until 15 June 2028.

12. On behalf of the Meeting of States Parties, the President congratulated Mr. Tomczak on his election.

## **VI. Filling of vacancies in the Commission**

13. Recalling the lack of nominations to fill the remaining vacant seat allocated to members from Eastern European States, the President drew the attention of delegations to the impact of the long-standing vacancy on the work of the Commission and its subcommissions, underscoring that it was the responsibility of States parties to ensure that the Commission could operate with full membership.

14. The Meeting decided that, should the President of the Meeting receive from the Group of Eastern European States information about potential candidates no less than 14 weeks prior to the commencement of the thirty-fourth Meeting of States Parties, the Secretary-General would circulate a call for nominations, with a view to conducting elections at the thirty-fourth Meeting, to be held from 10 to 14 June 2024, with the deadline for nominations falling on 4 March 2024.

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<sup>3</sup> Number of ballots cast, 131; number of invalid ballots, 0; number of valid ballots, 131; abstentions, 8; number of representatives of States parties present and voting, 123; required majority, 82; number of votes obtained, Michał Tomczak (Poland), 123.

## Annex

### Revised agenda

1. Opening of the thirty-third Meeting by the President of the thirty-second Meeting.
2. Minute of silent prayer or meditation.
3. Election of the President.
4. Adoption of the agenda.
5. Election of the Vice-Presidents.
6. Appointment of the Credentials Committee.
7. Organization of work.
8. Report of the International Tribunal for the Law of the Sea to the Meeting of States Parties ([SPLOS/33/2](#)).
9. Information reported by the Secretary-General of the International Seabed Authority.
10. Commission on the Limits of the Continental Shelf:
  - (a) Information reported by the Chair of the Commission ([SPLOS/33/10](#));
  - (b) Conditions of service of members of the Commission;
  - (c) Pattern of elections and commencement of the term of office of members of the Commission on the Limits of the Continental Shelf ([SPLOS/32/L.2](#));
  - (d) Filling of vacancies in the Commission.
11. Consideration of administrative and budgetary matters of the International Tribunal for the Law of the Sea:
  - (a) Report on budgetary matters for the financial periods 2021 and 2022 ([SPLOS/33/3](#));
  - (b) Report of the external auditor for the financial period 2022 ([SPLOS/33/4](#));
  - (c) Draft supplementary budget proposals of the International Tribunal for the Law of the Sea for the budget period 2023–2024 ([SPLOS/33/9](#)).
12. Report of the Credentials Committee.
13. Election of seven members of the International Tribunal for the Law of the Sea ([SPLOS/33/5](#), [SPLOS/33/6](#), [SPLOS/33/7](#) and [SPLOS/33/8](#)).
14. Reports of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, which have arisen with respect to the United Nations Convention on the Law of the Sea ([A/77/331](#) and [A/78/67](#)).
15. Other matters.
16. Election of members of the Commission on the Limits of the Continental Shelf ([SPLOS/33/17](#) and [SPLOS/33/18](#)).