



Meeting of States Parties

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Item 13 of the provisional agenda*

Election of twenty-one members of the Commission on the Limits of the Continental Shelf

Note by the Secretary-General

I. Introduction

1. The five-year term of office of the current members of the Commission on the Limits of the Continental Shelf was set to expire on 15 June 2022 (see [SPLOS/316](#), para. 82). At the thirty-first Meeting of States Parties, it was decided, on an exceptional basis, owing to the unprecedented circumstances arising as a result of the coronavirus disease (COVID-19) pandemic, that the term of office should be extended by one year, such that it would expire on 15 June 2023 (see [SPLOS/31/10](#), para. 1). The election of 21 members of the Commission for the next five-year term of office, beginning on 16 June 2023, will be held at the thirty-second Meeting of States Parties from 13 to 17 June 2022.¹

2. Article 2, paragraph 2, of annex II to the United Nations Convention on the Law of the Sea provides that, at least three months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States parties, inviting the submission of nominations, after appropriate regional consultations, within three months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated and shall submit it to all the States parties.

3. Paragraph 3 of the same article provides that elections of the members of the Commission shall be held at a meeting of States parties convened by the Secretary-General at United Nations Headquarters.

II. Nomination of candidates

4. Pursuant to article 2, paragraph 2, of annex II to the Convention, the Secretary-General addressed a communication dated 15 December 2021 to States parties inviting them to submit, between 16 December 2021 and 15 March 2022, the names

* [SPLOS/32/L.1](#).

¹ See General Assembly resolution [76/72](#), paragraph 58.



of candidates whom their Governments might wish to nominate for the election of members of the Commission, together with a statement of their qualifications.

5. In the communication, the Secretary-General recalled that, pursuant to article 2, paragraph 1, of annex II to the Convention, the members of the Commission shall be experts in the field of geology, geophysics or hydrography. The Secretary-General also recalled that the President of the thirty-first Meeting of States Parties, during the Meeting, had stressed the importance of ensuring full and effective participation and equal opportunities at all levels for women in institutions relevant under the Convention, in order to achieve gender equality, as recognized in Sustainable Development Goal 5 (see [SPLOS/31/13](#), para. 14). States parties were thus encouraged to nominate female experts, with a view to promoting gender balance in the Commission. The Secretary-General further recalled that the twenty-sixth Meeting of States Parties had urged States parties that would nominate candidates for future elections of members of the Commission to formally undertake to support their candidates in accordance with article 2, paragraph 5, of annex II to the Convention ([SPLOS/303](#), para. 79).

6. Following the closing date for nominations, pursuant to article 2, paragraph 2, of annex II to the Convention, the Secretary-General prepared a list of all the persons nominated ([SPLOS/32/9](#) and [SPLOS/32/9/Add.1](#)). For each candidate, the list included: (a) their nationality; (b) the State or States that had nominated the candidate; and (c) information on whether the nominating State had undertaken to support the candidate in accordance with article 2, paragraph 5, of annex II to the Convention. The statements of qualifications of the candidates, with the nationalities of the candidates and the indication of which State nominated them, are contained in document [SPLOS/32/10](#).

III. Allocation of seats

7. Article 2, paragraph 3, of annex II to the Convention provides that no fewer than three members of the Commission shall be elected from each geographical region. At the nineteenth Meeting of States Parties, held in June 2009, the following arrangement for the allocation of seats for the next election of the members of the Commission was approved with the understanding that the arrangement would not prejudice or affect future arrangements for elections (see [SPLOS/201](#), paras. 2 and 3, and [SPLOS/203](#), paras. 100–102):

- (a) Five members of the Commission shall be from the Group of African States;
- (b) Five members of the Commission shall be from the Group of Asian States;
- (c) Three members of the Commission shall be from the Group of Eastern European States;
- (d) Four members of the Commission shall be from the Group of Latin American and Caribbean States;
- (e) Three members of the Commission shall be from the Group of Western European and other States;
- (f) The remaining one member of the Commission shall be from among the Group of African States, the Group of Asian States and the Group of Western European and other States.

IV. Procedure for the election

8. Rule 71 of the Rules of Procedure for Meetings of States Parties ([SPLOS/2/Rev.5](#)) provides that the elections of the members of the Commission shall take place in accordance with article 76 of and annex II to the Convention.

9. Article 2, paragraph 3, of annex II to the Convention provides that two thirds of the States parties shall constitute a quorum, and that the persons elected to the Commission shall be those nominees who obtain a two-thirds majority of the votes of the representatives of States parties present and voting.

10. The procedure for the election is subject to the approval of the Meeting of States Parties. In accordance with established practice, unless otherwise decided, the election is held by secret ballot.

11. If a delegation arrives after voting has begun, it may approach the podium in order to receive ballot papers. Only those candidates whose names appear on the ballot papers are eligible for election. Voting for a candidate is done by placing a cross in the box to the left of the name. Blank ballot papers will be considered abstentions. Ballot papers marked for more candidates than the number of seats indicated or which contain a vote for a candidate other than those listed on the ballot papers, will be considered invalid. According to practice, ballot papers will include only the name and nationality of the candidates. Information on the nominating States is included in documents [SPLOS/32/9](#), and [SPLOS/32/9/Add.1](#) and [SPLOS/32/10](#), as indicated above.

12. At the twenty-second Meeting of States Parties, held in 2012, in connection with the first election of members of the Commission on the basis of the arrangement for the allocation of seats contained in [SPLOS/201](#), it was agreed that the election would follow a two-step approach (see [SPLOS/251](#), paras. 86 and 87).

13. Pursuant to that approach, in the first part of the forthcoming election, 20 members of the Commission will be elected on the basis of the regional allocation of seats as set out in document [SPLOS/201](#). For the first round of balloting, separate ballot papers will be prepared for each region on the basis of the above-mentioned arrangement for the allocation of seats and will contain the names of the candidates from each region. If more than the required number of nominees obtain, on the same ballot, the two-thirds majority of the votes of the representatives of States parties present and voting, those nominees obtaining the highest number of votes above the required majority will be considered elected, up to the number of seats to be filled for each region.

14. The second part of the election will be exclusively for the “remaining seat”, limiting the election to those candidates who were not elected in the first part of the election and nominated from the Groups of African States, of Asia-Pacific States and of Western European and other States, as applicable. Balloting will continue until a single candidate from one of those groups obtains the highest number of votes and the required majority.

15. In the first part of the election, balloting will proceed, applying rule 66 (Restricted balloting for two or more elective places) of the Rules of Procedure and, as appropriate, rule 65 (Restricted balloting for one elective place), until as many candidates as are required for the seats of each region to be filled obtain, in one or more ballots, a two-thirds majority of the votes of States parties present and voting. In the second part of the election, balloting will proceed, applying rule 65 (Restricted balloting for one elective place).

V. Terms of office

16. Article 2, paragraph 4, of annex II to the Convention provides that the members of the Commission shall be elected for a term of five years and be eligible for re-election. The terms of office of the elected members will begin on 16 June 2023, pursuant to the decision adopted by the thirty-first Meeting (see [SPLOS/31/10](#), para. 1), and will end on 15 June 2028.
