

Draft 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 of the Legal and Technical Commission which were established during the thirteenth session of the International Seabed Authority,¹

Recalling its decision of 20 February 2020 relating to the election in 2021 of members of the Legal and Technical Commission,²

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

Also taking into account that, in view of the impossibility to hold 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 pursuing 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 on the negotiations on the mechanism to govern the next elections of members of the Legal and Technical Commission could not be made due to the COVID-19 pandemic;
2. *Invites* the Facilitator to resume at the next in-person meeting in 2021 his consultations on the composition of the Commission and report to the Council for consideration as a matter of priority, with a view to taking a decision at that meeting;

¹ ISBA/13/C/6.

² ISBA/26/C/9.

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 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 Sea³ and does not constitute a precedent, either for the Commission or for other organs of the International Seabed Authority with elected members;

5. *Stresses* the need to address the issue on the election 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 nominations of candidates for membership of the Legal and Technical Commission as set out in the document ISBA/13/C/6.

³ United Nations, *Treaty Series*, vol. 1833, No. 31363.