

Agenda item 15

Operationalization of the Economic Planning Commission

Draft decision of the Council on the Election mechanisms of the members of the Economic Planning Commission

The Council of the International Seabed Authority,

Recalling 163 and 164 of the United Nations Convention on the Law of the Sea, and sections 1 and 7 of the annex to the 1994 Agreement relating to the Implementation of Part XI of the Convention,

Recalling its decision ISBA/30/C/17,

Welcoming the report of the Secretary-General on the election mechanisms of the members of the Economic Planning Commission,

Expressing appreciation for the technical inputs provided by the Legal and Technical Commission in its recommendation annexed to the Report of the Chair of the Legal and Technical Commission on the on the work of the Commission at the first part of its thirty-first session¹,

Recalling also that the Economic Planning Commission should be operational before the approval of the first plan of work for exploitation, so as to be in a position to consider and study, in a structured and systematic way, the impacts on developing land-based producer States, with a view to minimizing their difficulties and assisting them in their economic adjustment, taking into account the work already done by the Preparatory Commission for the International Seabed Authority.

Recognizing the critical role of the Economic Planning Commission in supporting the work of the International Seabed Authority, particularly in relation to the potential economic impacts of activities in the Area on affected developing landbased producer States, as well as the establishment and management of the Economic Assistance Fund.

1. *Decides* that:

a) the Economic Planning Commission shall be composed of 15 members who shall have appropriate qualifications, such as those relevant to mining, management of mineral resource activities, international trade or international economics, and shall reflect the highest standards of competence and integrity;

b) the Council shall endeavour to ensure that the membership of the Economic Planning Commission reflects all appropriate qualifications;

c) in the election of members of the Economic Planning Commission, due account shall be taken of the need for equitable geographical distribution and the representation of special interests;

¹ ISBA/31/C/4, Annex.

d) the Economic Planning Commission shall include at least two members from developing States whose exports of the categories of minerals to be derived from the Area have a substantial bearing upon their economies;

e) members of the Economic Planning Commission shall be elected by the Council during the session immediately preceding the year in which the Commission is to commence its mandate;

f) in accordance with article 163, paragraph 5, of the Convention, no State party may nominate more than one candidate for election to the Commission and no person shall be elected to serve on more than one Commission;

g) in accordance with article 163, paragraph 6, of the Convention, members of the Commission shall hold office for a term of five years and shall be eligible for re-election for a further term;

2. *Further decides* that the procedure for the election of the Economic Planning Commission shall be as follows:

a) At least four months prior to the election of members of the Economic Planning Commission at the meeting of the Council, the Secretary-General shall issue a written invitation to all Member States to submit nominations for membership of the Commission of candidates of the highest standards of competence and integrity;

b) Along with the written invitation, the secretariat shall include a list of developing States whose exports of the categories of minerals to be derived from the Area have a substantial bearing upon their economies and a list of developing States Parties representing special interests. Any such list of special interests shall be indicative;

c) Nominations for election to the Commission shall be accompanied by a statement of qualifications or a curriculum vitae detailing the candidate's competence, experience and expertise such as those relevant to mining, management of mineral resource activities, international trade or international economics, and shall be received by the secretariat at least two months prior to the date of the election;

d) The secretariat shall prepare a consolidated list, in alphabetical order, of the persons nominated for election to the Commission, indicating the nominating Member State of the Authority, with an annex containing the statements of qualifications or curricula vitae of the nominees;

e) The secretariat shall circulate, at least six weeks in advance of the election, the consolidated list of nominees submitted by Member States, together with the corresponding statements of qualifications or curricula vitae, to all members of the Council;

f) The conduct of the election by the Council in accordance with its Rules of Procedure, including rule 56 and section XIV, "Elections to the Economic Planning Commission and Legal and Technical Commission", in particular rule 77 to rule 82 of the Rules of Procedure of the Council, and the established voting practices.

3. *Further decides* that the mechanism of equitable geographical distribution for the purpose of the election of the Economic Planning Commission shall be subject to a decision by the Council.

4. *Further decides* to keep the matter under review.