



**Call for written comments and proposals from ISA Council members on the first draft of a mechanism for the election of members of the Legal and Technical Commission**

The International Seabed Authority (ISA) Secretariat is pleased to present to members of the ISA Council, the first draft of a mechanism for the election of members of the Legal and Technical Commission (LTC), submitted on 22 April 2020, by Mr. Vladislav Kurbatskiy, Facilitator nominated by the Council.

All members of the ISA Council are invited to provide written comments and proposals on the Facilitator's first draft via email to the Secretariat ([Council2020@isa.org.jm](mailto:Council2020@isa.org.jm)) by **15 May 2020**. This feedback will be conveyed to the Facilitator and will enable the intersessional work as envisaged in the decision of the Council on this subject (ISBA/26/C/9).

After reviewing the comments and proposals, the Facilitator will submit an amended draft to the Secretariat by **5 June 2020**, which will be circulated to members of the Council.



## **First draft of a mechanism for the election of members of the Legal and Technical Commission**

*22 April 2020*

Prepared by the Facilitator

1. Taking into account the previous agreements to elaborate a clear mechanism of elections to the Legal and Technical Commission (LTC) based on an equitable geographical balance, on expertise, on special interests, on relevant International Seabed Authority (ISA) related documents<sup>1</sup> and on my comparative analysis of existing practices applicable in the selection of members of various United Nations bodies, including technical and expert bodies<sup>2</sup>, I would like to propose the following.
2. The overall number of members of the LTC is 30 in line with the current composition of the LTC which appeared to be effective and as was agreed during previous discussions held on the margins of the last meeting of the Council during the first part of the twenty-sixth session.
3. According to paragraph 1 of the decision of the Council as contained in ISBA/26/C/9, the Secretary-General sought the views of the members of the LTC regarding their assessment of the current and future needs for specific areas of expertise for the future membership of the LTC at the meetings of the LTC during the first part of its twenty-sixth session. As a result, the LTC expressed the views that for the next LTC there would be five major categories of experts: Earth Sciences; Engineering; Environment Sciences, Law, Economy. List of these categories may change according to the arising needs.

---

<sup>1</sup> See ISBA/23/C/2, Election of members of the Legal and Technical Commission. Report of the Secretary-General.

<sup>2</sup> During the preparation of this document the following UN bodies, technical and expert bodies of the UN were studied: Commission on the Limits of the Continental Shelf; International Law Commission; Committee on Economic, Social and Cultural Rights; Human Rights Committee; Committee on Elimination of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination Against Women; Committee Against Torture; Committee for the Prevention of Torture; Committee on the Rights of the Child; Committee on the Protection of the Rights of All Migrant Workers and Members of their Families; Committee on the Rights of Persons with Disabilities; Committee on Enforced Disappearances; United Nations Committee of Experts on Public Administration; Committee for Development Policy; Confidentiality Commission of the OPCW; Scientific Advisory Board OPCW; Education and Outreach OPCW; International Narcotics Control Board.

4. To combine all elements, I propose to establish a maximum limit of nominated experts for each regional group and special interests that would look like as follows:

<b>Group</b>	<b>Max. number</b>
<b>African Group</b>	<b>7</b>
<b>Asia-Pacific Group</b>	<b>7</b>
<b>Eastern European Group</b>	<b>4</b>
<b>GRULAC</b>	<b>7</b>
<b>WEOG</b>	<b>7</b>
<b>Special interests</b>	<b>2</b>

5. The total maximum number of nominated experts is 34. This provides flexibility in case one or several groups would not be able to present enough candidates for the election of members of the LTC.

6. In the event that all groups nominate candidates according to their maximum quota they would have to try to reach a compromise in order for the Council to elect candidates by consensus. Without a compromise by groups, the Council will have to vote for the election of the best experts to fulfill the initial criteria of 30 members for the LTC.

7. Each regional group presents at least one representative from expert category needed for the composition of the LTC. This would allow ISA to obtain the necessary balance of experts in the LTC.

8. This model gives to all countries an equal ground to present their experts. This model provides an equitable geographical balance for the regions to be present in the LTC. Moreover, it still has room for the special interests.