

REFERENCE: MSP/28_RES/ELECT/CLCS

The Secretary-General of the United Nations presents his compliments to the representatives of States Parties to the United Nations Convention on the Law of the Sea (the “Convention”) and has the honour to communicate the following:

Vacancies in the Commission on the Limits of the Continental Shelf

Pursuant to rule 72 (By-elections) of the rules of procedure for Meetings of States Parties (SPLOS/2/Rev.4), “[i]f the office of a member of the Commission becomes vacant, the Meeting of States Parties shall, in accordance with rule 71 [(Elections of the members of the Commission)], elect a member for the remainder of the predecessor’s term.”

The Secretary-General wishes to inform the States Parties to the Convention that currently, there are two vacant seats in the Commission.

On 25 July 2018, the Chairperson of the Commission received a letter from Mr. Wenzheng Lyu, a member of the Commission, in which he conveyed his decision to resign from his position as a member of the Commission. As a result, a vacancy occurred in the Commission.

In addition, one member from the Group of Eastern European States still remains to be elected. In June 2018, the twenty-eighth Meeting decided that, if the Group of Eastern European States informed the President of the Meeting by 24 September 2018 that candidate(s) had been identified, a new call for nominations would be circulated by the Secretary-General.

The Secretary-General notes that no such information was received by that date. However, due to the vacancy created by the resignation of Mr. Lyu, there is now a need to resume the twenty-eighth Meeting to hold a by-election. The election of the one remaining seat allocated to the Group of Eastern European States could also be held at this resumed Meeting, if nominations are received.

Date of the resumed twenty-eighth Meeting of States Parties

Pursuant to article 2, paragraph 3, of annex II to the Convention, “[e]lections of the members of the Commission shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters.” For this purpose, subject to



the approval by the General Assembly, the resumed twenty-eighth Meeting will be held on 15 January 2019. Invitations to this Meeting will be transmitted in due course.

Call for nominations

Pursuant to article 2, paragraph 2, of annex II to the Convention, “[a]t 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.”

The Secretary-General hereby invites States Parties to the Convention to submit nominations with respect to one vacant seat allocated the Group of Asia-Pacific States and one vacant seat allocated to the Group of Eastern European States.

Pursuant to article 2, paragraph 1, of annex II to the Convention, members of the Commission “shall be experts in the field of geology, geophysics or hydrography, elected by States Parties to [the] Convention from among their nationals, having due regard to the need to ensure equitable geographical representation, who shall serve in their personal capacities”.

The present call for nomination is without prejudice to the decision of the twenty-eighth Meeting of States Parties that, should the seat allocated to the Group of Eastern European States continue to remain vacant, a by-election would be conducted at the twenty-ninth Meeting, following a further call for nominations, “only if the President received information about potential candidates no less than 14 weeks prior to the commencement of that Meeting” (see SPLOS/324, paragraph 81).

Expenses of members while in performance of Commission duties – an undertaking by nominating States

Pursuant to article 2, paragraph 5, of annex II to the Convention, “the State Party which submitted the nomination of a member of the Commission shall defray the expenses of that member while in performance of Commission duties”.

The twenty-sixth Meeting of States Parties “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. [...] Such an undertaking could be provided in the form of a note verbale that would accompany the nomination of a candidate to the Commission and would be brought to the attention of the Meeting of States Parties at the time of the election of the members of the Commission” (SPLOS/303, paragraph 79).

Moreover, the twenty-sixth Meeting of States Parties appealed to States “to ensure the full participation of the members of the Commission nominated by them in the work of the Commission, including by not scheduling conflicting activities for those members during the sessions of the Commission” (SPLOS/303, paragraph 80).



In this regard, attention is drawn to the fact that, at its forty-fourth session, the Commission decided that during its current five-year term of office, ending on 15 June 2022, it would continue to meet for a total of 21 weeks per year.

Nominating developing States can request and receive financial assistance from the *Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission* established by General Assembly resolution 55/7, subject to availability of funds in that Trust Fund.

Procedure of nomination

The period for the nomination of candidates for election of members of the Commission will open on 11 October 2018 and will close on 10 January 2019 at midnight (EST time).

Nominations made before 11 October 2018 or after 10 January 2019 cannot be accepted. Following the end of the nomination period, the Secretary-General will prepare, in alphabetical order, a list of all the persons thus nominated. The list will then be submitted to all States Parties.

Nominations must indicate the name and be accompanied by a statement of qualifications of the candidate in the field of geology, geophysics or hydrography (not exceeding 400 words with the option of having a full *curriculum vitae* published on the web site of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs) and must be addressed to:

The Secretary-General of the United Nations
c/o Division for Ocean Affairs and the Law of the Sea
Office of Legal Affairs
United Nations DC2-0450
New York, NY 10017
fax: (+1-917) 367-0560

The statement of qualifications of the candidate should also be transmitted electronically in MS Word format to: doalos@un.org.




11 October 2018