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REFERENCE: 20201130UnNvStatesParties

The Office of Legal Affairs of the United Nations presents its compliments to Representatives of States Parties to the United Nations Convention on the Law of the Sea and has the honour to refer to the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea.

The Office of Legal Affairs is pleased to transmit attached herewith a letter dated 28 November 2020 from the Co-Coordinator of the Open-ended Working Group on the Conditions of Service of the Members of the Commission on the Limits of the Continental Shelf addressed to Representatives of States Parties to the United Nations Convention on the Law of the Sea concerning agenda item 10(b) (*Conditions of service of members of the Commission*).

The Office of Legal Affairs of the United Nations avails itself of this opportunity to renew to Representatives of States Parties to the United Nations Convention on the Law of the Sea the assurances of its highest consideration.


 30 November 2020

REFERENCE: 20201130UnNvÉtatsParties

Le Bureau des affaires juridiques de l'Organisation des Nations Unies présente ses compliments aux représentantes et représentants des États parties à la Convention des Nations Unies sur le droit de la mer et a l'honneur de se référer à la trentième Réunion des États parties à la Convention.

Le Bureau des affaires juridiques a le plaisir de transmettre ci-joint une lettre datée du 28 novembre 2020, qui est adressée aux représentantes et représentants des États parties à la Convention des Nations Unies sur le droit de la mer par les Co-coordonnateurs du Groupe de travail à composition non limitée sur les conditions d'emploi des membres de la Commission concernant le point 10 b) de l'ordre du jour (*Conditions d'emploi des membres de la Commission*).

Le Bureau des affaires juridiques de l'Organisation des Nations Unies saisit cette occasion pour renouveler aux représentantes et représentants des États parties à la Convention des Nations Unies sur le droit de la mer les assurances de sa très haute considération.



Le 30 novembre 2020



Ministry of Foreign Affairs of
the Kingdom of the Netherlands

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28 November 2020

Open-ended Working Group on the Conditions of Service of the Members of the Commission on the Limits of the Continental Shelf

Excellencies,

In our capacity as Co-Coordiators of the Open-ended Working Group on the Conditions of Service of the Members of the Commission on the Limits of the Continental Shelf, we have the honour to refer to the letters of the President of the thirtieth Meeting of States Parties dated 27 and 30 October 2020, regarding the timetable and modalities for the consideration of the pending items on the agenda of the thirtieth Meeting, as outlined in the annex to his letter dated 27 October 2020 (www.un.org/Depts/los/meeting_states_parties/documents/20201027NvLetEF.pdf).

Following the two rounds of informal virtual consultations of the Working Group that were held on 20 and 27 November 2020, we are pleased to transmit the annexed revised *Draft Decision regarding the conditions of service of the members of the Commission on the Limits of the Continental Shelf*, which reflects the comments made by delegations during the second round of consultations.

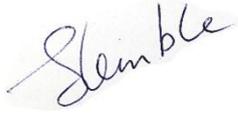
In this connection, we have now written to the President of the thirtieth Meeting of States Parties indicating that additional consultations are needed and requesting that delegations be invited to provide written comments on the attached *Draft Decision* by 4 p.m. on Tuesday, 1 December 2020, following which we will provide the President with our comprehensive report of the work conducted by the Working Group since the twenty-ninth Meeting of States Parties.

In accordance with this request, delegations are kindly requested to provide any written comments on the annexed *Draft Decision* by 4 p.m. on Tuesday, 1 December 2020. Such comments should be sent by email to doalos@un.org (copying santosuosso@un.org).

Thereafter, we will report to the President of the thirtieth Meeting and propose that in his next letter to States Parties, he annexes the *Draft Decision* proposed herein, amended to reflect comments from delegations as necessary, with a view to adopting the *Draft Decision* at the plenary meeting in December 2020.

Let us seize this opportunity to renew our gratitude to all delegations for their constructive participation during the consultations on 20 and 27 November 2020.

Please accept, Excellencies, the assurances of our highest consideration.

A handwritten signature in blue ink that reads "Kemble". The signature is written in a cursive style with a large initial 'K'.

Sidney Gregory Kemble

A handwritten signature in blue ink that reads "Sande". The signature is written in a cursive style with a large initial 'M'.

María Alejandrina Sande

Representatives of States Parties to
the 1982 United Nations Convention
on the Law of the Sea

Annex

Draft Decision regarding the conditions of service of the members of the Commission on the Limits of the Continental Shelf

The Meeting of States Parties,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that coastal States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf, and *welcoming* the submissions to the Commission by a considerable number of States Parties to the Convention on the outer limits of their continental shelf beyond 200 nautical miles, that the Commission has continued to fulfil its role, including by making recommendations to coastal States, and that the summaries of recommendations are being made publicly available,

Reaffirming the importance of the work of the Commission for coastal States and the international community as a whole and *noting with appreciation* the continued efforts undertaken by the Commission to consider the submissions by coastal States in a timely, efficient and effective manner,

Recognizing the need to ensure that the Commission can effectively perform the functions entrusted to it under the Convention, while maintaining its high level of quality and expertise,

Recognizing the significant workload of the Commission in view of the large number of submissions received, which places significant demands and challenges on its members and the Secretariat as provided by the Secretary-General, through the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs,

Expressing concern about the implications of the workload of the Commission for the conditions of service of its members,

Recalling the establishment by General Assembly resolution 55/7 of the voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission and the changes made to its terms of reference pursuant to resolutions 69/245 and 74/19, and *noting with concern* the current balance of the voluntary trust fund,

Recalling also, in this regard, the decisions of the twenty-fifth, twenty-sixth and twenty-ninth Meetings of States Parties regarding the conditions of service of the members of the Commission,

Recognizing the importance of additional and updated information on the options identified in the study entitled "*Options to address the working conditions of the Commission on the Limits of the Continental Shelf*" ([SPLOS/30/11](#)), in order to enable the thirty-first Meeting of States Parties to decide on the ways to address the working conditions of the members of the Commission, and without prejudice to the obligations under the Convention for States Parties,

Welcoming the ongoing work done by the Open-ended Working Group to address the conditions of service of the members of the Commission,

1. Takes note of the study entitled "*Options to address the working conditions of the Commission on the Limits of the Continental Shelf*" ([SPLOS/30/11](#)), as well as the additional information provided by the Secretariat in the context of the informal consultations of the Open-ended Working Group;

2. Reaffirms the obligation of States Parties under the Convention whose experts are serving on the Commission to defray the expenses of the experts they have nominated while in performance of Commission duties, including the provision of medical coverage, and urges these States to do their utmost to ensure the full participation of those experts in the work of the Commission, including the meetings of subcommissions, in accordance with the Convention;
3. Emphasizes the importance of the voluntary trust fund established by the General Assembly pursuant to resolution 55/7 in facilitating the participation of members of the Commission from developing States in the meetings of the Commission, and expresses its appreciation to States that have made contributions to this trust fund;
4. Reiterates its serious concern that the chronic underfunding of the trust fund referred to in paragraph 3 above may preclude the Commission from advancing its work as a result of the potential lack of a quorum at future sessions, and may prevent it from further implementing the decision of the twenty-sixth Meeting of States Parties that requested the Commission to meet for up to 26 weeks, and urges States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make additional contributions to this trust fund;
5. Requests the Secretariat to continue its work on the options identified in [SPLOS/30/11](#) and to prepare a follow-up study covering, *inter alia*, the following elements:
 - (i) Estimated annual expenses for one member of the Commission while in performance of Commission duties, calculated on the basis of the current pattern of 21 weeks of meetings per year, and projected different cost-components and administrative considerations required for the operation of the Commission for more than 21 weeks of meetings per year; and
 - (ii) A possible scale of assessed contributions from States Parties to the Convention, including the principles underpinning such scale of assessed contributions, and an analysis of all aspects of the identified options in SPLOS 30/11, including administrative and operational ones;
6. Further requests the Open-ended Working Group to continue to consider all issues relating to the conditions of service of the members of the Commission and report to the thirty-first Meeting of States Parties.