

**ELECTION TO FILL VACANCIES IN THE COUNCIL FOR THE PERIOD
2011 TO 2014 IN ACCORDANCE WITH ARTICLE 161,
PARAGRAPH 3, OF THE CONVENTION**

Note by the Secretariat

I. INTRODUCTION

1. This informal paper has been prepared by the Secretariat in order to facilitate the forthcoming election of one-half of the members of the Council for the period 2011 to 2014.

2. In accordance with paragraph 15, of section 3, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement"), the Council shall consist of 36 members of the Authority, elected by the Assembly in the following order:

"(a) Four members from among those States Parties which, during the last five years for which statistics are available, have either consumed more than 2 per cent in value terms of total world consumption or have had net imports of more than 2 per cent in value terms of total world imports of the commodities produced from the categories of minerals¹ to be derived from the Area, provided that the four members shall include one State from the Eastern European region having the largest economy in that region in terms of gross domestic product and the State, on the date of entry into force of the Convention, having the largest economy in terms of gross domestic product, if such States wish to be represented in this group **[Group A]**;

"(b) Four members from among the eight States Parties which have made the largest investments in preparation for and in the conduct of activities in the Area, either directly or through their nationals **[Group B]**;

"(c) Four members from among States Parties which, on the basis of production in areas under their jurisdiction, are major net exporters of the categories of minerals to be derived from the Area, including at least two developing States whose exports of such minerals have a substantial bearing upon their economies **[Group C]**;

"(d) Six members from among developing States Parties, representing special interests. The special interests to be represented shall include those of States with large populations, States which are land-locked or geographically disadvantaged, island States, States which are major importers of the categories of minerals to be derived from the Area, States which are potential producers of such minerals and least developed States **[Group D]**;

"(e) Eighteen members elected according to the principle of ensuring an equitable geographical distribution of seats in the Council as a whole, provided that each geographical region shall have at least one member elected under this subparagraph. For this purpose, the

geographical regions shall be Africa, Asia, Eastern Europe, Latin America and the Caribbean and the Western Europe and Others **[Group E]**.”

3. During the election for the first members of the Council, it was agreed to allocate 10 seats on the Council to the African Group, 9 seats to the Asian Group, 8 seats to the Western European and Others Group, 7 seats to the Latin American and Caribbean Group and 3 seats to the Eastern European Group. Since the total number of seats allocated according to that formula is 37, it was also agreed that each regional group other than the Eastern European Group would relinquish a seat in rotation in the first four years of the Council. As part of the understanding reached in 1996 concerning the composition of the Council, it was agreed that “after the first four years, the principle of burden-sharing, on an equal and equitable basis, shall continue to be respected involving the five regional groups and taking into account the situation at that time, in particular the effect of the termination of the provisional membership in the Assembly.”² It was understood, therefore, that for the period 2009 to 2012 each regional group other than the Eastern European Group should relinquish a seat in rotation in the following manner:

- (a) In the first year (2009), the Latin American and Caribbean Group would occupy six seats;
- (b) In the second year (2010), the Western European and Others Group would occupy seven seats;
- (c) In the third year (2011), the African Group would occupy nine seats;
- (d) In the fourth year (2012), the Asian Group would occupy eight seats.

As agreed, the regional group which relinquishes a seat has the right to designate a member of that group to participate in the deliberation of the Council without a vote during the period of relinquishment.

4. Pursuant to article 161, paragraph 3, of the United Nations Convention on the Law of the Sea (“the Convention”), the terms of office of 20 members of the Council expired on 31 December 2008. A vacancy-filling election was held on 6 June 2008 when the following States were elected to the Council for a period of four years each from 2009 through 2012, subject to the understandings reached in the interest groups and regional groups (ISBA/14/A/12):

Group A:	China, Japan
Group B:	India
Group C:	Canada, South Africa
Group D:	Bangladesh, Brazil, Sudan
Group E:	Angola, Argentina, the Czech Republic, Guyana, Kenya, Namibia, the Netherlands, Poland, Senegal, Spain, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland.

At the same time, the Republic of Korea, having been elected for a four year term in 2006 as a member of Group E, relinquished its seat in Group E with effect from 1 January 2009 and took up the seat in Group B that was previously occupied by the United Kingdom of Great Britain and Northern Ireland for the remainder of the term of the Republic of Korea, without prejudice to future elections.

II. ELECTION FOR THE PERIOD 2011 TO 2014

5. In accordance with the Convention and the decisions of the Assembly, the terms of office of 17 of the members of the Council will end on 31 December 2010. The changes that are foreseen in each of the 5 groups in the Council are described in the following paragraphs.

Group A (4 members)

6. The current composition of Group A is **China** (elected in 2008 for a four-year term expiring on 31 December 2012), **Japan** (re-elected in 2008 for a four-year term expiring on 31 December 2012), **Italy**³ (re-elected in 2006 for a four-year term expiring on 31 December 2010), **the Russian Federation** (re-elected in 2006 for a four-year term expiring on 31 December 2010). **Two** vacancies will need to be filled in Group A for the period 2011 to 2014.

Group B (4 members)

7. The current composition of Group B is **India** (re-elected in 2008 for a four-year term expiring on 31 December 2012), **the Republic of Korea** (took the seat previously occupied by the United Kingdom of Great Britain and Northern Ireland for the remainder of the term of the Republic of Korea, expiring on 31 December 2010), **France** (re-elected in 2006 for a four-year term expiring on 31 December 2010) and **Germany** (re-elected in 2006 for a four-year term expiring on 31 December 2010). **Three** vacancies will need to be filled in Group B for the period 2011 to 2014.

Group C (4 members)

8. The current composition of Group C is **Australia** (took the seat previously occupied by Canada with effect from 1 January 2009 for two years until 31 December 2010), **South Africa** (elected in 2008 for a four-year term expiring on 31 December 2012), **Canada** (re-elected in 2008 for a four-year term expiring on 31 December 2012), **Indonesia** (re-elected in 2006 for a four-year term expiring on 31 December 2010). **Two** vacancies will need to be filled in Group C for the period 2011 to 2014.

Group D (6 members)

9. The current composition of Group D is **Bangladesh** (elected in 2008 for a four-year term expiring on 31 December 2012), **Brazil** (re-elected in 2008 for a four-year term expiring on 31 December 2012), **Sudan** (re-elected in 2008 for a four-year term expiring on 31 December 2012), **Egypt** (re-elected in 2006 for a four-year term expiring on 31 December 2010), **Fiji** (re-elected in 2006 for a four-year term expiring on 31 December 2010), **Jamaica** (re-elected in 2006 for a four-year term expiring on 31 December 2010). **Three** vacancies will need to be filled in Group D for the period 2011 to 2014.

Group E (18 members)

10. The current composition of Group E is **Cameroon, Chile, Côte d'Ivoire, Mexico, Nigeria, Qatar, Viet Nam** (elected in 2006 for a four-year term expiring on 31 December 2010), **Angola, Argentina, the Czech Republic, Guyana, Kenya, Namibia, the Netherlands, Poland, Senegal, Spain, Trinidad and Tobago** (re-elected /elected in 2008 for a four-year term expiring on 31 December 2012), **the United Kingdom of Great Britain and Northern**

Ireland (elected in 2008 for a four-year term expiring on 31 December 2012). **Seven** vacancies will need to be filled in Group E for the period 2011 to 2014.

11. A table showing the composition of the Council during the period 2006 to 2012 is provided as Annex I.

12. An indicative list of States members of the International Seabed Authority which are potential members of the groups defined in paragraph 15, sub-paragraphs (a) through (e) of the agreement is provided as Annex II.

Notes:

¹. A mineral is a naturally occurring inorganic element or compound. Rocks, as distinct from minerals, are composed of assemblages of minerals. When minerals are found in sufficient concentration to warrant extraction by mining, the mineralized area is considered an ore deposit. The definition of ore is mineral that can be extracted from the ground as profit. SME Mining Engineering Handbook, Howard L. Hartman, senior ed., Littleton, Colo.: SME/AIME, 1992. Based on the definition of minerals and the requirement that production must be from areas under the jurisdiction of States Parties, the relevant statistics relate to the primary production of four minerals – ores of nickel, copper, cobalt and manganese – from areas under the jurisdiction of the State Party and exports of said ores.

². ISBA/A/L.8 and Corr.1. The relinquishment of one seat in rotation was done to accommodate an extra seat for the African Group, which was in 1996 the largest regional group. Currently, the African Group is still the largest regional group, with 44 member States.

³. Italy will relinquish its seat in favour of the United States of America if it becomes a member of the Authority. This does not prejudice the position of any country with respect to any intervening election (ISBA/5/A/7*).

ANNEX I

COMPOSITION OF THE COUNCIL FOR THE PERIOD 2006 TO 2012

2006	2007	2008	2009	2010	2011	2012
Group A (4 members)						
Japan	Japan	Japan	Japan	Japan	Japan	Japan
Russian Federation	Russian Federation	Russian Federation	Russian Federation	Russian Federation		
China	China	China	China	China	China	China
Italy	Italy	Italy	Italy	Italy		
Group B (4 members)						
United Kingdom	United Kingdom	United Kingdom	Republic of Korea	Republic of Korea		
India	India	India	India	India	India	India
France	France	France	France	France		
Germany	Germany	Germany	Germany	Germany		
Group C (4 members)						
Canada	Canada	Canada	Australia	Australia		
Indonesia	Indonesia	Indonesia	Indonesia	Indonesia		
South Africa	South Africa	South Africa	Canada	Canada	Canada	Canada
Portugal	Portugal	Portugal	South Africa	South Africa	South Africa	South Africa
Group D (6 members)						
Brazil	Brazil	Brazil	Brazil	Brazil	Brazil	Brazil
Malaysia	Malaysia	Malaysia	Bangladesh	Bangladesh	Bangladesh	Bangladesh
Jamaica	Jamaica	Jamaica	Jamaica	Jamaica		
Sudan	Sudan	Sudan	Sudan	Sudan	Sudan	Sudan
Egypt	Egypt	Egypt	Egypt	Egypt		
Fiji	Fiji	Fiji	Fiji	Fiji		
Group E (18 members)						
Gabon	Gabon	Gabon	Angola	Angola	Angola	Angola
Namibia	Namibia	Namibia	Namibia	Namibia	Namibia	Namibia
Senegal	Senegal	Senegal	Senegal	Senegal	Senegal	Senegal
Nigeria	Nigeria	Nigeria	Nigeria	Nigeria		
Cameroon	Cameroon	Cameroon	Cameroon	Cameroon		
Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire		
Kenya	Kenya	Kenya	Kenya	Kenya	Kenya	Kenya
Myanmar	Viet Nam	Viet Nam	Viet Nam	Viet Nam		
Saudi Arabia	Qatar	Qatar	Qatar	Qatar		
Poland	Poland	Poland	Poland	Poland	Poland	Poland
Republic of Korea	Republic of Korea	Republic of Korea	United Kingdom	United Kingdom	United Kingdom	United Kingdom
Netherlands	Netherlands	Netherlands	Netherlands	Netherlands	Netherlands	Netherlands
Spain	Spain	Spain	Spain	Spain	Spain	Spain
Czech Republic	Czech Republic	Czech Republic	Czech Republic	Czech Republic	Czech Republic	Czech Republic
Argentina	Argentina	Argentina	Argentina	Argentina	Argentina	Argentina
Honduras	Honduras	Honduras	Chile	Chile		
Chile	Mexico	Mexico	Mexico	Mexico		
Guyana	Guyana	Guyana	Guyana	Guyana	Guyana	Guyana
Trinidad & Tobago	Trinidad & Tobago	Trinidad & Tobago	Trinidad & Tobago	Trinidad & Tobago	Trinidad & Tobago	Trinidad & Tobago

ANNEX II

INDICATIVE LIST OF STATES MEMBERS OF THE INTERNATIONAL SEABED AUTHORITY WHICH ARE POTENTIAL MEMBERS OF THE GROUPS DEFINED IN PARAGRAPH 15, SUB-PARAGRAPHS (A) THROUGH (E) OF THE AGREEMENT

1. GROUP A

MAJOR CONSUMERS OR MAJOR NET IMPORTERS

(Derived from lists 1, 2, 3 and 4 of ISBA/16/A/CRP.2)

Austria	India	Russian Federation, the
Belgium	Italy	South Africa
Brazil	Japan	Spain
China	Malaysia	Sweden
Canada	Netherlands, the	Ukraine
Finland	Norway	United Kingdom of
France	Philippines, the	Great Britain and
Germany	Republic of Korea, the	Northern Ireland, the
		Zimbabwe

2. GROUP B

MAJOR INVESTORS

(Derived from list 5 of ISBA/16/A/CRP.2)

Belgium	France	Poland
Bulgaria	Germany	Republic of Korea
Canada	India	Russian Federation
China	Italy	Slovakia
Cuba	Japan	United Kingdom of
Czech Republic, the	Netherlands, the	Great Britain and
		Northern Ireland, the

3. GROUP C

MAJOR NET EXPORTERS AND DEVELOPING STATE MAJOR EXPORTERS

(Derived from list 6 of ISBA/16/A/CRP.2 and List 6 of ISBA/14/A/CRP.2)

Argentina	Germany	Portugal
Australia	Ghana	Republic of Korea, the
Belgium	India	Russian Federation, the
Botswana	Indonesia	Singapore
Brazil	Mexico	South Africa
Canada	Mongolia	Ukraine
Chile	Morocco	Uganda
Cuba	Norway	Zambia
Finland	Papua New Guinea	Zimbabwe
France	Peru	
Gabon	Poland	

4. GROUP D

GROUP OF SPECIAL INTERESTS

(Developing States with large populations; developing States which are land-locked or geographically disadvantaged; developing island States; developing States which are potential producers; developing States which are major importers; least developed States. Derived from lists 7 to 13 of ISBA/16/A/CRP.2)

Algeria	Guinea-Bissau	Pakistan
Angola	Haiti	Palau
Antigua and Barbuda	India	Papua New Guinea
Argentina	Indonesia	Paraguay
Bahamas	Iraq	Peru
Bahrain	Jamaica	Philippines, the
Bangladesh	Jordan	Qatar
Barbados	Kiribati	Saint Kitts and Nevis
Belize	Kuwait	Saint Lucia
Benin	Korea, the Republic of	Saint Vincent and the Grenadines
Bolivia	Lao People's Democratic Republic, the	Samoa
Botswana	Liberia	Sao Tome and Principe
Brazil	Macedonia, the former Yugoslav Republic of	Saudi Arabia
Cameroon	Madagascar	Senegal
Cape Verde	Malaysia	Serbia
Chad	Maldives	Seychelles
Chile	Mali	Sierra Leone
China	Malta	Singapore
Comoros	Marshall Islands, the	Solomon Islands
Congo	Mauritania	Somalia
Cook Islands	Mauritius	South Africa
Côte d'Ivoire	Mexico	Sri Lanka
Cyprus	Micronesia (Federated States of)	Sudan
Cuba	Mongolia	Suriname
Congo, the Democratic Republic of	Montenegro	Trinidad and Tobago
Djibouti	Mozambique	Togo
Dominica	Myanmar	Tonga
Dominican Republic	Nauru	Tuvalu
Equatorial Guinea	Nepal	Uganda
Fiji	Nigeria	United Republic of Tanzania
Gabon	Niue	Vanuatu
Gambia, the	Oman	Yemen
Ghana		Zambia
Grenada		Zimbabwe
Guinea		

GROUP E

MEMBERS OF THE REGIONAL GROUPS

(Derived from list 14 of ISBA/16/A/CRP.2)

African Group (44)

Algeria	Gabon	Sao Tome and Principe
Angola	Gambia, the	Senegal
Benin	Ghana	Seychelles
Botswana	Guinea	Sierra Leone
Burkina Faso	Guinea-Bissau	Somalia
Cameroon	Kenya	South Africa
Cape Verde	Lesotho	Sudan
Chad	Liberia	Togo
Comoros, the	Madagascar	Tunisia
Congo, the	Mali	Uganda
Côte d'Ivoire	Mauritania	United Republic
Democratic Republic	Mauritius	of Tanzania, the
of the Congo, the	Morocco	Zambia
Djibouti	Mozambique	Zimbabwe
Egypt	Namibia	
Equatorial Guinea	Nigeria	

Asian Group (42)

Bahrain	Lao People's	Palau
Bangladesh	Democratic Republic	Papua New Guinea
Brunei Darussalam	Lebanon	Philippines, the
China	Malaysia	Qatar
Cook Islands	Maldives	Republic of Korea, the
Cyprus	Marshall Islands, the	Samoa
Fiji	Micronesia	Saudi Arabia
India	(Federated States of)	Singapore
Indonesia	Mongolia	Solomon Islands
Iraq	Myanmar	Sri Lanka
Japan	Nauru	Tonga
Jordan	Nepal	Tuvalu
Kiribati	Niue	Vanuatu
Kuwait	Oman	Viet Nam
	Pakistan	Yemen

Eastern European Group (22)

Albania	Croatia	Lithuania
Armenia	Czech Republic, the	Macedonia
Bosnia and	Estonia	Moldova
Herzegovina	Georgia	Montenegro
Belarus	Hungary	Poland
Bulgaria	Latvia	Romania

Russian Federation, the
Serbia

Slovakia
Slovenia

Ukraine

Latin American and Caribbean States Group (28)

Antigua and Barbuda
Argentina
Bahamas, the
Barbados
Belize
Bolivia
Brazil
Chile
Costa Rica
Cuba

Dominica
Dominican Republic,
the
Grenada
Guatemala
Guyana
Haiti
Honduras
Jamaica
Mexico
Nicaragua

Panama
Paraguay
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the
Grenadines
Suriname
Trinidad and Tobago
Uruguay

Western European and Other States Group (23)

Australia
Austria
Belgium
Canada
Denmark
Finland
France
Germany

Greece
Iceland
Ireland
Italy
Luxembourg
Malta
Monaco
Netherlands

New Zealand
Norway
Portugal
Spain
Sweden
Switzerland
United Kingdom of
Great Britain and
Northern Ireland, the