

**ELECTION TO FILL VACANCIES IN THE COUNCIL FOR THE PERIOD
2013 TO 2016 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 2013 to 2016.

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 2013 to 2016 each regional group other than the Eastern European Group should relinquish a seat in rotation in the following manner:

- (a) In the first year (2013), the Latin American and Caribbean Group would occupy six seats;
- (b) In the second year (2014), the Western European and Others Group would occupy seven seats;
- (c) In the third year (2015), the African Group would occupy nine seats;
- (d) In the fourth year (2016), 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 17 members of the Council expired on 31 December 2010. A vacancy-filling election was held on 7 May 2010 when the following States were elected to the Council for a period of four years each from 2011 through 2014, subject to the understandings reached in the interest groups and regional groups (ISBA/16/A/11):

- Group A: Italy, Russian Federation
- Group B: France, Germany, Republic of Korea
- Group C: Australia, Indonesia
- Group D: Fiji, Jamaica, Egypt
- Group E: Viet Nam, Qatar, Cameroon, Cote D’Ivoire, Nigeria, Chile, Mexico

At the same time, it was agreed that Italy would relinquish its seat in Group A in favour of the United States if the United States became a member of the Authority; this would not prejudice the position of any country with respect to any intervening election to the Council. Indonesia was elected for a four-year term as a member of Group C with the understanding that it would relinquish its seat to Chile after two years and will take up the seat in Group E that was previously occupied by Chile for the remainder of the four-year term. Chile was elected for a four-year term in Group E with the understanding that it would relinquish its seat to Indonesia after two years for the remainder of the four-year term. Qatar was elected for a four-year term as a member of Group E with the understanding that it would relinquish its seat to Sri Lanka after two years for the remainder of the four-year term.

II. ELECTION FOR THE PERIOD 2013 TO 2016

5. In accordance with the Convention and the decisions of the Assembly, the terms of office of **20** of the members of the Council will end on 31 December 2012. 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** (re-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 2010 for a four-year term expiring on 31 December 2014), **the Russian Federation** (re-elected in 2010 for a four-year term expiring on 31 December 2014). **Two** vacancies will need to be filled in Group A for the period 2013 to 2016.

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** (re-elected in 2010 for a four-year term expiring on 31 December 2014), **France** (re-elected in 2010 for a four-year term expiring on 31 December 2014) and **Germany** (re-elected in 2010 for a four-year term expiring on 31 December 2014). **One** vacancy will need to be filled in Group B for the period 2013 to 2016.

Group C (4 members)

8. The current composition of Group C is **Australia** (re-elected in 2010 for a four-year term expiring on 31 December 2014), **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 2010 for a four-year term with the understanding that it would relinquish its seat to Chile after two years for the remainder of the four-year term expiring on 31 December 2014). **Two** vacancies will need to be filled in Group C for the period 2013 to 2016.

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 2010 for a four-year term expiring on 31 December 2014), **Fiji** (re-elected in 2010 for a four-year term expiring on 31 December 2014), **Jamaica** (re-elected in 2010 for a four-year term expiring on 31 December 2014). **Three** vacancies will need to be filled in Group D for the period 2013 to 2016.

Group E (18 members)

10. The current composition of Group E is **Cameroon, Chile, Côte d'Ivoire, Mexico, Nigeria, Qatar, Viet Nam** (elected in 2010 for a four-year term expiring on 31 December 2014, with the understanding that Chile would relinquish its seat to Indonesia, and Qatar would relinquish its seat to Sri Lanka , after two years for the remainder of their terms), **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). **Twelve** vacancies will need to be filled in Group E for the period 2013 to 2016.

11. A table showing the composition of the Council during the period 2008 to 2014 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 45 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 2008 TO 2014

2008	2009	2010	2011	2012	2013	2014
Group A (4 members)						
Japan	Japan	Japan	Japan	Japan		
Russian Federation	Russian Federation	Russian Federation	Russian Federation	Russian Federation	Russian Federation	Russian Federation
China	China	China	China	China		
Italy	Italy	Italy	Italy	Italy	Italy	Italy
Group B (4 members)						
United Kingdom	Republic of Korea	Republic of Korea	Republic of Korea	Republic of Korea	Republic of Korea	Republic of Korea
India	India	India	India	India		
France	France	France	France	France	France	France
Germany	Germany	Germany	Germany	Germany	Germany	Germany
Group C (4 members)						
Canada	Australia	Australia	Australia	Australia	Australia	Australia
Indonesia	Indonesia	Indonesia	Indonesia	Indonesia	Chile	Chile
South Africa	Canada	Canada	Canada	Canada		
Portugal	South Africa	South Africa	South Africa	South Africa		
Group D (6 members)						
Brazil	Brazil	Brazil	Brazil	Brazil		
Malaysia	Bangladesh	Bangladesh	Bangladesh	Bangladesh		
Jamaica	Jamaica	Jamaica	Jamaica	Jamaica	Jamaica	Jamaica
Sudan	Sudan	Sudan	Sudan	Sudan		
Egypt	Egypt	Egypt	Egypt	Egypt	Egypt	Egypt
Fiji	Fiji	Fiji	Fiji	Fiji	Fiji	Fiji
Group E (18 members)						
Gabon	Angola	Angola	Angola	Angola		
Namibia	Namibia	Namibia	Namibia	Namibia		
Senegal	Senegal	Senegal	Senegal	Senegal		
Nigeria	Nigeria	Nigeria	Nigeria	Nigeria	Nigeria	Nigeria
Cameroon	Cameroon	Cameroon	Cameroon	Cameroon	Cameroon	Cameroon
Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire	Côte d'Ivoire
Kenya	Kenya	Kenya	Kenya	Kenya		
Viet Nam	Viet Nam	Viet Nam	Viet Nam	Viet Nam	Viet Nam	Viet Nam
Qatar	Qatar	Qatar	Qatar	Qatar	Sri Lanka	Sri Lanka
Poland	Poland	Poland	Poland	Poland		
Republic of Korea	United Kingdom	United Kingdom	United Kingdom	United Kingdom		
Netherlands	Netherlands	Netherlands	Netherlands	Netherlands		
Spain	Spain	Spain	Spain	Spain		
Czech Republic	Czech Republic	Czech Republic	Czech Republic	Czech Republic		
Argentina	Argentina	Argentina	Argentina	Argentina		
Honduras	Chile	Chile	Chile	Chile	Indonesia	Indonesia
Mexico	Mexico	Mexico	Mexico	Mexico	Mexico	Mexico
Guyana	Guyana	Guyana	Guyana	Guyana		
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/18/A/CRP.2)

Belgium	India	Russian Federation
Brazil	Italy	South Africa
Bulgaria	Japan	Spain
China	Malaysia	Thailand
Canada	Macedonia, the FYR of	Ukraine
Finland	Mexico	United Kingdom
France	Netherlands, the	<i>(United States)</i>
Germany	Norway	Zambia
	Republic of Korea	

2. GROUP B

MAJOR INVESTORS

(Derived from list 5 of ISBA/18/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

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/18/A/CRP.2)

Argentina	Ghana	Republic of Korea
Australia	India	Russian Federation, the
Belgium	Indonesia	Saudi Arabia
Botswana	<i>(Kazakhstan)</i>	Singapore
Brazil	Mexico	South Africa
Canada	Mongolia	Ukraine
Chile	Morocco	Uganda
Cuba	Norway	United Kingdom
D.R. of Congo	Papua New Guinea	United Rep. of Tanzania
Finland	<i>(Peru)</i>	<i>(United States)</i>
France	Philippines	Zambia
Gabon	Poland	Zimbabwe
Germany	Portugal	

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 6 to 13 of ISBA/18/A/CRP.2. Countries in italic are non-members of the ISA)

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

GROUP E

MEMBERS OF THE REGIONAL GROUPS

(Derived from list 14 of ISBA/18/A/CRP.2)

African Group (45)

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	Malawi	Uganda
Côte d'Ivoire	Mali	United Republic of Tanzania
Democratic Republic of the Congo	Mauritania	Zambia
Djibouti	Mauritius	Zimbabwe
Egypt	Morocco	
Equatorial Guinea	Mozambique	
	Namibia	
	Nigeria	

Asian Group (43)

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

Eastern European Group (22)

Albania	Estonia	Poland
Armenia	Georgia	Romania
Bosnia and Herzegovina	Hungary	Russian Federation
Belarus	Latvia	Serbia
Bulgaria	Lithuania	Slovakia
Croatia	Macedonia	Slovenia
Czech Republic	Moldova	Ukraine
	Montenegro	

Latin American and Caribbean States Group (28)

Antigua and Barbuda	Dominica	Panama
Argentina	Dominican Republic	Paraguay
Bahamas, the	Grenada	Saint Kitts and Nevis
Barbados	Guatemala	Saint Lucia
Belize	Guyana	Saint Vincent and the Grenadines
Bolivia	Haiti	Suriname
Brazil	Honduras	Trinidad and Tobago
Chile	Jamaica	Uruguay
Costa Rica	Mexico	
Cuba	Nicaragua	

Western European and Other States Group (23)

Australia	Greece	New Zealand
Austria	Iceland	Norway
Belgium	Ireland	Portugal
Canada	Italy	Spain
Denmark	Luxembourg	Sweden
Finland	Malta	Switzerland
France	Monaco	United Kingdom of Great Britain and Northern Ireland
Germany	Netherlands	