



International Seabed Authority  
**26<sup>th</sup> Session**  
2021

**SILENCE PROCEDURE**

**STEP-BY-STEP PROCESS FOR  
THE COMMISSION TO REACH CONSENSUS ON ANY DRAFT RECOMMENDATION OR DRAFT REPORT  
DURING THE VIRTUAL MEETINGS IN 2021**

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In view of the COVID-19 pandemic, the second part of the 26<sup>th</sup> session of the Legal and Technical Commission will be convened remotely between 22 March to 30 September 2021. Given the remote nature of the session and in order to ensure consistency and clarity in the decision-making process, it is suggested that any draft recommendation or report of the Commission will be adopted, unless decided by the Commission otherwise, under a silence procedure as follows:

1. The text of any draft recommendation or report (in the format of CRP, with CRP number allocated during the meeting) prepared by any working group or by the Chair will be circulated by the Secretary through email to all members of the Commission at least two days in advance of the plenary of the Commission.
2. The text of any draft recommendation or report will be fully discussed at the plenary of the Commission and, if needed, the Commission may decide that the relevant working group or the Chair prepares a revised draft text based on the discussions for further consideration. If a revised draft text is not needed, the Chair may proceed to paragraph 4.
3. The revised text of any draft recommendation or report prepared by the relevant working group or the Chair will be circulated by the Secretary to all members of the Commission at least two days in advance of the next plenary of the Commission for its discussion. The same process may be repeated where necessary.
4. In the event that there are no further comments from any member of the Commission, the Chair may announce that the final draft recommendation or report is ready to be circulated under the silence procedure.
5. The Secretary will then circulate through email the final draft recommendation or report and indicate in the same email that “if no objection is received from any member of the Commission in the next three days/by close of business on (Date), the final recommendation or report will be deemed as adopted by the Commission by consensus”.

6. Should any objection to the adoption of the final draft recommendation or report be raised within the three-day period in accordance with paragraph 5 above, the Chair will circulate an email informing that the silence has been broken. Any such objection will be considered by the Commission in the same manner as set out under the paragraphs 2 to 5 above. Any such objection should clearly indicate the reasons of objection.

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