



## Meeting of States Parties

Distr.: General  
17 December 2021

Original: English

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### Thirty-first Meeting (resumed)

New York, 8 December 2021

## Report of the thirty-first Meeting of States Parties resumed to elect one member of the Commission on the Limits of the Continental Shelf

### I. Introduction

1. The thirty-first Meeting of States Parties to the United Nations Convention on the Law of the Sea was resumed at United Nations Headquarters on 8 December 2021, pursuant to article 2, paragraph 3, of annex II to the Convention, for the purpose of filling one vacant seat in the Commission on the Limits of the Continental Shelf. The vacant seat resulted from the death of the former member and former Vice-Chairperson of the Commission, Jair Alberto Ribas Marques (Brazil). The election was held to fill that vacancy for the remainder of the term of office of Mr. Marques. Pursuant to the arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf approved at the nineteenth Meeting of States Parties, on 26 June 2009 ([SPLOS/201](#)), the vacant seat was allocated to the Group of Latin American and Caribbean States.

2. The Meeting had before it the agenda, as amended (see para. 5 below); a note by the Secretary-General concerning the election of one member of the Commission ([SPLOS/31/11](#)); a list of candidates nominated by States parties ([SPLOS/31/12](#)); and the curriculum vitae of the candidate nominated by the Government of Brazil ([SPLOS/31/CRP.1](#)).

### II. Opening of the Meeting

3. The President of the thirty-first Meeting, Holger Martinsen (Argentina), opened the resumed Meeting.

4. The Meeting observed a minute of silent prayer or meditation in honour of Mr. Marques.

### III. Adoption of additional agenda item

5. Upon the proposal of the President, the Meeting reopened agenda item 4, entitled “Adoption of the agenda”, and decided to amend the agenda ([SPLOS/31/1](#))



by including a new item (agenda item 15), entitled “Election of one member of the Commission on the Limits of the Continental Shelf”.

#### **IV. Credentials of representatives to the thirty-first Meeting of States Parties**

6. The Meeting reopened agenda item 12, entitled “Report of the Credentials Committee”. The President recalled that the thirty-first Meeting had approved the report of the Credentials Committee in June 2021 ([SPLOS/31/7](#)) on the understanding that the credentials would continue to be valid until the convening of the thirty-second Meeting, in accordance with rule 1 of the rules of procedure for Meetings of States Parties ([SPLOS/31/9](#), para. 12).

7. It was further recalled that, during the resumed twenty-eighth Meeting, in 2019, with a view to expediting the work of the resumed twenty-eighth Meeting and future resumed Meetings convened for the purpose of conducting elections, the Meeting decided that if there were a limited number of new or updated credentials, then it could proceed on the basis of an oral update by the Chair of the Credentials Committee on the credentials and other information concerning the appointment of representatives received from States parties since the adjournment of the Meeting ([SPLOS/327](#), para. 8).

8. On that basis, the Chair of the Credentials Committee, Julia Fielding (Sweden), provided an oral update<sup>1</sup> informing the Meeting that, after the thirty-first Meeting had approved the report of the Credentials Committee, the following States parties had submitted formal credentials: Australia, Bahamas, Belgium, Benin, Canada, China, Costa Rica, Côte d’Ivoire, Croatia, Czechia, Estonia, France, Grenada, Iceland, Ireland, Italy, Jamaica, Luxemburg, Mexico, Norway, Pakistan, Philippines, Portugal, Romania, Senegal, Singapore, Slovakia, Spain, Thailand, Timor-Leste, Trinidad and Tobago, Ukraine and Yemen. The Chair also informed the Meeting that, after the thirty-first Meeting had approved of the report of the Credentials Committee, the following States parties communicated to the Secretary-General provisional information concerning the appointment of representatives: Armenia, Bahrain, Bolivia (Plurinational State of), Chad, Guinea, Lebanon, Mali, Mozambique, Nigeria, Palau, Sierra Leone, Sudan and Suriname. Consequently, in total, formal credentials were received from 67 States parties and provisional information concerning the appointment of representatives was received from 67 States parties, including the European Union, on the understanding that formal credentials would be communicated to the secretariat as soon as possible.

9. The Meeting took note of the oral update by the Chair of the Credentials Committee and decided to accept the credentials mentioned therein.<sup>2,3</sup>

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<sup>1</sup> For the credentials that were accepted at the Meeting in June 2021, see [SPLOS/31/7](#) and [SPLOS/31/9](#), paras. 10–12.

<sup>2</sup> The representative of Azerbaijan informed the Secretariat that the credentials of Azerbaijan had been transmitted electronically on 29 October 2021. However, this communication was blocked by anti-spam software and was therefore not received in time for Azerbaijan to participate in the election.

<sup>3</sup> Information concerning the representatives from the Democratic Republic of the Congo was transmitted to the Secretariat prior to the start of the resumed thirty-first Meeting but inadvertently omitted from the oral update by the Chair of the Credentials Committee owing to a technical issue.

## V. Election of one member of the Commission on the Limits of the Continental Shelf

10. The President informed the Meeting of the election procedures and drew the attention of delegations to the relevant provisions of the Convention and the rules of procedure for Meetings of States Parties (SPLOS/2/Rev.5). Recalling the decision taken by the thirty-first Meeting of States Parties with regard to the ongoing vacancy concerning one seat allocated to members of the Commission from the Group of Eastern European States (see SPLOS/31/9, para. 63), the President also informed the Meeting that no nomination had been received from that group by the deadline of 17 September 2021. Therefore, the election was only to fill one seat allocated to the Group of Latin American and Caribbean States. Pursuant to article 2, paragraph 3, of annex II to the Convention, two thirds of the States parties (i.e., 112) constituted a quorum.

11. The representatives of Chile, Finland, Italy, Indonesia, Nigeria and the Republic of Korea acted as tellers.

12. In a single round of balloting, 109 ballots were cast. Antonio Fernando Garcez Faria (Brazil) was elected as a member of the Commission on the Limits of the Continental Shelf, with 106 votes in favour and 3 abstentions.<sup>4</sup> He will serve for the remainder of his predecessor's term, from the date of election, until 15 June 2023.<sup>5</sup>

13. On behalf of the Meeting of States Parties, the President congratulated Mr. Garcez on his election.

14. Recalling the action taken by the Meeting of States Parties to promote gender equality by revising the language of its rules of procedure to render them gender inclusive, the President reminded delegations of his encouragement to States parties to also promote gender equality through representation in the Bureau and thus to align the practice of the Meeting with initiatives taken in other forums, such as the General Assembly and its subsidiary bodies. Furthermore, he stressed the importance of ensuring the full and effective participation and equal opportunities at all levels for women in institutions relevant under the Convention, in order to achieve gender equality, as recognized in Sustainable Development Goal 5.<sup>6</sup>

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<sup>4</sup> Number of ballots cast, 109; number of invalid ballots, 0; number of valid ballots, 109; abstentions, 3; number of representatives of States parties present and voting, 106; required majority, 71; and number of votes obtained, Antonio Fernando Garcez Faria (Brazil), 106.

<sup>5</sup> The term of office will end on 15 June 2023, pursuant to the decision by the thirty-first Meeting of States Parties to extend the term of office of the current members of the Commission for one additional year (SPLOS/31/10).

<sup>6</sup> Since the establishment of the Commission on the Limits of the Continental Shelf, States parties have elected 2 female members of a total of 109 seats that were filled at elections or by-elections. The next election of 21 members of the Commission will take place during the thirty-second Meeting of States Parties, from 15 to 17 June 2022. Since the establishment of the Tribunal, States Parties have elected 6 female judges of a total of 51. The next election of seven members of the Tribunal will take place during the thirty-third Meeting of States parties, in June 2023.