



Meeting of States Parties

Distr.: General
17 April 2023

Original: English

Thirty-third Meeting

New York, 12–16 June 2023

Item 13 of the provisional agenda*

Election of seven members of the International Tribunal for the Law of the Sea

Note by the Secretary-General

I. Introduction

1. On 30 September 2023, the term of office of seven members of the International Tribunal for the Law of the Sea will expire. As a result, the following seats will become vacant:

- Two seats for members from the Group of African States
- Two seats for members from the Group of Asia-Pacific States
- One seat for a member from the Group of Eastern European States
- One seat for a member from the Group of Latin American and Caribbean States
- One seat for a member from the Group of Western European and Other States

2. The election to fill those seats will be held at the thirty-third Meeting of States Parties to the United Nations Convention on the Law of the Sea.

3. In accordance with article 4, paragraph 2, of the Statute of the Tribunal, the Registrar of the Tribunal has prepared a list in alphabetical order of all the persons nominated, with an indication of the States parties that have nominated them (SPLOS/33/5), and has circulated the curricula vitae of the nominated candidates (SPLOS/33/6). Further information, including procedures for the election and allocation of seats, is contained in the note by the Registrar on the election procedures (SPLOS/33/7).

II. Conduct of the election

4. According to practice, the date and time of the election will be decided on the first day of the Meeting, under the agenda item concerning the organization of work.

* SPLOS/33/L.1.



5. The election of the members of the Tribunal will be held in accordance with the following provisions:

(a) Article 4 of the Statute of the Tribunal;

(b) Rules 65, 66 and 70 of the Rules of Procedure for Meetings of States Parties ([SPLOS/2/Rev.5](#)).

6. Rule 70 provides that the election of the members of the Tribunal shall take place in accordance with the Statute of the Tribunal. Pursuant to article 4, paragraph 4, of the Statute, the members of the Tribunal shall be elected by secret ballot at a Meeting of States Parties convened through a procedure agreed to by the States parties. Two thirds of the States parties shall constitute a quorum at such a Meeting. It is stated in article 4, paragraph 4, of the Statute that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States parties present and voting, provided that such a majority includes a majority of the States parties.

7. The elections will be conducted in accordance with the practice outlined below, unless decided otherwise by the Meeting.

8. Ballot papers will be distributed to delegations of States parties whose credentials have been approved by the Meeting. It is recalled in this regard that the Meeting of States Parties will consider the report of the Credentials Committee before the election.

9. If a delegation arrives after the commencement of voting, it shall approach the podium in order to receive ballot papers. Only those candidates whose names appear on the ballot papers are eligible for election. In accordance with practice, ballot papers will include only the name and nationality of the candidates. Information on the nominating States is included in document [SPLOS/33/5](#).

10. Voting for a candidate is done by placing a cross in the box to the left of the name. Blank ballot papers will be considered abstentions. Ballot papers marked for more candidates than the number of seats indicated will be considered invalid. If a ballot contains any notation other than votes in favour of candidates whose names appear on the ballot, those notations will be disregarded.

11. With regard to the casting of ballots, the conference officers accompanied by the tellers will collect the ballot papers. Representatives will be requested to remain seated until all ballots have been collected. An opportunity will be provided to any delegation of a State party that has not yet cast its ballot to do so by approaching the podium. Subsequently, the tellers accompanied by the conference officers will proceed to the designated room to count the votes. Pursuant to rule 59 of the Rules of Procedure, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

12. On the basis of practice, in the forthcoming election, five separate ballot papers will be distributed, each containing the list of candidates from one of the five regions.¹

¹ At the twenty-seventh Meeting of States Parties, it was agreed that elections for the seven members of the Tribunal would be based on the confirmed regional allocation of seats and conducted in one step. The Meeting also agreed that five separate ballot papers would be distributed, each containing the list of candidates from one of the five regions, and that balloting would continue until the requisite number of candidates for each region obtained the highest number of votes and the required majority. In that regard, the Meeting agreed that, in the event of more than one round of balloting, restricted balloting would apply, as set out in rules 65 and 66 of the Rules of Procedure ([SPLOS/316](#), para. 75). It is recalled that the seat subject to the arrangement in paragraph 1 (f) of the document entitled “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” ([SPLOS/201](#)) was filled at the election held at the thirtieth Meeting of States Parties for a nine-year term of office from 1 October 2020 to 30 September 2029 ([SPLOS/30/14](#), paras. 21–24 and 27).

13. Pursuant to article 4, paragraph 4, of the Statute of the Tribunal, the candidates who obtain the largest number of votes and a two-thirds majority of the States parties present and voting, provided that such a majority includes a majority of the States parties, will be declared elected, up to the number of seats to be filled for each region.

14. In the event of more than one round of balloting, restricted balloting will apply, as set out in rule 65 of the Rules of Procedure, when one member is to be elected, or rule 66, when two or more members are to be elected, until all the seats have been filled.

III. Terms of office

15. In accordance with article 5, paragraph 1, of the Statute of the Tribunal and article 2, paragraph 1, of the Rules of the Tribunal, the terms of office of the elected members will begin on 1 October 2023 and end on 30 September 2032.
