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МЕЖПРАВИТЕЛЬСТВЕННАЯ ОКЕАНОГРАФИЧЕСКАЯ КОМИССИЯ

اللجنة الدولية الحكومية لعلوم المحيطات

政府间海洋学委员会

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IOC Circular Letter No 2976
(Available in English and French)

IOC/VR/JB/ic
20 Decembre 2023

To : IOC Member States (Official National Coordinating Bodies for liaison with the IOC)
Permanent Delegates/Observer Missions to UNESCO, and
National Commissions for UNESCO of IOC Member States

C.c. : The Chairperson and Vice-Chairpersons of the Commission
Officers of Major IOC Subsidiary Bodies (Scientific, Technical and Regional)

**Subject: Update of the UNESCO/IOC List of Experts on Marine Scientific
Research for use in Special Arbitration under Annex VIII of UNCLOS**

The United Nations Convention on the Law of the Sea ([UNCLOS](#)) stipulates in article 1 of its Annex VIII on Special arbitration that, inter alia, any party to a dispute concerning the interpretation or application of the articles of the Convention relating to marine scientific research, may submit the dispute to the special arbitral procedure provided for in that Annex. Article 2, paragraphs 1 and 2, of Annex VIII further provide, inter alia, that a list of experts shall be established and maintained in respect of marine scientific research and that the list of experts in this field shall be drawn up and maintained by the Intergovernmental Oceanographic Commission (UNESCO/IOC).

On the nomination of experts, article 2, paragraphs 3 to 5, of Annex VIII to UNCLOS, stipulate as follows:

- 3. Every State Party shall be entitled to nominate two experts in each field whose competence in the legal, scientific or technical aspects of such field is established and generally recognized and who enjoy the highest reputation for fairness and integrity. The names of the persons so nominated in each field shall constitute the appropriate list.*
- 4. If at any time the experts nominated by a State Party in the list so constituted shall be fewer than two, that State Party shall be entitled to make further nominations as necessary.*
- 5. The name of an expert shall remain on the list until withdrawn by the State Party which made the nomination, provided that such expert shall continue to serve on any special arbitral tribunal to which that expert has been appointed until the completion of the proceedings before that special arbitral tribunal.*

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Further details concerning compulsory procedures entailing binding decisions under UNCLOS, including a special arbitral tribunal constituted in accordance with its Annex VIII, are contained in Section 2 of Part XV (Compulsory Procedures Entailing Binding Decisions) and Section 3 of Part XV (Limitations and Exceptions to Applicability of Section 2), as well as in Annex VIII.

The current 'List of Experts on Marine Scientific Research for use in Special Arbitration under Annex VIII of UNCLOS drawn up and maintained by UNESCO/IOC', which was last updated in January 2016, is available on the website of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs in the Expert section on the use of special arbitration https://www.un.org/depts/los/settlement_of_disputes/experts_special_arb.htm. Pursuant to Article 2, paragraphs 3 to 5, of Annex VIII to UNCLOS, the list maintained by UNESCO/IOC can be updated anytime by States Parties through the IOC Secretariat.

Following a similar request made in August 2015 by UNESCO/IOC Circular letter 2592, I am inviting your national authorities to appoint expert(s), and/or to reappoint or replace the expert(s) designated in the current IOC List of Experts up to a maximum of two experts per State Party. Please send the nomination of your National Expert(s) to the IOC Secretariat, attention of Julian Barbrière (j.barbriere@unesco.org) at your earliest convenience, but not later than 15 February 2024.

Looking forward to your earliest reply, I remain,

Yours sincerely,

[signed]

Vladimir Ryabinin
Executive Secretary