

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION: COUNCIL - PART II

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.im.

1. Name of Working Group:

President's Text

2. Name(s) of Delegation(s) making the proposal:

The Pew Charitable Trusts

3. Please indicate the relevant provision to which the textual proposal refers.

Annex VI

4. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the "track changes" function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

1. The Health and Safety Plan prepared under these regulations and this annex must:
 - (a) Be prepared in accordance with Good Industry Practice, and [relevant] [applicable] standards and guidelines;
 - (c) [Be designed with the aim to] ensure that all personnel on a vessel or installation engaged in activities in the Area are provided with appropriate safety and health protection, including occupational safety and health protection, and live, work and train in a safe and hygienic environment [with roles and responsibilities allocated to relevant named personnel appropriately];
- 2 (c) A description of the measures taken to ensure that the vessel or installation is appropriately and sufficiently staffed ~~manned~~ in order to ensure that the vessel or installation is operated safely, efficiently and with due regard to security under all conditions;

B

Maritime Security Plan

- 1 (d) Provide an effective plan to ensure the application of measures on board the vessel(s) that are designed to protect the persons on board, the ancillary equipment, the cargo, the cargo transport units, the ships' stores or the vessel from the risks of a security incident;
- 1 (f) Be subject to inspection by [Inspectors appointed by the Authority under Part XI of these Regulations] ~~officers duly appointed by the competent authority~~;
- 1 (g) Be worded in plain language ~~and, for submission as part of an application for approval of a plan of work, prepared in an official language of the Authority.~~

5. Please indicate the rationale for the proposal. [150-word limit]

Section A: On 1(a), it would be useful for Annex VI to be accompanied by Standards or Guidelines from the ISA to assist Contractors understand what laws and rules are considered 'applicable'. Particularly where the Contractor is a private sector entity, so not directly bound by international treaties of the ILO

or IMO; and where there may be overlapping or conflicting national legal regimes on relevant issues between the vessel flag state, and the ISA sponsoring State.

Section B: On 1 (d), we suggest a small drafting amendment to reflect that there may be more than one vessel involved in the mining operations, and also that there may be significant technical equipment on the vessel(s) - which seems relevant to mention, rather than the current focus on cargo (which seems less relevant, though may apply to the barges carrying the ore away from the mining site?)

This wording of 1(f) should be amended to reflect the specific context of the ISA e.g. 'inspectors appointed by the Authority under Part XI of these Regulations' - though this may need to be updated as and when that Part of the regulations is settled.