

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH 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.jm.

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

The Pew Charitable Trusts

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

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3. 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 Contractor shall conduct and carry out the training of personnel of the Authority and developing States on an ongoing basis in accordance with the approved Training Plan commitment under Schedule 8 to the Exploitation Contract, these Regulations and any training ~~[Standards, and taking into consideration]~~ Guidelines.

2. The Contractor, the Authority and the Sponsoring State or States may, from time to time, as necessary, revise and develop the Training Plan by mutual agreement, taking into account ~~the shortage of any skills and requirements of the industry in the undertaking of activities in the Area~~ the special needs of developing States, in particular geographically disadvantaged States and landlocked States and the training applicable Standards, taking into consideration Guidelines.

~~3. Any mutually agreed modification of or amendment to the Training Plan shall become part of Schedule 8 to the Exploitation Contract.~~

~~4. [In the case of specific training on Mitigation and the prevention of pollution from the Area, participation of representative of the adjacent coastal State should be ensured.]~~

~~(5) The Contractor shall in the Training Plan:~~

~~(i) include measures to ensure protection of the health, safety and rights of trainees, and~~

~~(ii) demonstrate how gender equality, inclusivity, non-discrimination, and diversity are implemented in the Contractor’s approach to training opportunities.~~

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

We are pleased to see that legally binding Standards are now referenced in paragraph (1). We would like to see these Standards prioritised in phase 1, and developed concurrently with the Regulations, so that all stakeholders can see what training obligations apply to Exploitation Contractors.

In paragraph (2), we suggest amending the language, so that it is more reflective of UNCLOS, as the source for the training obligation. UNCLOS focuses on the special needs of developing States, particularly geographically disadvantaged and land-locked States. The need of the industry is not a criterion we can find in UNCLOS.

We suggest deleting paragraph (3), as redundant. While it is generally correct that any mutually agreed modification to any Plan shall become part of the contract, it is unclear why it would be expressly stated here in relation to the Training Plan (alone) and may give rise to inconsistency with DR57 (‘Modification of a Plan of Work’).

We also propose adding a new paragraph to include measures to ensure the protection of trainees' health and safety. This is to recognize the duty of care the ISA (and Contractors) have to such individuals, and to reflect that the legal responsibility that an international organization such as the ISA has to uphold human rights.