

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART II**

***Informal Working Group – Institutional matters***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council2022@isa.org.jm](mailto:council2022@isa.org.jm).*

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

ITALY

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

DR 1

**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.**

DR 1 (1)	<p>Italy prefers existing para 1, as we consider the reference to relevant applicable international agreements too generic.</p> <p>However, as far as the original wording is concerned, and in the light of the content of alt 1, we reiterate the necessity to discuss what is meant with the expression “Rules of the Authority” and whether we agree with the content of the definition contained in the Schedule.</p> <p>In particular, it is urgent to understand whether the Convention, the Agreement and Standards are parts to such Rules. Indeed, in some Regulations, it appears not appropriate to refer to all legal instruments contained in the definition, as some could be applicable while others could not.</p> <p>Generally speaking, we do not see it appropriate to include in the DR 1 (1) also the Convention and the Agreement together with the Rules of the Authority. At the same time we see merit in having the decisions of the Council included among the Rules of the Authority, to the extent that, pursuant to section 3.3 (a) of the Standard clauses for exploitation contracts, they are binding for contractors and contribute to the definition of the legal framework within which exploitation operations take place.</p> <p>In any case, whatever the decision taken by the Council in this regard, we call for having a consistent use of the wording throughout the text for legal certainty. Instances in the draft text, where regulations and Rules of the</p>
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	Authority are mentioned together do not seem to go in this direction (see, for instance, in the standard clauses).
DR 1 (3)	If the Schedule is included within the Draft Regulations, then this paragraph becomes redundant.
DR 1 (4)	<p>Italy believes that an analysis by the LTC of the interaction between Marine Scientific Research and exploration regulations could have been helpful.</p> <p>We support alt 1, but we propose to change “<i>as reflected</i>” with “<i>in accordance with</i>”, as this would also include reference to para 2 on the balance between freedoms of the high seas and other uses of the sea. Italy would like to move the last sentence to para 2.</p>
DR 1 (5)	<p>While Italy recognizes the need of a higher level of detail, it does not support alt. 1 and does not agree on the term “accompany”. Italy nonetheless concurs on the fact that the existence of REMPs should be a precondition for licensing.</p> <p>In any case, in this provision, reference to REMP only is limitative, as other management tools could be used in the future.</p> <p>Italy does not support the last sentence of alt. 1.</p>
DR 1 (7)	The new paragraph is not necessary

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