

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART I**

Informal Working Group - Environment

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.

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

ITALY

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

DR 48 bis

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.

General remarks

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

A successful **test-mining** should be mandatory and a prerequisite for the approval of a PoW. We therefore support the inclusion of a **reference to it also in DR7**, as it has been appropriately done in the Draft.

It is important as well that an **EIA is conducted before a test mining**, in line with the recommendations issued by the LTC (ISBA/25/LTC/6/Rev.1). These recommendations should however be updated taking into account the kind of activities conducted throughout a test-mining. Alternatively, the provisions in DR 46bis could apply mutatis mutandis.

Test mining is to be conducted during the last stage of an exploration phase. These regulations should instruct applicants on how to provide the LTC with the result of such test mining. We support the suggestion for an **additional annex** to this end to be included in the regulations. Such Annex should also clarify the stages, timing and content of the test.

The current proposal for DR 48 bis provides for “at least” two mining tests: when applying for an approval of a Plan of Work and before Commercial Production commence. Italy would be happy for a successful mining test to be conducted before a Plan of Work is approved, according to para. 2 of the DR. We would welcome

however clarifications on the actual need of a second mining tests before the commencement of commercial production.

Besides, **limits to extracted minerals** should be defined, to avoid de facto starting mining activities under the justification of mining tests.