

**Statement by the Italian Delegation Kingston, 23 March 2022**

**Speaker: Mr Daniele Bosio**

**Draft Regulation 48 bis**

Italy thanks Germany for its proposal. We support that a successful test-mining be mandatory and a prerequisite for the approval of a PoW. We therefore also support the inclusion of a reference to it 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. We will provide appropriate wording through the template.

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 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 are however open to 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.