

By Invitation - Mining the abyss

The deep sea needs rules, says the head of the body that governs it

Leticia Carvalho on why the world will be worse off if America goes its own way

A RECENT ARTICLE in *The Economist* asserted that President Donald Trump “[is right to go after metals in the deep sea](#)” and that the International Seabed Authority (ISA), the intergovernmental body tasked with overseeing such activities, must expedite the completion of the necessary legal framework. With governments and other stakeholders meeting in Nice, France this week at the UN Ocean Conference to discuss the future of the oceans, the world is watching, keen to understand the implications of the evolving debate over deep-sea mining.

As secretary-general of the ISA, I am confident that we are on track to deliver a strong, science-based regulatory regime that will ensure effective governance of the future exploitation of mineral resources in the deep sea and protect the marine environment. This aligns with the efforts of ISA member states when they established a clear roadmap in 2023.

These are still early days. Current thinking is that the deep sea could supply some of the metals powering modern technological innovations, including those in the green energy transition. However, the demand for these metals is constantly evolving.

Established in 1994, the ISA has faced criticism for taking too long to finalise the framework that would evaluate, then regulate, activities in the deep seabed beyond national jurisdiction. I understand the frustration, but the pace simply reflects the realities of negotiating a complex issue in a highly challenging environment. Under international law, the deep seabed belongs to no single country or corporation—it is our common heritage. If we lose sight of this, we risk repeating on the ocean floor the same injustices and de-

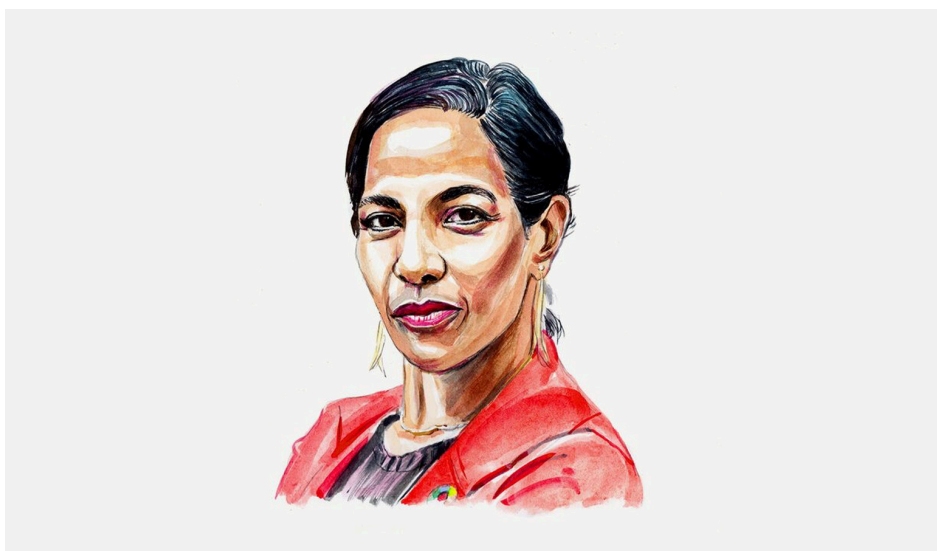


ILLUSTRATION: DAN WILLIAMS

struction that we strive to remedy on land. The ISA, whose membership comprises 169 states and the European Union, proceeds by consensus. That takes time. Far from being a mechanism to block progress, the organisation exists to enable activities in the deep sea responsibly, equitably and sustainably.

The recent executive order issued by the US administration, which asserted its right to issue mining licences in international waters, has brought this to wider attention. I appreciate the momentum that has been injected into the discussions as we look to fulfil our commitments with deliberation and in accordance with the law.

We stand on the brink of a historic moment—just as we did more than 60 years ago when, amid fierce global rivalries and the threat of nuclear conflict, states came together to craft the Law of the Sea: a trea-

ty-based commitment to treat the seabed as humanity's common heritage. Today, technological advances in deep-sea exploration bring us to the threshold of a new endeavour—one that calls upon the best of our collective capabilities.

The United States, though not a formal party to the UN Convention on the Law of the Sea (UNCLOS), has long engaged in ISA discussions. That contribution is especially important now as we strive to finalise the Mining Code that will guide responsible development of seabed mineral resources, an aspiration echoed in the US's executive order.

Mr Trump says there is no country that can accelerate the exploration and exploitation of deep-sea minerals as well as America, in terms of both technology and financing, while also following responsible practice. If this is so, then I encourage his administration to join the ISA member

states at the table and work with us within the framework of UNCLOS, rather than walk a unilateral path that risks undermining much-needed global co-operation and inadvertently jeopardising the agreements governing conduct on the high seas today.

I acknowledge there is a race to gain access to minerals that is driving some of the urgency we see today. Ensuring that this access is fair and balanced is, however, essential to global stability. To understand what is at stake, I refer to the UN secretary-general's remarks from this week's conference: "I support the ongoing work of the ISA on this important issue. The deep sea cannot become the Wild West."

Untested and hastily approved corporate ventures backed by weak financing should not be allowed to undermine this noble mission, which will test the greatest minds in science, technology and finance. Moreover, fast-tracking development outside ISA oversight carries serious risks not just for the environment but for

ocean infrastructure and activities such as trade and navigation. Today, 95% of global internet and financial traffic depends on undersea cables. These have long been protected by multilateral frameworks that protect navigational freedoms, enforce maritime boundaries and resolve disputes. Undermining those frameworks by setting a precedent for unilateral action could have far-reaching and destabilising consequences.

The risk to investors is just as big. Products derived from ventures that violate international law will come with reputational and legal jeopardy. Markets don't thrive in chaos: they need predictability, legal certainty and strong governance—all of which the ISA exists to provide. We must ensure that those who set out to mine the abyss operate responsibly.

Responsible mining will require great vigilance. The seabed, where monitoring and inspection are especially complex, demands a robust and equitable regulato-

ry regime. The draft Mining Code reflects this, with strict provisions on due diligence, science, technology, safeguards and accountability. That many member states are calling for a delay until these are in place should not be viewed as obstruction but prudence.

As competing interests vie for access to the deep sea, the rules that govern it must be anchored in fairness, equity and science. I trust that when state parties and other stakeholders come to Kingston, Jamaica in July for the ISA Assembly, an important policymaking forum, they will articulate UNCLOS's values with pragmatism, based on the best science available. This is a shared responsibility—to the environment, to each other and to those who will inherit the consequences of the decisions we make today. I hope that the United States will join us. ■

Leticia Carvalho is the secretary-general of the International Seabed Authority.