Media Briefing: International Seabed Authority 30th session Council 7-18 July

Assembly 21-25 July

The International Seabed Authority (ISA) <u>will hold Part II of its yearly Council and Assembly meeting</u> starting next week. Greenpeace will have a delegation in Kingston, joined by members of the Indigenous-led Pacific movement that opposes this destructive industry.

A key backdrop to this meeting is that the Donald Trump administration has recently signed an <u>executive order</u> to fast-track deep sea mining within U.S. and international waters.

MORATORIUM ON DSM

The adoption of a moratorium, now supported by 37 countries, is the strongest and most immediate response to this push to undermine global ocean governance. It would be the way to take the heat out of an increasingly volatile situation for our ocean. Growing voices are making the argument that the time is now. The 3rd UN Ocean Conference, UNOC, held in Nice in June, was the place where more countries voiced the need to stop deep sea mining.

The French ocean envoy said, "Seabed mining will not start illegally, and we will now go to Jamaica to discuss it one month from now". Macron followed: "I can tell you: The ocean is not for sale! Greenland is not for sale! The Arctic is not for sale! The seas are not for sale. We are talking of a common heritage of humankind!"

The same warning was <u>echoed</u> by UN Secretary General António Guterres, who stated that "The deep sea cannot become the Wild West".

Last week, the OSPAR states sent a clear and united message in defence of multilateralism, pushing back firmly against Trump's recent attack on global governance. Their show of solidarity lays important groundwork ahead of key decisions at the upcoming ISA meeting. It also signals to Norway that its deep sea mining ambitions in the Arctic will face close scrutiny from OSPAR members—most of whom support a precautionary pause or moratorium on this harmful and high-risk industry.

Also see UN Special Rapporteurs position <u>HERE</u>, concluding that "States must urgently decide to implement a precautionary pause on DSM activities" as "A precautionary pause or moratorium on DSM would also allow for the establishment of adequate, effective and participatory measures to avoid the risks posed by DSM today".

MINING CODE - The ISA caving in to corporate pressure

Weeks before the ISA the President of the Council, <u>H.E. Duncan Laki, circulated instructions to ISA parties to speed up discussions in an attempt to finalize the Mining Code</u> by July or November 2025, which is both unreasonable, rushed and untenable. These included strong limitations of intervention times or recourse to smaller meetings where observers were excluded.

With growing scientific concern and mounting public pressure, the ISA must change its ways and clearly stop the industry from influencing the meetings' agenda and timeline that suited its interests. <u>Greenpeace has sent a letter</u> to Secretary General Leticia Carvalho, stating that the ISA must not reward attempts by deep sea mining companies to rush negotiations. <u>Other NGOs</u>, Indigenous peoples and some States also addressed the issue.

The Mining Code is not a solution—neither to the legitimacy crisis surrounding deep-sea mining nor to the growing geopolitical tensions it fuels. An increasing number of states acknowledge that we are still decades away from fully understanding the irreversible environmental damage that such mining could cause. There remains no compelling evidence that deep-sea minerals are essential for the green transition and even deep sea miners are abandoning this argument. Instead, serious concerns arise that deep sea mining will become yet another instance of resource grabbing—dominated by a handful of greedy corporations from the Global North—taking place in the Pacific and offering little to no benefit for local communities, who are most likely to bear the environmental and social costs.

TRUMP'S EXECUTIVE ORDER

In the last hours of the ISA March meeting, The Metals Company (TMC) announced its intention to bypass the ISA by submitting the first-ever application to commercially mine in international waters. This was swiftly followed by an <u>executive order</u> from President Trump supporting domestic seabed mining and TMC submitting the first-ever deep sea mining application for the international seabed, to the US authorities.

This move to carve up the Pacific Ocean has seen fierce international opposition and this next ISA meeting will be the moment for governments to come together and demonstrate their rejection of this unilateral move - and to the start of deep sea mining altogether.

The international seabed is the common heritage of humankind, and nearly 200 governments have signed up to the framework designed to prevent states from taking unilateral action to exploit it. In its latest financial filings, TMC acknowledged that many governments are likely to view the deep-sea mining permit issued under the Trump administration as a violation of international law [1]. This could result in lawsuits, being unable to sell minerals, and companies refusing to work with TMC throughout the supply chain. Pressure is already mounting on Allseas, a company headquartered in Switzerland who is the owner and provider of the deep sea mining

ship and machinery and also one of TMC's largest shareholders, with the CEO saying that Allseas "would not do anything illegal".

Recently, <u>Dutch media reported</u> that Minister Sophie Hermans is raising concerns directly with Allseas over their involvement with TMC. So did the <u>Swiss government</u>.

The <u>Swiss government also confirmed</u> they are monitoring the US situation closely and recently signed on to <u>joint statement from over 20 governments</u> affirming that 'Any deep-seabed-related activity in areas beyond national jurisdictions must be based on a fully operational and universally respected multilateral legal framework, on independent and thorough scientific assessments of environmental impacts, and on the principles of transparency, international cooperation and that 'we reaffirm our commitment to protect the deep sea, and we call on all our partners to promote the respect for international law'

The French Minister for Ecological Transition <u>has written to her Canadian and Swiss</u> <u>counterparts</u> urging them to put pressure on TMC and Allseas.

BIODIVERSITY AT RISK

A <u>recent scientific survey</u> carried by researchers from the University of Exeter and Greenpeace Research Laboratories of two areas targeted by The Metals Company for deep sea mining in the Pacific Ocean has confirmed the presence of whales and dolphins, including sperm whales, which are <u>listed as vulnerable</u> on the IUCN Red List of Threatened Species.

The survey, published in the scientific journal Frontiers in Marine Science,looks at two exploration blocks held by The Metals Company in the Pacific's Clarion-Clipperton Zone (known as NORI-D, and TOML-E). Add that NORI-D is reportedly the area TMC have applied to mine via the US.

Dr Kirsten Young, Lead Study Author, University of Exeter said: "We already knew that the Clarion-Clipperton Zone is home to at least 20 species of cetaceans, but we've now demonstrated the presence of some of these species in two areas specifically earmarked for deep sea mining by The Metals Company."

NOTES

[1] TMC states that applying to the US for access to the international seabed, "may cause additional regulatory and political tensions" and "may result in our need to engage in costly and time-consuming litigation". The company reveals it is well-aware that the 169 governments + the European Union who are parties to the UN Convention on the Law of the Sea "are under a legal obligation, under UNCLOS, not to recognize any commercial recovery permit issued to us under [unilateral US regulations]" and that "many UNCLOS parties and the ISA are likely to regard such a permit as a violation of international law". The company reveals to investors that this "could affect international perceptions of the project and could have implications for logistics, processing, and market access in UNCLOS parties for seabed minerals extracted under a U.S. license and for downstream products containing them, or for partnerships involving foreign entities, and could also result in actions, pursuant to UNCLOS, against TMC under the national laws of UNCLOS parties, any or all of which could have a material adverse effect on our business, financial condition, liquidity, results of operations and prospects.

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Q+A on background:

How does the ISA work?

The member states of the ISA are organised in two bodies: the Council and the Assembly. The Council has 36 seats, organised in four Chambers, which rotate between different states. In 2025, the following states are members of the Council: China, Italy, Japan, Russian, France, India, the Netherlands, Korea, Australia, Chile, Canada, South Africa, Bangladesh, Brazil, Nauru, Jamaica, Lesotho, Uganda, Argentina, Indonesia, Cameroon, Costa Rica, Ghana, Mauritius, Mexico, Morocco, Sierra Leone, Belgium, Nigeria, Poland, Tanzania, Singapore, Portugal, Tonga, Trinidad and Tobago, Ireland.

The Council meets twice a year, in March and in July. After the Council meeting in July, the Assembly meets. The <u>Assembly</u> consists of all states which are parties to UNCLOS. Not all member states send a delegation to the ISA. In fact, last year in 2024, was the first time there ever has been a quorum at the ISA Assembly. Yet, the states which do engage often send delegations to both the Council meetings and the Assembly, regardless of whether they hold a seat on the council or not. These delegations can have great impacts on the discussions, i.e. if they are voicing their support for a moratorium/precautionary pause.

What is deep sea mining?

Deep sea mining is a brand new extractive industry that wants to open up a new frontier for corporate greed: the deep ocean. The good news? Deep sea mining has not started yet – so we can stop it before it causes harm to our planet and communities, and pollutes our politics.

Deep sea mining would lead to irreversible damage to marine habitats and ecosystems, undermining efforts to combat climate change.

This industry is dominated by a handful of private companies based in North America and Europe, operating through murky subsidies and partnerships. So far, over 1.5 million square kilometres of the global oceans have been licensed for deep sea mining exploration, mainly in the Pacific Ocean but with some licences in the middle of the Atlantic and some in the Indian Ocean. This industry repeats all the power dynamics of the fossil fuel industry and other neo-colonial extractive industries.

In 2025, companies are trying to get governments to give them a greenlight to start exploitation. One company (The Metals Company) is threatening to submit the world's first ever deep sea mining application for the international seabed in June. Deep sea mining contractors are lobbying governments to agree a Mining Code that would allow deep sea mining to start.

In light of this urgent threat, 32 governments are vocally opposing the start of deep sea mining – and they are calling for a vote on a moratorium at the International Seabed Authority in 2025.

The international seabed is legally the "common heritage of humankind", meaning DSM should only be able to start if it can benefit humanity and future generations. The development of the industry shows that while a few foreign private companies may see short-term profits, the long-term consequences for coastal communities and ecosystems we rely on for food, climate resilience and cultural heritage could be dire. Deep sea mining companies are using greenwash to try to win political approval, arguing that mining the seafloor is necessary to gain critical minerals for the green transition – even though these companies have closer links with the weapons industry, and clean energy companies are saying they won't use deep sea minerals because of the environmental risks. Public concerns and scientific warnings have successfully mobilised political opposition to DSM – starting in the Pacific, where the resistance of community organisers led to the first governments calling for a moratorium, and spreading to Latin America, the Caribbean and Europe.