

# Deep sea mining

## MINERAL EXPLORATION IN THE PACIFIC

### Overview

The Pacific Islands are already producers of transition minerals, including copper, cobalt and nickel, mined onshore in Papua New Guinea, Fiji and New Caledonia. But the real opportunity to dramatically expand transition mineral production is offshore, in the deep sea. This opportunity comes with significant human rights risks.

In the last decade, companies and governments have increasingly pursued exploration of the deep sea, where minerals essential to renewable energy technology may be found in large quantities. Copper, nickel, cobalt, lithium, manganese and rare earth elements (REEs) are all found on or below the Pacific seabed; none have yet been commercially mined. Given the current geographic concentration of some of these minerals, companies and governments are eager to expand production to new geographies to diversify supply chains and guard against disruption. Exploration has begun in earnest, with more than 1.5 million squared kilometers in the Pacific and Indian oceans already set aside for mineral exploration, an area nearly the size of Mongolia.

However, Indigenous groups and civil society organisations have raised concerns about the potential for human rights abuse associated with seabed mining, including the potential destruction of Indigenous cultures and livelihoods and irreparable environmental damage to sensitive and critical ecosystems, including potential impacts on ocean biodiversity and sensitive food chains. The impact of mining has already been disproportionately felt by Indigenous Peoples in the Pacific. This has included mining prospecting operations disturbing traditional fishing grounds in Tonga, and high rates of dead fish washing ashore from the Bismarck Sea in Papua New Guinea. They have also emphasised the lack of transparency in governance institutions managing exploration. In June 2020, citizens and civil society members of Tonga called for a moratorium on deep sea mining, citing the “critical role” of the ocean in “sustaining [our] Pacific society.”

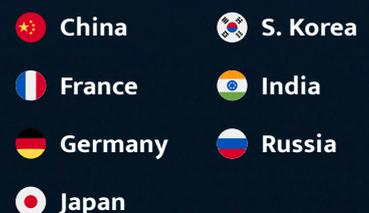
### KEY STATS

**1.5M+ km<sup>2</sup>**

in the Pacific and Indian oceans set aside for mineral exploration

**30** mineral exploration contracts awarded to **21 companies**

**18/30** contracts are held by companies from:



“Human rights risks” include harms to Indigenous Peoples’ rights and cultures, irreparable environmental damage, and impacts on ocean food chains.

## Who has the right to the sea?

Mineral deposits on the ocean floor may lie both within and outside the limits of a country's national borders. Under the [United Nations Convention on the Law of the Sea \(UNCLOS\)](#), each country is entitled to grant licenses to companies to undertake exploration and to exploit the resources within their exclusive economic zones (EEZ). Beyond the EEZ, exploration and production are governed by the International Seabed Authority (ISA), which has the authority to grant licenses to explore and exploit natural resources, but has limited environmental management authority: ISA does not have jurisdiction over the broader marine environment. To date, the ISA has [awarded](#) a total of 30 mineral exploration contracts in international waters to 21 companies. Companies from [seven countries](#) hold at least 60% of these contracts: China, France, Germany, Japan, South Korea, India and Russia.

ISA's practices have drawn criticism. Civil society argue that ISA [promotes development](#) over conservation, and raise skepticism of its close ties with industry. The Secretary-General of ISA has actively promoted specific company mining interests at political meetings and company heads have spoken on behalf of governments at ISA meetings, all of which blur the boundaries between public and private interests. Some experts on ISA's advisory board are even employed by deep sea mining contractors.

In 2012, coalitions of Indigenous and coastal communities of Papua New Guinea, started a years-long [campaign](#) against Canadian company Nautilus Minerals' deep sea mining exploration, arguing Nautilus had failed to secure their Free, Prior and Informed Consent and failed to give adequate [information to communities](#) about the project's social and environmental impacts (such as [pollution of waterways](#) and [resulting impacts on fisheries](#)). Nautilus Minerals [argued](#) they had undertaken extensive consultation, including with local communities, and that the environmental impact statement addressed all noted concerns.

## Companies' Practice in Focus: Nautilus Minerals & DeepGreen Metals

This opposition ultimately doomed the project. In March 2018, British mining giant, [Anglo American](#) sold its shares in [Nautilus Minerals](#). In 2019, Nautilus Minerals went [bankrupt](#). The saga was part of what [prompted/partly prompted](#) the Governments of Fiji, Vanuatu and Papua New Guinea to call for a 10-year moratorium on deep-sea mining in order to undertake adequate research on potential mining impacts in the deep sea. However, [activists remain diligent](#), as Nautilus maintains its deep-sea mining licenses that could potentially be utilised or sold in the future.

[DeepGreen Metals](#), a Canadian company, backed by [global investors and shareholders](#), is also pursuing deep-sea mining activities across multiple Pacific Island countries. This includes its acquisition of Tonga Offshore Mining Limited in April 2020, which is overseeing the restructuring of Nautilus Minerals. DeepGreen is [one of four companies](#) that own half of all issued licenses in the Clarion-Clipperton Zone (CCZ), an [ocean area](#) 1.7 million square miles between Hawaii and Mexico that is in high demand for deep-sea mining activities. Civil society have raised [allegations](#) that DeepGreen's activities have lacked transparency, and that their licenses were largely obtained through shell companies, partnerships and sub-contractors whose connection to DeepGreen was not fully disclosed at the time of application. The company has [denied](#) allegations that its approach lacked transparency or involved illicit or inappropriate relationships with government officials.

Other companies exploring for transition minerals in the Pacific face similar risks; adequate human rights due diligence, including community engagement, is critical to avoid similar outcomes. Given rapidly increasing demand for these minerals, and the desire by companies and governments to diversify sourcing of them, it is likely that pressure to explore and produce transition minerals from the deep-sea bed will continue. If so, a just transition requires further scientific study of the environmental impacts of deep-sea mining and the full participation of Indigenous and coastal communities, and civil society organisations to inform more transparent, comprehensive and therefore effective regulations.