

Deep Seabed Mining and Human Rights

The ocean is one of the greatest allies to humanity in the fight against the triple planetary crises of climate change, biodiversity loss, and pollution.

It is important for the ISA's state members to secure their commitment to respect, protect and fulfil human rights, including the right to the highest attainable standard of health, to food and to a clean, healthy and sustainable environment. National binding responsibilities to respect human rights and potential litigation consequences if they are not met, should also be taken into consideration. In that regard, international negotiations at the ISA should also be informed by a human rights-based approach and take a participatory approach to decision-making, including defining safeguards such as the free, prior, and informed consent (FPIC) for Indigenous Peoples. Such a public consultation mechanism is one of the conditions to be met, without which mining activities should not be allowed to commence.

A clean, healthy and sustainable deep-ocean is not solely an environmental or equity requirement, it is also a fundamental human right that should be respected and defended.

Additional reading

[Brief on the topic](#) of DSM by the Office of the United Nations High Commissioner for Human Rights (OHCHR) confirming a connection between, this developing industry and human rights.

Morgera E, Lily H. Public participation at the International Seabed Authority: An international human rights analysis. RECIEL doi [10.1111/reel.12472](#)

Hamley GJ. The implications of seabed mining in the Area for the human right to health. RECIEL doi [10.1111/reel.12471](#)

American Journal of International Law [Ownership in the deep seas](#) edited by Julian Arato, Aline Jaeckel, Lucas Lixinski March 2024

Open Letter dated 15 March 2024 by the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment to the International Seabed Authority: [2024-03-15-open-letter-to-isa.pdf \(ohchr.org\)](#)

IUCN Resolution 122 for the Protection of deep-ocean ecosystems and biodiversity through a moratorium on seabed mining: [WCC_2020_RES_122_EN.pdf \(iucn.org\)](#)

Date: 28 March 2024

Contributors

- Clément Chazot (IUCN)
- Pradeep Singh (RIFS-Potsdam)
- Raphaelle Flint (Dona Bertarelli Philanthropy)
- Hannah Lily (Independent legal consultant, UK)
- Holly Niner (University of Plymouth)
- Jessica Battle (WWF)

Online version

