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CHAIR REPORT

Forum: Special Political and Decolonization Committee

Issue: Regulating deep-sea mining in disputed maritime territories

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Introduction:

The growing global demand for rare earth minerals has led many countries and companies to look toward the deep sea for new sources of valuable resources. These minerals are essential for building electronics, renewable energy systems, and modern technologies, making deep sea mining an increasingly attractive option. However, this has raised major concerns about environmental damage, fairness in access to these resources, and political tensions over ownership. In particular, areas like the South China Sea and the Clarion Clipperton Zone have become central to debates because they contain large mineral deposits and are also home to rich marine biodiversity.

Regulating deep sea mining is not only about protecting the environment but also about ensuring that all nations big or small can benefit fairly. The International Seabed Authority (ISA) has been working to create rules that balance economic opportunities with sustainability. Still, disagreements remain over who should control the resources found in disputed maritime territories. Powerful countries like China often push for national control, while smaller island nations and environmental groups call for stronger international oversight.

This issue is becoming more urgent as the world transitions to greener energy sources and digital technologies, both of which rely heavily on these minerals. Finding a balance between economic progress and environmental protection will be key to maintaining global cooperation and preventing exploitation. The discussion around deep sea mining highlights broader questions about how the international community manages shared spaces and natural resources in a fair and sustainable way.

Definition of Key Terms:

Deep-Sea Mining:

The process of extracting valuable minerals and metals from the ocean floor, typically at depths between 1,000 and 6,000 meters. These minerals include cobalt, nickel, manganese, and rare earth elements, which are essential for electronics and renewable energy technologies.

Rare Earth Elements (REEs):

A group of 17 chemically similar metallic elements used in high-tech products such as smartphones, wind turbines, and electric vehicle batteries. Despite their name, they are relatively abundant but difficult to extract economically.

Clarion-Clipperton Zone (CCZ):

A vast area in the Pacific Ocean, located between Hawaii and Mexico, known for its high concentration of polymetallic nodules containing manganese, cobalt, copper, and nickel. It lies in international waters and is regulated by the International Seabed Authority (ISA).

South China Sea (SCS):

A marginal sea of the Western Pacific Ocean bordered by countries such as China, Vietnam, the Philippines, and Malaysia. It is rich in natural resources and a major site of territorial and resource disputes.

International Seabed Authority (ISA):

An intergovernmental organization established under the United Nations Convention on the Law of the Sea (UNCLOS). Its role is to regulate deep-sea mining in international waters to ensure resources are used for the "benefit of all mankind" and to protect the marine environment.

United Nations Convention on the Law of the Sea (UNCLOS):

An international treaty adopted in 1982 that defines nations' rights and responsibilities regarding the use of the world's oceans, including navigation, marine resource management, and environmental protection.

Nine-Dash Line:

A demarcation line used by China to outline its claimed territory in the South China Sea. It is controversial because it overlaps with the maritime claims of several Southeast Asian nations and has no legal basis under international law according to the 2016 Hague Tribunal ruling.

Maritime Territory:

An area of the sea recognized by international law as belonging to a particular country. It includes territorial waters (up to 12 nautical miles from the

coast) and exclusive economic zones (up to 200 nautical miles) where states have special rights to explore and use marine resources.

Polymetallic Nodules:

Rock-like mineral deposits found on the seabed, primarily composed of manganese and iron, along with valuable metals such as nickel, cobalt, and copper. They are a major target of deep-sea mining.

Background Information:

These minerals, including cobalt, nickel, and rare earth elements, are critical for batteries, electronics, and renewable energy systems. The most promising sites for mining are the South China Sea (SCS) and the Clarion Clipperton Zone (CCZ) in the Pacific Ocean, which are known to contain vast mineral deposits. However, these areas are also ecologically sensitive, with unique species and ecosystems that could be permanently damaged by large scale mining operations.

The legal and political complications arise because many of these regions fall within disputed maritime territories. For example, the South China Sea is claimed by multiple countries, including China, the Philippines, and Vietnam, leading to ongoing conflicts over sovereignty. Meanwhile, the Clarion-Clipperton Zone lies in international waters and is managed by the International Seabed Authority (ISA), which was established under the United Nations Convention on the Law of the Sea (UNCLOS). The ISA aims to regulate mining to ensure that it benefits all of humanity while protecting marine life.

Current Situation:

There has recently been a growing interest in deep-sea mining. Global demand for minerals obtained from deep-sea mining is increasing because they can serve as an alternative to land-based mines. Additionally, these minerals play a crucial role in renewable energy technologies and are used to power electric vehicles. Miners typically look for nickel, copper, cobalt, manganese, zinc, silver and gold. These minerals are essential for modern technology. They are extensively used in the production of electric cars, solar panels, wind turbines, computers, and cellphones.

Despite this, there are growing tensions between industrialized nations that seek faster access to resources and smaller nations that worry about environmental harm and unequal benefits. Environmental scientists warn that deep-sea mining could release toxic sediments, disrupt ecosystems, and destroy habitats that have taken millions of years to form. As the demand for clean energy grows, governments and international organizations face the difficult task of finding common ground and developing rules that promote technological progress without sacrificing ocean health or international peace.

South China Sea:

Disputes over jurisdiction in the South China Sea have existed for centuries, however, tensions continue to rise. China claims sovereignty over islands, reefs, and surrounding maritime zones. This has angered rival claimants such as Vietnam, the Philippines, Taiwan, Malaysia, and Brunei.

The South China Sea contains valuable mineral resources such as oil, natural gas. Along with metals such as cobalt, nickel, copper, and rare earth elements.

In recent years, China has taken physical and military steps to support its claims to the area, including the construction of artificial islands and regularly sending its navy and coast guards to patrol the disputed areas. China, thus, continues to strengthen its control over these disputed, mineral-rich areas of the seabed.

China's claims are largely based on what is known as the highly controversial Nine-Dash Line. This is a demarcation line used by China to claim large parts of the South China Sea. The line comprises nine dashed lines which extend for hundreds of miles south and east of China's coastline. The Nine-Dash line is highly controversial as it overlaps with the maritime claims of other countries, including Vietnam, the Philippines, Malaysia, and Brunei.

As competition for important seabed resources increases, the South China Sea remains a disputed area. Unresolved territorial disputes, strategic goals, and the race for deep-sea minerals shape the region. This raises serious concerns about regional stability, environmental protection, and international law.

Major Parties Involved and Their Views:

China:

China views deep-sea mining as a strategic method to secure critical minerals for clean energy and geopolitical advantage. This is seen in the China-Cook Islands Memorandum of Understanding, in which China agreed to aid in research and

extraction of deep-sea minerals in Cook Islands' maritime territory, aiming to expand its presence in the Pacific.

United States:

The United States has not ratified the United Nations Convention on the Law of the Sea (UNCLOS) and is not legally bound by its provisions, including those regarding deep-sea mining outside of its Exclusive Economic Zone (EEZ), reflecting its preference for national control over deep-sea mining.

International Seabed Authority (ISA):

The International Seabed Authority is an independent international organisation. It is responsible for supervising mineral-related activities on the seabeds beyond national boundaries. It establishes a governance system to ensure that marine mineral resources are being used and distributed equitably.

UN Involvement, Relevant Resolutions, Treaties and Events:

UN Involvement:

The UN is heavily involved in deep-sea mining processes, such as through the International Seabed Authority (ISA).

1) **The United Nations Convention on the Law of the Sea** is a legal framework applying to all member states covering an extensive amount including the establishment of maritime zones and resource distribution jurisdiction as well as slightly touching on the regulations of deep-sea mining in collaboration through the ISA.

2) The **Draft Mining Code** is an ongoing project by the ISA since 2016, and as of February 2024, they have created a consolidated text of the Draft Exploitation Regulations. The extensive wait time preceding a substantial framework to regulate deep-sea mining has prompted lots of discussion about a precautionary pause by countries.

3) **National Regulatory Frameworks** are also taken into account of by the UN in these frameworks and drafts so as to not breach any sovereignty. Lots of nations have their own regulatory frameworks to ensure no misuse, like Singapore's Deep Seabed Mining Act 2015. Other countries with such frameworks include Norway and the United States.

Possible solutions:

1) Establishing an international suspension of deep-sea mining until the ISA's Mining Code has been completed would be immensely beneficial to environmental well-being. However, take note of the potential side effects that this could have on the economical states of different countries and how this could affect civil well-being.

2) Requiring for all member nations' mining processes in disputed territories to undergo assessments to ensure no misuse is a solution that could be used with methods like UN-administered routinely checks, endorsing the Blue Economy Impact Assessment, and monitoring for any overuse or misuse, which could result in consequences ranging from financial compensations to ceasing all mining operations in the area for a certain period of time.

3) Engaging in multilateral negotiations to resolve disputes over regions would reduce uncertainty of territorial boundaries with a peaceful and regulated discussion. This solution ensures that the disputes are not ignored but addressed with just as much urgency as the environmental effects of deep-sea mining, with inputs from multiple perspectives of the conflict and an unbiased international party.

Bibliography:

Useful Links:

United Nations Convention on the Law of the Sea

Bridging the Regulatory Gap in the Area Regime: Unilateral Deep Seabed Mining Claims and the Complementary Role of National Laws

The Prospect of a Fragmented Legal Regime of Mining of Seabed Mineral Resources in the Exclusive Economic Zone

Urgent for Nations to Press Pause on Deep Seabed Mining

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