

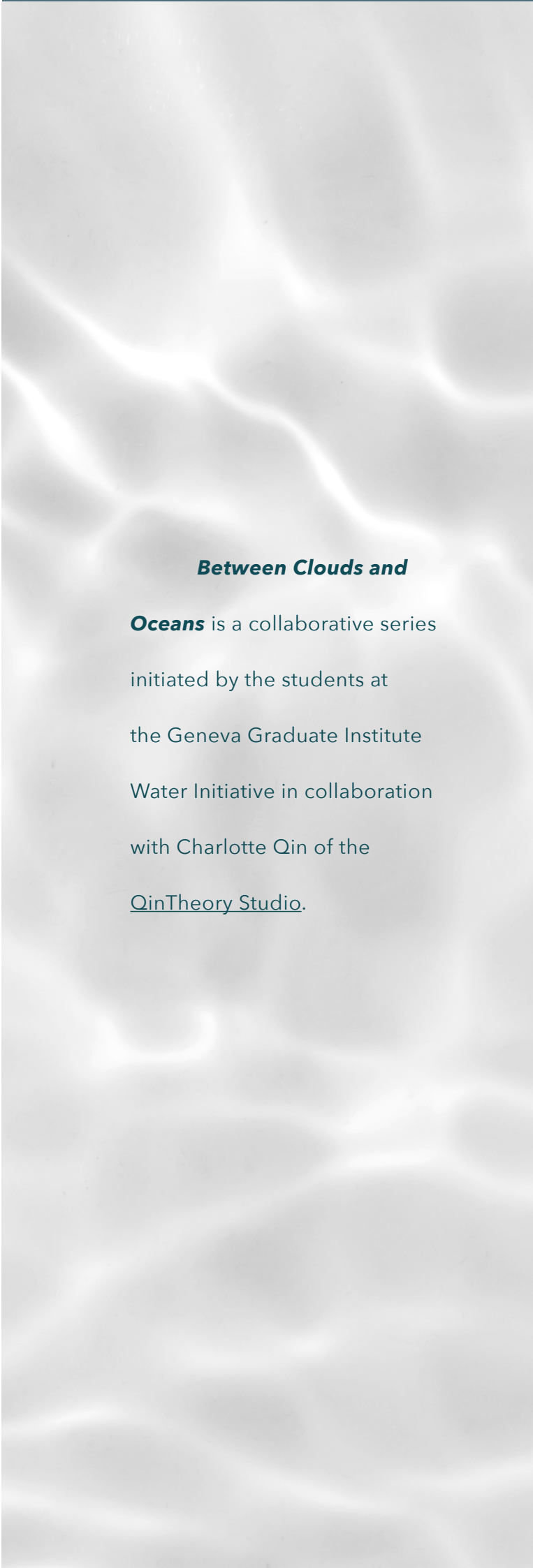
BY THE WATER INITIATIVE IHEID  
AND QINTHEORY STUDIO

# BETWEEN CLOUDS AND OCEANS

SEEING THE UNSEEN:  
THE VALUE OF WATER

AUGUST 23 - SEPTEMBER 1, 2022





***Between Clouds and  
Oceans*** is a collaborative series  
initiated by the students at  
the Geneva Graduate Institute  
Water Initiative in collaboration  
with Charlotte Qin of the  
[QinTheory Studio](#).

Each painting created by Qin  
carries a message from the water.  
Water is the origin of all lives but is  
also indispensable to the identity  
and cosmology of our ancestors.  
Following where water flows *between  
clouds and oceans*, we illustrate a  
currently disrupted hydro-cycle and  
the solutions that we seek through  
water governance, diplomacy, and  
management.

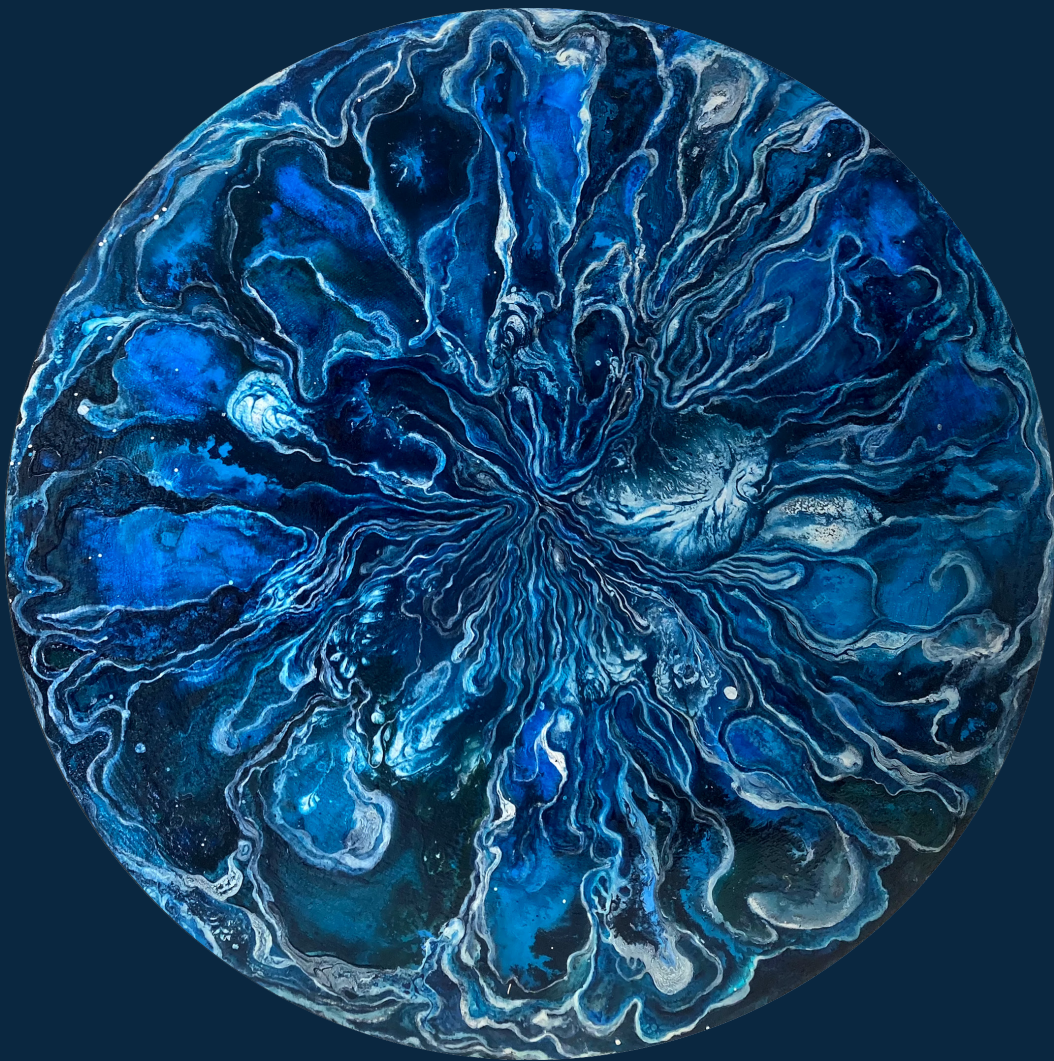
This artistic initiative aims to restore  
our intrinsic connection with water as  
humans and unlock our long-sought  
answers to creating peace and living  
in harmony with one another through  
learning from water.



# The Ocean Floor is in Deep Water Because of Humankind

Unravelling the UN's Plan to Exploit Seabed Minerals

by Laisa Branco de Almeida



**...society now expects to finance a green economy based on renewable energy at the expense of the deep seabed minerals.**

Let me take you on a thrilling journey to the bottom of planet Earth. It is a journey somewhere nearly twenty thousand leagues under the sea. A place that, for most of us, is as frightening as it is unknown. Terrifying creatures such as 'Moby Dick' have shaped our visual expectation of what lies beyond the shoreline. We still know very little about the vast majority of the ocean. But when it comes to the deep ocean floor, with darkness at depths of over 10,000 feet (3.05 km) and covering 70% of its area, it has been one of the most enigmatic parts of the globe for humankind. It is a place where one may find all kinds of stories of ancient times that have haunted sailors and explorers of the deep waters.

*"All was black, and such a dense black that, after some minutes, my eyes had not been able to discern even the faintest glimmer"* (Jules Verne, Twenty Thousand Leagues Under the Sea, 1876)

This uncharted world at the bottom of our feet is a source of infinite dreams and inspiration that is quickly turning

into a nightmare. The past, present and future generations are always eager for more, and the pristine ecosystem of the deep-sea floor seems to be the next expansionist and selfish target of humankind. The deep-sea ecosystems are still the least explored on Earth, with less than 0.0001% physically sampled or visually observed. Also, less than 20% of the world's ocean floors have been mapped. Projects like Seabed 2030, sponsored by the Nippon Foundation, are trying to fill this scientific void that often translates into poor or inadequate laws. Although mostly unmapped, we know that the ocean floor is a place with unique biodiversity and a rich, diverse ecosystem of non-living resources. Interestingly enough, society now expects to finance a green economy based on renewable energy at the expense of the deep seabed minerals. The latter have become extremely valuable for the technology industry. For instance, companies and public actors search for cobalt, lithium, nickel, copper, vanadium, and indium at the bottom of the oceans.

## ***The “Authority” dictates the rules and standards for the deep-sea floor.***

According to the [UN Convention on the Law of the Sea \(UNCLOS\)](#), the bottom of the oceans and the mineral resources found there are the Common Heritage of Mankind (CHM). That is to say, its resources shall be administered and exploited in light of the overarching principles of CHM, namely the sharing of benefits, non-appropriation of resources and freedom of scientific research. Yet, few people are aware of who governs this complex legal regime that was created by the United Nations in the 1980s. [The International Seabed Authority \(ISA\)](#), headquartered in Montego Bay, Jamaica, is unknown even to many international lawyers and marine biologists working in environmental affairs. The “Authority” dictates the rules and standards for the deep-sea floor. It has attracted significant [investment in deep-sea exploration in the form of 30 exploration contracts involving 22 different State parties](#).

Does this make the deep ocean floor a perfect scenario for commercial exploitation? I could not agree more.

Mapping the seafloor is a double-edged sword: the more we know about the mineral reservoir in areas beyond national jurisdiction, the more one should expect commercial interest in the exploitation of those areas. On the other hand, it is a chance to better understand our oceans and collect sufficient data to call for a moratorium or a ban on seabed mining.

In September 2021, the International Union for Conservation of Nature (IUCN) put a vote on [\(Resolution 069\)](#). It is a decision to call the United Nations for a moratorium on deep seabed mining until society can “ensure sufficient scientific information on deep-sea biodiversity and ecosystems and an appropriate and transparent institutional structure.” Fair enough. In total, 81 governments and government agencies [voted in favour of the IUCN moratorium](#) and 18 voted against it. The IUCN is not the only international non-governmental organisation (NGO) calling for a moratorium. There is also a [Deep Sea Coalition](#) with over 90 NGOs supporting the ban as well as [multinationals](#), such as Google, BMW, and Samsung.

In response, the ISA has pledged a [massive institutional policy approach](#) to integrate the sustainable development goals (SDGs) in its mining strategy. The Authority contends that it is possible to exploit seabeds sustainably.





*"ISA is committed to the timely and effective achievement of the goals and targets of the 2030 Agenda [...] Such mandates include ensuring that activities in the Area are carried out for the benefit of humankind as a whole; ensuring effective protection of the marine environment and human life with respect to activities in the Area; and promoting the effective participation of developing States in activities in the Area (ISA, 2021)."*

In one way or another, the race to mine the deep seabed has already begun. It may sound cliché to say, but fasten your seatbelts, because we are flying over a very turbulent area. As a lawyer and Verne enthusiast, I am convinced that international law has a unique opportunity to regulate an exploratory activity before it is set in motion. Despite misconceptions about the effectiveness of international law, I believe that it is the best venue to find common ground. We need to find common ground. The future generations depend on us and the future of the planet depends on us. As emotional as it can get, we shall protect it. That is the order of the day.

# — About the Author



## LAISA BRANCO DE ALMEIDA

Laisa Branco de Almeida is a Master's Student in International Law at the Graduate Institute in Geneva from Brazil. Her field of expertise is the Law of the Sea and the Environmental Law. Her love for the oceans relates to where she comes from, Salvador de Bahia. Growing up by the sea and sharing her mother's love for open water swimming made her not only passionate about water but decided to devote her professional life to it as well. She said that the waves have challenged her to be a better human being.