

International Legal Regime of the Deep Seabed Mining

Abstract

The presented thesis focuses on the analysis of the legal regime governing the seabed beyond the limits of national jurisdiction, with an emphasis on the mining of mineral resources. Seabed mining is currently a hot topic, as an increasing number of states express interest in engaging in seabed activities due to its wealth of mineral resources. The main objective of the thesis is to characterize the legal framework applicable to this activity and identify its key current challenges.

In the first part, the author examines the historical development of the legal regulation of the sea and various legal concepts of the sea as an international space. Special attention is paid to the evolution of the approach to the seabed over recent decades. This section also includes an introduction to the seabed as the common heritage of humankind.

The next part presents the main sources of maritime law, primarily international treaties. Also important area of focus is the examination of the role of customary international law in the governance of the Area, especially concerning non-party states such as the United States of America. This section also describes the institutional structure of the International Seabed Authority and its mechanisms of operation.

The following section briefly characterizes seabed resources and their significance. In subsequent paragraphs, the thesis describes the regulation of activities leading towards mining the resources. It also presents a draft legal regulation governing the mining itself, with a particular focus on the guiding principles for activities on the seabed. As this is currently only a draft, the author outlines possible reasons why the regulation has not yet been adopted.

In conclusion, the thesis summarizes the current challenges faced by deep-sea mining and its legal regulation. It particularly discusses the potential damage to the marine environment and the need for mechanisms of environmental protection.

The aim of this thesis is not only to describe the legal and institutional framework of seabed mining but also to analyze its practical application in the fair distribution of mining benefits and to evaluate the environmental aspects of this activity.