



## **Statement re Draft Regulation 13 ISBA/30/C/CRP.1 20 March 2025**

The International Cable Protection Committee (“ICPC”) believes that paragraph 8(b)(i) is insufficient as currently drafted, as it requires only evidence of diligence by the contractor to identify submarine cables in the area covered by the application. To ensure that a Plan of Work satisfies the due and reasonable regard obligations of articles 87 and 147 of the Convention, the ICPC therefore believes that this provision should be modified to provide that the LTC assess not only the contractor’s identification of submarine cables but also how the Plan of Work reflects the contractor’s efforts to coordinate and negotiate mitigation with such submarine cable operators.

The ICPC also believes that the term “publicly available” should be modified to state “publicly or commercially available.” Such wording is consistent with the substance of discussions at the ICPC-ISA joint workshop in Bangkok in October 2018 and ISA Technical Study 24.

The ICPC does not believe that a general provision regarding submarine cable protection in Regulation 31 or 31 bis is sufficient by itself. The ICPC continues to believe that submarine cable protection must be operationalized in the application submission and review processes in Regulations 7, 8, 13, 15, and 16.