



Statement re Draft Regulation 2 IWG Institutional Matters 28 March 2023

The International Cable Protection Committee agrees with the point raised by the United Kingdom with regard to paragraph 2. bis of the Draft Regulation 2 [as presented on screen during the Informal Working Group meeting], as the United Nations Convention on the Law of the Sea does not grant the Authority jurisdiction over parties other than those engaged in “activities in the Area.”

- As defined in article 1(3) of the Convention, “activities in the Area” means “all activities of exploration for, and exploitation of, the resources of the Area.
- Article 134 of the Convention states that “Activities in the Area shall be governed by the provisions of this Part.”
- Article 157 further provides that “The Authority is the organization through which States Parties shall, in accordance with this Part, organize and control activities in the Area, particularly with a view to administering the resources of the Area.”

The Authority can and should encourage cooperation with other parties in the marine environment, including submarine cable operators, to give meaning to the reasonable regard provisions in article 147, but it cannot dictate – as the shall in this language suggests – what those other parties should do.