

Part II of the 30<sup>th</sup> ISA Council Meeting  
Friends of the President Proposal on Protection of Submarine Cables and Pipelines

Regulation 31

~~Reasonable Regard for other activities [and infrastructure] in the Marine Environment~~  
**Accommodation of activities in the Area and in the marine environment**

1. Contractors shall, consistent with any applicable Standards and taking into consideration the Guidelines, carry out ~~[[Exploration and] exploitation] activities~~ under an Exploitation Contract with reasonable regard for other activities ~~[and infrastructure]~~ in the Marine Environment, in accordance with Articles ~~87 and~~ 147 of the Convention ~~[and taking into account]~~, [the Plan of Work] ~~and~~ the approved Environmental Management and Monitoring Plan, [Regional Environmental Management Plan] and Closure Plan]. ~~[taking into account the Regional Environmental Management Plan.] [and any applicable international rules and standards established by competent international organizations].~~

[2. In accordance with Article 147 of the Convention, other activities in the marine environment shall be conducted with reasonable regard for activities in the Area.]

[3. A Contractor shall exercise due diligence in identifying current and planned uses or activities in the Marine Environment transiting, overlapping, or proximate to the Contract Area through publicly available data and resources and any other reasonable means, including but not limited to marine scientific research, fishing, navigation, activities related to marine genetic resources, as well as environmental protection measures and area-based management tools established or under consideration by competent international organizations. Where the relevant other activities involve competent international, regional, or sectoral bodies, the Authority shall, in conjunction with member States, cooperate with such bodies and, where possible, coordinate activities in the Marine Environment.]

~~1. bis Each Contractor shall exercise due diligence to ensure that it does not cause damage to [known] submarine cables or pipelines or interfere with other activities in the Contract Area or surrounding Marine Environment. In particular, the Contractor shall:~~

~~(a) Comply with the measures it agreed with the operators undertaking other [activities in the Contract Area for surrounding Marine Environment, including operators] and of submarine cables and pipelines] to reduce the risk of damage to any in-service cables and pipelines;~~

~~(a) bis Identify current and planned uses or activities in the Marine Environment transiting, overlapping, or proximate to the Contract Area through publicly available data and resources and any other reasonable means, including but not limited to marine scientific research, submarine cables or pipelines, fishing, navigation, activities related to marine genetic resources, and environmental protection measures and area-based management tools established or proposed by competent international organizations;~~

~~(a) ter Coordinate directly with the responsible organisations for, or operators of, these activities in the Marine Environment in order to reduce the risk of interference and damage to any structure or the Marine Environment; and~~

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**Commented [BC1]:** This amendment is made in response to comments that the title of this draft regulation could be amended to reflect the two-way nature of the reasonable regard obligation in Art 147. This proposed title mirrors the title of Art 147.

**Commented [BC2]:** This addition is made in response to comments that this draft regulation should reflect the two-way nature of the reasonable regard obligation in Art 147.

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**Commented [BC3]:** This addition is made in response to comments that it would be helpful to include expected actions by Contractors as well as references to other activities in the marine environment.

Singapore, 2 July 2025

(b) Ensure that any activities it conducts will not interfere with the route of a planned submarine cable or pipeline, recognized sea lanes essential to international navigation, or areas of intense fishing activity.

2. To further the due and reasonable regard obligations in Articles 87 and 147 of the Convention, the [Secretary-General], in conjunction with member States, shall facilitate early-stage coordination between the Contractors and the proponents of the other known activities in the marine environment, including through the identification of other marine users in the relevant Regional Environmental Management Plan, which shall be periodically updated. Where the relevant other activities involve competent international, regional, or sectoral bodies, the Authority shall, in conjunction with member States, cooperate with such bodies to coordinate activities in the Marine Environment.

**Regulation 31 bis**

**Reducing risk of damage to submarine cables and pipelines**

The Contractor shall ~~endeavour~~ [take reasonable measures] to reduce the risk of damage to submarine cables or pipelines, including as appropriate, through:

- (a) Complying with the measures that the Contractor has agreed with the operators of submarine cables or pipelines in the Contract Area to reduce the risk of damage to any in-service [or planned] submarine cables and pipelines;
- (b) Identifying current and planned uses or activities relating to submarine cables or pipelines in the Marine Environment transiting, overlapping, or proximate to the Contract Area through publicly [commercially] available data and resources and any other reasonable means;
- (c) Coordinating directly with the responsible organisations for, or operators of, submarine cables or pipelines in the Marine Environment;
- (d) Promoting [information sharing and coordination] awareness of Exploitation activities, including but not limited to using geospatial alert systems; and
- (e) Other measures in accordance with the applicable Standards, and taking into consideration the Guidelines.

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**Commented [BC4]:** This amendment is made in response to comments that the standard of protection of submarine cables and pipelines should be elevated.

**Commented [BC5]:** The amendments in this sub-paragraph are proposed noting that:

- There are no competent international, regional or sectoral bodies that regulate or have legal authority over submarine cables.
- It may be beneficial to keep open how Contractors coordinate with operators, as they could potentially do so via facilitation by other stakeholders.

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