



IHO File No. S1/6000/2017

ASSEMBLY CIRCULAR LETTER No. 10 bis-3
15 December 2016

1st SESSION OF THE IHO ASSEMBLY
Monaco, 24-28 April 2017

ADDITIONAL PROPOSAL FOR CONSIDERATION BY
THE 1st SESSION OF THE IHO ASSEMBLY

References:

- A. Conference Circular Letter No. 2 dated 22 April 2016 - *Submission of proposals to the Conference / Assembly*
- B. Assembly Circular Letter No. 10 dated 2 September 2016 – *Proposals for consideration by the 1st Session of the IHO Assembly*
- C. Assembly Circular Letter No. 8 dated 23 August 2016 - *Revision of the timeline for the preparation of the 1st Session of the IHO Assembly (A-1)*

Dear Hydrographer,

1. Reference A invited Member States to submit proposals in accordance with the Rules of Procedure applicable to International Hydrographic Conferences. Reference B circulated the proposals received for comments and, in accordance with the Rules of Procedure of the IHO Assembly, invited additional proposals until 15 December 2016. Reference B indicated that the additional proposals would be circulated as soon as they were received.

2. A proposal submitted by Germany is attached at Annex A. Member States are invited to forward any comments on this proposal to the Secretariat (by e-mail: cl-lc@iho.int or by fax: +377 93 10 81 40) **no later than 30 January 2017**, in accordance with the revised timeline at Reference C.

Yours sincerely,

Robert WARD
Secretary-General

Annex A: Proposal PRO-12 submitted for consideration by the 1st Session of the IHO Assembly.

PRO 12: REVISION OF IHO RESOLUTION 4/1967 AS AMENDED - SUBMARINE CABLES

Submitted by: Germany

References: A: IHO Resolution 4/1967 as amended - *Submarine Cables*
B: Memorandum of Understanding between the International Hydrographic Organization and the International Cable Protection Committee, dated 18 April 2016

PROPOSAL: It is proposed that IHO Resolution 4/1967 as amended - *Submarine Cables* be revised as described in the Annex.

EXPLANATORY NOTE:

In practical application of the Memorandum of Understanding (MoU) between the IHO and the International Cable Protection Committee (ICPC) signed in 2016, the Hydrographic Services and Standards Committee (HSSC) of the IHO tasked its subsidiary Nautical Information Provision Working Group (NIPWG) to update the applicable IHO Resolution on Submarine Cables (4/1967 as amended) in close consultation with the nominated technical experts of the ICPC. This task was successfully completed in November 2016 at the 3rd meeting of the NIPWG and the outcome received the full support of the ICPC representative.

The referenced Resolution provides guidance to Hydrographic Offices on how mariners should be informed, by means of appropriate nautical publications, about the potential threat of damage to submarine cables and the resulting actions to be taken if such an event occurs.

Under normal circumstances, the recommendations of the NIPWG would first be considered and endorsed by the HSSC, prior to seeking the approval of Member States. However, in this case, noting that the NIPWG, like the HSSC, is chaired by Germany, and considering the significant increase in global cabling activities across the world seas and oceans and the critical importance of their protection against potential damage through inappropriate vessel operations, and further noting the importance of being reactive to the concerns of the ICPC, Germany invites the IHO Assembly to directly consider and endorse the proposed revision of IHO Resolution 4/1967 on submarine cables.

Current version: (M-3, 2nd Edition, 2010, updated to July 2015)

SUBMARINE CABLES	4/1967 as amended	IHC 16	C3.10
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It is recommended that general information supplied to mariners by Hydrographic Offices either in Sailing Directions or in other documents include a note which specifies:

- a) that very high voltages are carried in modern multi-channel telegraphic and telephone cables;
- b) that consequently it is most dangerous to attempt to free an anchor or trawl by hauling in the cable; the anchor or trawl should be buoyed and cast off.

Proposed revision (redline version)

SUBMARINE CABLES	4/1967 as amended	IHC 16 IHO A-1	C3.10
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- ~~b) that consequently it is most dangerous to attempt to free an anchor or trawl by hauling in the cable; the anchor or trawl should be buoyed and cast off.~~

The following text should be used by Hydrographic Offices as the basis upon which to provide mariners with appropriate information in publications such as Mariners' Handbooks or annual Notice to Mariners:

Certain submarine cables are used for telecommunications functions while others are used for power transmission. All power cables and most telecommunications cables carry dangerous high voltages. Damaging or severing a submarine cable, whether a telecommunications cable or a power cable, may, in some circumstances be considered as a national disaster and very severe criminal penalties may apply. Electrocution, with injury or loss of life, could occur if any cables carrying high voltage are breached. Depending on whether the cable is primarily for power or telecommunications, damage may result in power cuts, loss of voice, data transfer or internet connectivity. In these circumstances cables are considered to be critical infrastructure.

In view of the serious consequences resulting from damage to submarine cables, vessel operators should take special care when anchoring, fishing, mining, dredging, or engaging in underwater operations near areas where these cables may exist or have been reported to exist.

Mariners are also warned that the seafloor where cables were originally buried may have changed and cables may now be exposed; therefore particular caution should be taken when operating vessels in areas where submarine cables exist and the depth of water means that there is a limited under-keel clearance.

Vessels fouling a submarine cable should not attempt to clear or raise the cable due to the high possibility of damaging the cable. Anchors or gear that cannot be cleared should be slipped, and no attempt should be made to cut a cable. Before any attempt to slip or cut gear from the cable is made, the cable should first be lowered to the seafloor. Note that there is a risk of capsizing smaller vessels (primarily fishing vessels) if they attempt to bring a cable to the surface. Following an incident of fouling a cable, a vessel should immediately notify the local hydrographic authority of the position, type and amount of gear remaining on the seafloor. If a mariner, through no fault of their own, catches a cable with an anchor or gear, then sacrificing the anchor or gear to prevent damage to the cable is likely to lead to reimbursement; the cable owner is required to indemnify the mariner for the cost of the sacrifice¹. In inland areas or along the coast, warning signs or marker beacons are often erected to warn the mariner of the existence of submarine cables.

In order to avoid the risk of damaging submarine cables as much as possible, a 0.25-mile wide protected area² exists on either side of a submarine cable. Anchoring is prohibited within this area, even when there is no specific prohibition on the chart.

Incidents involving the fouling of submarine cables should be reported immediately³ to the appropriate authorities⁴ who should be advised as to the nature of the problem and the position of the vessel.

Notes:

¹ To claim a sacrifice, a vessel must within 24 hours of entering port after the sacrifice, file a claim with the cable owner accompanied by a statement from the crew. Most cable owners have a 24 hour toll-free number that a mariner can call to determine the position of a cable or to assist in making a decision on claiming a sacrifice.

² Each hydrographic authority can set this distance to a value that they feel is appropriate.

³ Each hydrographic authority can set the reporting time to a value that they feel is appropriate.

⁴ The appropriate authorities can be listed here, as well as contact methods (telephone, facsimile, VHF, e-mail, internet, etc.) and required information.