



BBNJ RESUMED IGC-5 STATEMENT

1 March 2023

The International Cable Protection Committee (“ICPC”) welcomes the progress made during the resumed 5th session of the intergovernmental conference on the conservation and sustainable use of biological diversity in areas beyond national jurisdiction (“BBNJ”).

While the priority at this stage is of course the finalization of the text, the ICPC encourages delegates to continue to consider and address, in their internal and bilateral discussions and on the floor, the practical implications of the BBNJ treaty for specific activities—in particular those that constitute sustainable uses of the deep ocean. The more practical examples are discussed during the negotiations, the easier it will be to implement the treaty.

Submarine cable installation and maintenance activities are a sustainable use of areas beyond national jurisdiction (“ABNJ”). Scientific evidence and peer-reviewed publications show that they have a neutral to benign environmental footprint in ABNJ. Therefore, we expect that, under the new treaty, those activities will fall below the threshold that would trigger screening or an environmental impact assessment, and that they will coexist with the new marine protected areas to be created in the high seas. This treatment will allow submarine cables—which transmit almost all international Internet, voice, and data traffic—to continue to facilitate international communications, which the United Nations Convention on the Law of the Sea recognizes as a key objective.

The ICPC and its members remain committed to serving as a resource for delegations during the negotiations, to enhancing regulatory certainty with the BBNJ treaty, and to participating as appropriate in the processes to be established by it.