

## **European Subsea Cables Association (ESCA)**

### **Position Statement on Vessels Operating in the Vicinity of Subsea Cables**

#### **Introduction**

Subsea cables, buried or otherwise, can present a potential hazard or entanglement risk to fishermen. Subsea cables are Critical National and International Infrastructure and fishing in close proximity to cables presents a hazard to those cables which may cause damage, resulting in loss of communications and/or power. ESCA strongly advises against any type of fishing, where there is a known and charted cable.

#### **Cable Charting**

Cable owners ensure that positions of subsea cables are well known so that they can be avoided for the purpose of safety and protection of subsea infrastructure. The locations of cables are marked on navigational Admiralty Charts.

Information on subsea cables around the UK and Northern Europe can be downloaded free of charge at <https://kis-orca.org/>. ESCA strongly advises that all fishermen ensure that up-to-date cable data is installed on their fishing plotters. We also urge all regulators and marine authorities to advise the same.

Safety bulletins are also issued by Kingfisher to inform other sea users of ongoing cable installation or repair activities or known seabed hazards <https://kingfisherbulletin.org/>.

International Hydrographic Office (IHO) S4 Part B-443 specifies that *"submarine cables, including disused cables, should be charted to indicate their presence to vessels engaged in anchoring, trawling or seabed activities in order to:*

- *Warn mariners of the potential hazard to their vessel, including electric shock to any vessel fouling or breaking the cable, possible capsizing of small vessel if its fishing gear or anchor is trapped under the cable, or loss of gear (trawls or anchor cables).*
- *Prevent damage to the cable and avoid disrupting the service the cable may be providing."*

It is against UK and International law to wilfully or negligently damage a subsea cable (Submarine Telegraph Act 1885, United Nations Convention on the Law of the Sea (UNCLOS)<sup>1</sup>.

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<sup>1</sup> UNCLOS Article 113 Breaking or injury of a submarine cable or pipeline

## **Cable Burial**

Great effort is made to bury and protect subsea cables. In most cases subsea cables are buried, however, it is possible that sections of charted subsea cables may become exposed over time.

As such, cables are potentially subsea hazards. The Admiralty Mariner's Handbook (NP100)<sup>2</sup> advises that:

*"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. In order to minimize the risk of such damage as much as possible, vessels should avoid any such activity at a minimum distance of 0.25 nautical mile, on either side of submarine cables."* A similar warning is repeated on admiralty charts.

The Admiralty Mariner's Handbook (NP100) does not differentiate between subsea cable type or function and as such applies to all subsea cables for telecommunications, power or other functions.

## **Sea Users Safety Responsibilities**

In accordance with SOLAS<sup>3</sup>, vessel operators and the Master of any vessel have obligations to ensure the safety of vessel and crew and take into account navigational hazards when planning each voyage. As such, fishing over subsea cables should be avoided in all circumstances in accordance with safety advice from the maritime bodies responsible for safety offshore.

In the UK the Maritime and Coastguard Agency (MCA) has issued Marine Guidance Note (MGN) 661<sup>4</sup> to highlight 'Safe and Responsible Anchoring and Fishing Practices' which clearly explains the risks and responsibilities of other sea users.

It is a legal requirement for vessels over 15m to have AIS operational at all times. This assists cable owners, where appropriate, in being able to make notifications to the relevant sea user(s) to inform them they are, or shortly will be, approaching or operating in a way that poses a risk to a subsea cable and their own safety.

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<sup>2</sup> <https://www.admiralty.co.uk/publications/publications-and-reference-guides/admiralty-mariners-handbook>

<sup>3</sup> The international Convention for the Safety of Life at Sea (**SOLAS**) is an international maritime treaty implemented by the International Maritime Organization (IMO), requiring Signatory flag states to ensure that ships flagged by them comply with minimum safety standards in construction, equipment and operation

<sup>4</sup> <https://www.gov.uk/government/publications/mgn-661-mf-navigation-safe-and-responsible-anchoring-and-fishing-practices/mgn-661-mf-navigation-safe-and-responsible-anchoring-and-fishing-practices>

### **Vessels Operating in the Vicinity of Subsea Cables**

Some general principles relating to submarine cables apply as follows:

- Never assume that cables are completely buried.
- Anchoring or fishing near to a subsea cable poses risks both to the cable and to vessels and crew.
- The appropriate maritime safety advice should be followed at all times.

### **Protection of Critical Infrastructure**

The Admiralty Mariner's Handbook (NP100) sets out the clear safety message that demersal fishing should not take place within 0.25nm of any subsea cable. MGN 661 clearly states that this guidance should be particularly referred to regarding anchor operations and fishing activities.

Whilst subsea cables vary in physical characteristics, and sectors that deploy subsea cables have different requirements, there is no distinction in law or in terms of safety advice between cables for Telecommunications, Interconnectors, Distribution Cables, or cables connecting Offshore Renewable Infrastructure.

ESCA recommends that vessels operating in the vicinity of subsea cables do so in a safe and responsible manner in accordance with current maritime safety guidance in order to protect safety of life and to provide protection to critical infrastructure.

### **About ESCA**

European Subsea Cables Association's (ESCA) primary goals are the promotion of marine safety, protection of the marine environment and the safeguarding of subsea cables from man-made and natural hazards.

For further information please visit: <https://www.escaeu.org/>

### **ESCA February 2022**