



Dossier du BHI N° S1/5012

LETTRE CIRCULAIRE 85/2015
09 décembre 2015

**PROPOSITION DE PROTOCOLE D'ACCORD ENTRE
L'ORGANISATION HYDROGRAPHIQUE INTERNATIONALE ET
LE COMITE INTERNATIONAL DE PROTECTION DES CABLES**

Référence : Résolution de l'OHI 5/1957 telle qu'amendée – *Relations de l'OHI avec les autres organisations*

Madame la Directrice, Monsieur le Directeur,

1. Le comité international de protection des câbles (CIPC) est un organisme à but non lucratif créé en 1958 afin de représenter l'industrie internationale des câbles sous-marins et de promouvoir la sécurité et la sauvegarde des câbles sous-marins contre les risques anthropiques et naturels.
2. L'adhésion au CIPC est ouverte aux propriétaires de câbles sous-marins, aux autorités de maintenance des câbles sous-marins, aux fabricants de systèmes de câbles sous-marins, aux exploitants de navires-câblés, aux entreprises effectuant des levés des trajets de câbles sous-marins et aux gouvernements. Le CIPC est actuellement composé de 162 membres de 65 pays représentant plus de 98% des câbles sous-marins installés. L'organisation comprend un comité exécutif, composé de 17 membres élus, d'un secrétariat externalisé, d'un conseiller en droit international, d'un conseiller en questions environnementales marines et de six groupes de travail. Son siège social se situe à Londres, Royaume-Uni.
3. A l'occasion d'échanges de routine à propos de la fourniture de données relatives aux câbles à des fins cartographiques, le Comité de direction et le comité exécutif du CIPC ont identifié la nécessité de renforcer la coopération entre les deux organisations sur les questions relatives à la mise en œuvre des câbles sous-marins. A l'issue de discussions complémentaires lors de la réunion plénière du CIPC, qui s'est tenu à Hong Kong en avril 2015 et où l'OHI avait été aimablement représentée par M. NG Kwok-Chu, directeur du service hydrographique de Hong Kong, Chine, le comité exécutif du CIPC avait accepté de participer à la 7^{ème} réunion du comité des services et des normes hydrographiques (HSSC), qui s'est tenu à Busan, République de Corée, du 10 au 13 novembre.
4. Le HSSC s'est félicité de la participation des représentants du CIPC et a bénéficié d'une présentation instructive sur les questions relatives aux câbles sous-marins¹. Le comité a pris acte des domaines d'intérêt commun entre l'OHI et le CIPC et a apporté son appui à la proposition du CIPC de conclure un protocole d'accord (MoU) entre l'OHI et le CIPC. Un projet de MoU a été proposé par le CIPC pendant le HSSC-7. Après examen des présidents du groupe de travail sur la cartographie marine et du groupe de travail sur la fourniture des informations nautiques, un projet révisé a été convenu entre le Comité de direction et le comité exécutif du CIPC.
5. La proposition de texte du MoU est communiquée dans l'annexe A (*en anglais uniquement*). L'objectif du MoU est essentiellement d'aider à faciliter et à harmoniser la représentation en temps utiles des câbles sous-marins sur les cartes marines et les produits nautiques via des normes et des procédures appropriées et donc de contribuer à la protection de l'infrastructure de câbles sous-marins. Le MoU

¹ La présentation du CIPC est disponible à la page HSSC du site web de l'OHI (https://www.ihp.int/mtg_docs/com_wg/HSSC/HSSC7/HSSC7-07.12A_ICPC_IHO_November_Busan_Presentation_Final.pdf).

traite également du développement de procédures visant à encourager et à faciliter la fourniture de données hydrographiques, ou de métadonnées, collectées dans le cadre de la pose des câbles ou d'activités de maintenance, au centre de données de l'OHI pour la bathymétrie numérique (DCDB).

6. Sous réserve d'éventuels commentaires de la part des Etats membres de l'OHI et notant que le président du comité exécutif du CIPC est prêt à signer au nom du CIPC, le président du Comité de direction signera cette proposition de protocole d'accord au nom de l'OHI.

7. Les Etats membres sont priés de bien vouloir examiner la proposition de texte en annexe A et de faire parvenir leurs commentaires, le cas échéant, au BHI au plus tard le **29 février 2016**.

Veillez agréer, Madame la Directrice, Monsieur le Directeur, l'assurance de ma haute considération,

Pour le Comité de direction,



Gilles BESSERO
Directeur

Annexe A : Proposition de texte d'un protocole d'accord entre l'OHI et le CIPC (*en anglais uniquement*)

**(PROJET) PROTOCOLE D'ACCORD ENTRE L'ORGANISATION
HYDROGRAPHIQUE INTERNATIONALE ET LE COMITE
INTERNATIONAL DE PROTECTION DES CABLES**

(en anglais uniquement)

The purpose of this Memorandum of Understanding is to specify the scope of co-operation between the **International Hydrographic Organization** (hereinafter referred to as "the IHO") and the **International Cable Protection Committee Ltd** (hereinafter referred to as "the ICPC").

WHEREAS

The IHO is an intergovernmental consultative and technical organization that was established to support safety of navigation and the protection of the marine environment. Its principal aim is to ensure that all the world's seas, oceans and navigable waters are surveyed and charted, through the coordinated endeavours of national Hydrographic Offices (HOs).

The objectives of the IHO are:

- To promote the use of hydrography for the safety of navigation and all other marine purposes and to raise global awareness of the importance of hydrography;
- To improve global coverage, availability and quality of hydrographic data, information, products and services and to facilitate access to such data, information, products and services;
- To improve global hydrographic capability, capacity, training, science and techniques;
- To establish and enhance the development of international standards for hydrographic data, information, products, services and techniques and to achieve the greatest possible uniformity in the use of these standards;
- To give authoritative and timely guidance on all hydrographic matters to States and international organizations;
- To facilitate coordination of hydrographic activities among the Member States; and
- To enhance cooperation on hydrographic activities among States on a regional basis.

The ICPC is a non-profit corporation that represents the international submarine cable industry and has been established to promote the security and safeguarding of submarine cables against man-made and natural hazards via delivery of the following services:

- Producing and maintaining industry recommendations that define the minimum standards for cable route planning, installation, operation, maintenance and protection.

- Facilitating the exchange of technical, environmental and legal information pertaining to submarine cable systems.
- Responding to general enquiries on matters relating to international law and environmental issues in relation to submarine cables.
- Monitoring of emerging legislation and providing information wherever necessary to protect the legal rights of submarine cables.
- Promoting awareness of the strategic, economic and social benefits of submarine cables, especially to Government agencies, the fishing industry and other seabed users.
- Sponsorship of projects and/or programmes that are agreed to be beneficial for the protection of submarine cable systems.
- Providing relevant information to prospective new cable owners to encourage the adoption of minimum industry standards.
- Facilitating effective communication between the members of the ICPC and the leading suppliers of technology in the submarine cable industry.
- Developing and maintaining a website to serve the common interest of the ICPC's members via public and private (password protected) areas.
- Developing affiliations with other international and national associations representing seabed users.

While the IHO has a strong interest in achieving the greatest possible uniformity in nautical charting products such as nautical charts and in charting standards, safety at sea, and protection of the marine environment, the ICPC has a strong interest in the protection of submarine cable infrastructure and ensuring that submarine cable activities necessary to achieve that protection have minimal impact on the marine environment.

Increased cooperation between the IHO and the ICPC should help to facilitate:

- The development of a uniform set of cable charting standards for submarine cables adopted globally by HOs;
- The development of compatible digital input formats for as-laid cable data that address charting requirements;
- Global consistency in the treatment of charting data for cables to facilitate data re-use by HOs around the world, and to allow data correlation without further manipulation;
- Optimization of resources to reduce lead times from data availability from the relevant cable operator to the publishing of updates to nautical charts;
- The development of a global approach to the issuance of Notices to Mariners for new cables;

- The development of standardized information in nautical publications drawing the mariners' attention to the necessity to protect cables against damage caused by ship operations;
- The development of charting policies that address hazards to submarine cables from deep sea mining, oil and gas activities as well as renewable energy developments;
- The development of procedures to encourage and facilitate the provision of survey data, or metadata, collected as part of cable laying or maintenance activities, to the IHO Data Centre for Digital Bathymetry (DCDB).

THE IHO AND THE ICPC THEREFORE AGREE:

1. To consult, where appropriate and practical, on issues of mutual interest with a view to promoting or enhancing a better understanding of their respective activities and to better delineate such activities between the two organizations; and to co-operate, where appropriate and practical, in the collection and exchange of standardized data and information.
2. To invite each other's representatives to attend and participate in the meetings of their respective governing bodies (or workshops or working groups) in accordance with the rules of procedures of such bodies; and to conduct, where appropriate, co-operative studies and seminars.
3. To discuss at least annually the effectiveness of this Memorandum of Understanding and any measures that may be required to improve co-operation between the IHO and the ICPC.
4. That this Memorandum of Understanding is without prejudice to agreements, legally binding or otherwise, concluded by either party with other organizations and programmes.
5. That the co-operation between the two parties is subject to the requirements of confidentiality of data and information imposed upon each by its rules of procedures, articles, Membership Agreements or other such relevant documentation. Each party agrees to obtain the written consent of the other prior to disclosing any proprietary materials of the other to any third party.
6. That this Memorandum of Understanding will come into effect upon its signature by the President of the Directing Committee of the International Hydrographic Bureau (IHB) ("President of the Directing Committee of the International Hydrographic Bureau (IHB)" to be replaced by "Secretary-General of the IHO" when the Protocol of Amendments to the IHO Convention enters into force) and the Chairman of the ICPC. It may be terminated by any of the parties by giving to the other a written notice three months prior to the proposed date of termination.
7. That nothing in the Memorandum of Understanding limits the independence and freedom of action of either organization to consider and independently act on matters of

ocean policy and law, regardless of geography and is not be considered a delegation of any authority or creating an agency relationship of any kind whatsoever.

8. That nothing in this Memorandum of Understanding shall bind any of the Member States of the IHO jointly or severally. Similarly, the Agreement shall not bind any of the Members of the ICPC jointly or severally.

IN WITNESS WHEREOF the undersigned have signed the present Memorandum of Understanding in duplicate.

Signature

Neil Rondorf

Chairman

For and on behalf of the ICPC

Date: DD:MMMM:YYYY

Signature

Robert Ward

President

For and on behalf of the IHO

Date: DD:MMMM:YYYY