



ORGANIZACION HIDROGRAFICA INTERNACIONAL

Dossier del BHI N° S1/5012

CARTA CIRCULAR N° 85/2015
09 de Diciembre del 2015

**PROPUESTA DE MEMORANDUM DE ACUERDO ENTRE
LA ORGANIZACIÓN HIDROGRAFICA INTERNACIONAL Y EL COMITÉ
INTERNACIONAL PARA LA PROTECCION DE LOS CABLES SUBMARINOS**

Referencia: Resolución de la OHI N° 5/1957 según enmendada - *Relaciones de la OHI con las otras organizaciones.*

Estimado(a) Director(a),

1. El Comité Internacional para la Protección de los Cables Submarinos (CIPC) es un organismo no lucrativo que fue creado en 1958 para representar a la industria internacional de cables submarinos y promover la seguridad y la salvaguardia de los cables submarinos contra los riesgos artificiales y naturales.
2. La adhesión al CIPC está abierta a los propietarios de cables submarinos, las autoridades de mantenimiento de los cables submarinos, los fabricantes de sistemas de cables submarinos, los operadores de buques cableros, las compañías que efectúan los levantamientos de los trayectos de los cables submarinos y los gobiernos. El CIPC está actualmente compuesto de 162 miembros de 65 países, que representan a más del 98% de los cables submarinos instalados. La organización incluye a un Comité Ejecutivo, compuesto de 17 miembros electos, una Secretaría externalizada, un Asesor en Derecho Internacional, un Asesor en Asuntos marítimos relacionados con el Medio Ambiente y de seis Grupos de Trabajo. Su sede oficial se encuentra en Londres, Reino Unido.
3. Mediante contactos de rutina sobre el suministro de datos relativos a los cables a efectos cartográficos, el Comité Directivo y el Comité Ejecutivo del CIPC identificaron la necesidad de fomentar la cooperación entre ambas organizaciones sobre asuntos relativos a tendidos de cables submarinos. Tras discusiones adicionales en la Reunión Plenaria del CIPC celebrada en Hong Kong, en Abril del 2015, en la que la OHI fue gentilmente representada por el Sr. NG KWOK-CHU, Director del Servicio Hidrográfico de Hong Kong, China, el Comité Ejecutivo del CIPC estuvo de acuerdo en participar en la 7ª Reunión del Comité de Servicios y Normas Hidrográficas (HSSC), que se celebró en Busan, República de Corea, del 10 al 13 de Noviembre.
4. El HSSC agradeció la participación de los representantes del CIPC y se benefició de una presentación informativa sobre las cuestiones asociadas a los cables¹ submarinos. El Comité reconoció las áreas de interés común entre la OHI y el CIPC y apoyó la propuesta del CIPC de elaborar un Memorandum de Acuerdo (MoU) entre la OHI y el CIPC. Un proyecto de MoU fue propuesto por el CIPC en el HSSC-7. Tras su examen por los Presidentes del Grupo de Trabajo sobre Cartografía Náutica y del Grupo de Trabajo sobre el Suministro de Información Náutica, se convino un proyecto revisado entre el Comité Directivo y el Comité Ejecutivo del CIPC.
5. La propuesta de texto del MoU se proporciona en el Anexo A (*en Inglés únicamente*). El objetivo del MoU es esencialmente ayudar a facilitar y a armonizar la representación oportuna de cables submarinos en cartas y productos náuticos mediante normas y procedimientos apropiados y

¹ La presentación del CIPC está disponible en la página del HSSC, en el sitio web de la OHI:
(https://www.iho.int/mtg_docs/com_wg/HSSC/HSSC7/HSSC7-07.12A_ICPC_IHO_November_Busan_Presentation_Final.pdf).

contribuir pues a la protección de la infraestructura de cables submarinos. El MoU trata también sobre el desarrollo de procedimientos destinados a animar y a facilitar el suministro de datos hidrográficos, o de metadatos, recogidos como parte de las actividades de tendido o mantenimiento de cables, al Centro de Datos de la OHI para Batimetría Digital (DCDB).

6. Sujeto a comentarios recibidos de los Estados Miembros de la OHI y observando que el Presidente del Comité Ejecutivo del CIPC está dispuesto a firmar en nombre del CIPC, el Presidente del Comité Directivo firmará la propuesta de Memorándum en nombre de la OHI.

7. Se ruega a los Estados Miembros que examinen la propuesta de texto que se adjunta en el Anexo A y que proporcionen sus comentarios, de haberlos, al BHI **lo más tardar el 29 de Febrero del 2016**.

En nombre del Comité Directivo
Atentamente,



Gilles BESSERO
Director

Anexo A: Propuesta de texto de un Memorándum de Acuerdo entre la OHI y el CIPC (*en Inglés únicamente*).

**(PROYECTO) MEMORANDUM DE ACUERDO ENTRE
LA ORGANIZACIÓN HIDROGRAFICA INTERNACIONAL
Y EL COMITÉ INTERNACIONAL PARA LA PROTECCION
DE LOS CABLES SUBMARINOS**

(versión inglesa)

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