

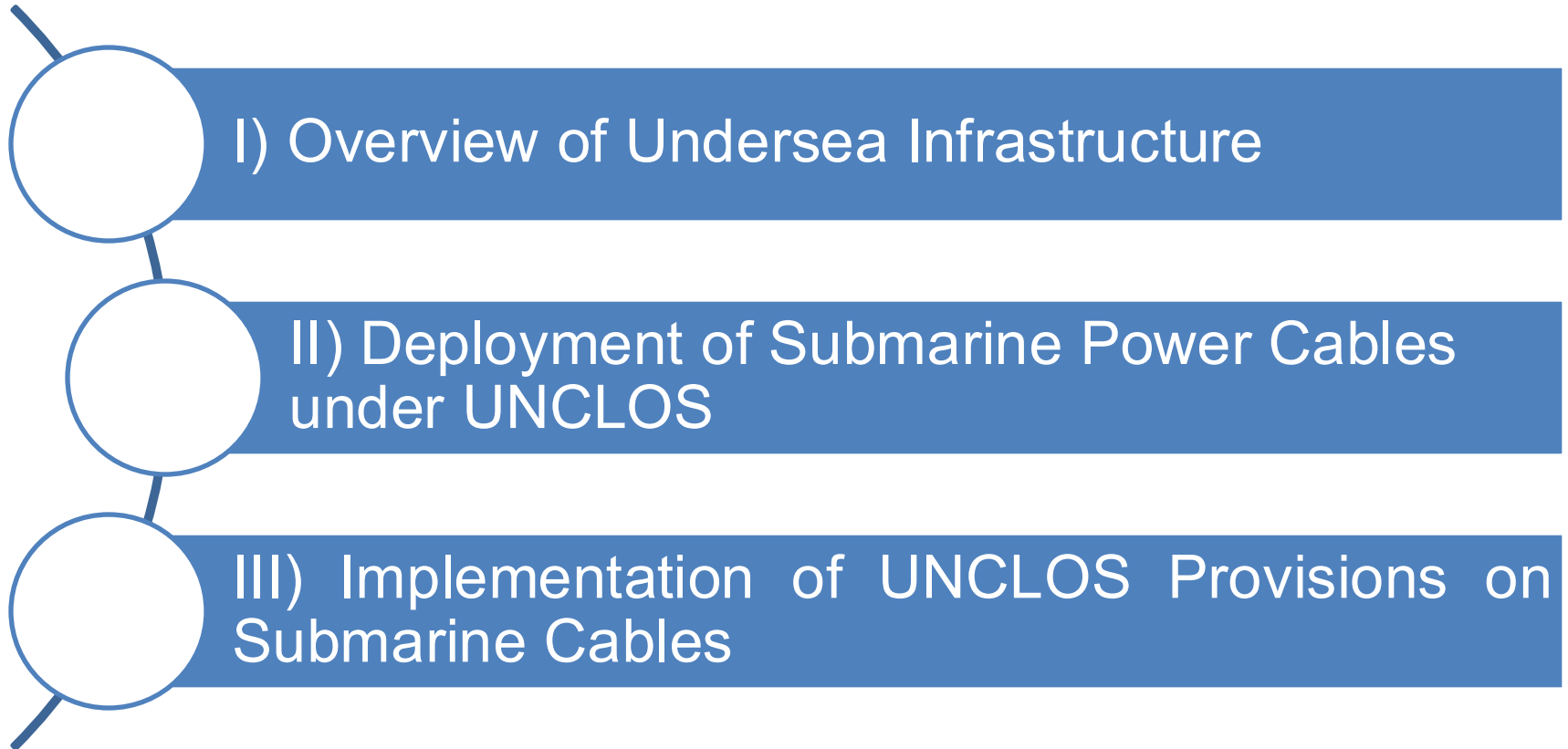
## DEPLOYMENT OF SUBMARINE POWER CABLES UNDER THE LAW OF THE SEA

**24<sup>th</sup> ASEAN Regional Energy Policy and  
Planning Sub-Sector Network, 28 May 2025**

**Dr. Tara Davenport**  
**Centre for International Law (CIL)**  
**National University of Singapore**

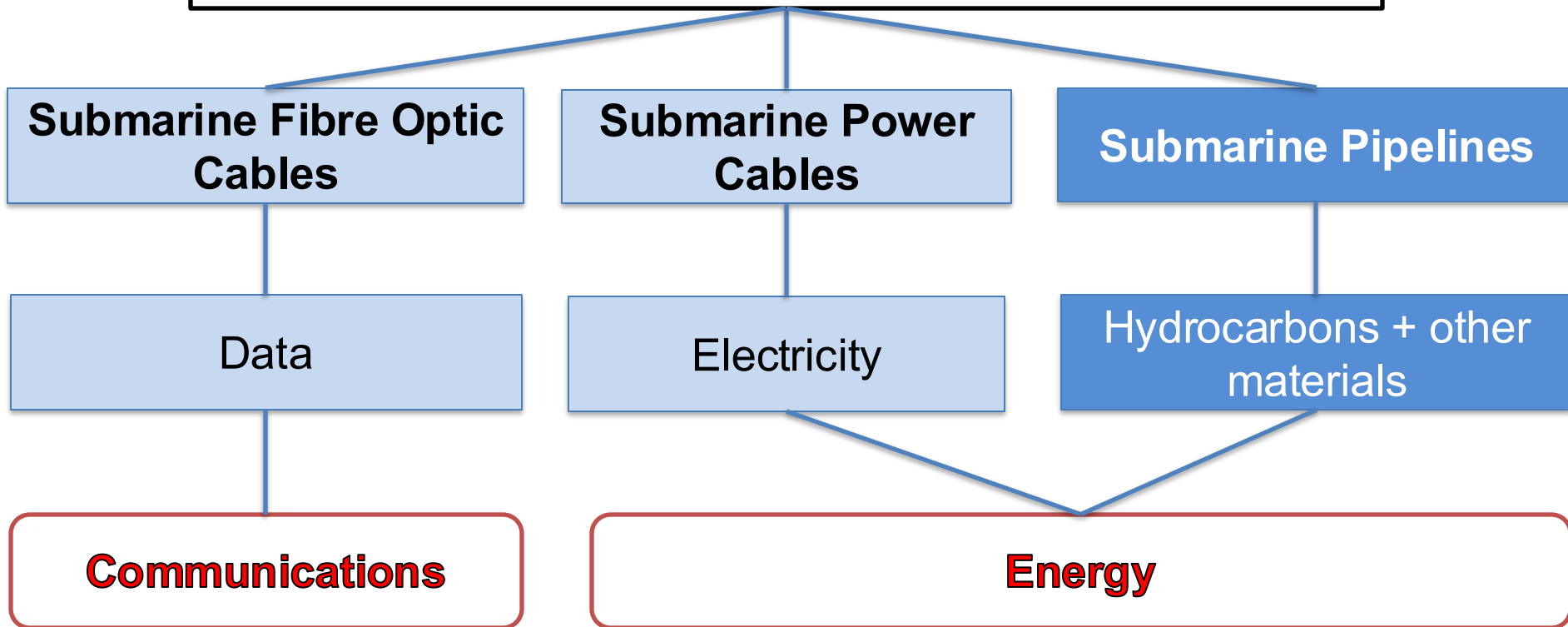


# OUTLINE



# I. UNDERSEA INFRASTRUCTURE

## Undersea Infrastructure laid on the Seabed



UN General Assembly Resolution on Oceans and Law of the Sea 2024

**“Submarine cables and pipelines are vitally important to the global economy and national security of all States”**

# I. UNDERSEA INFRASTRUCTURE

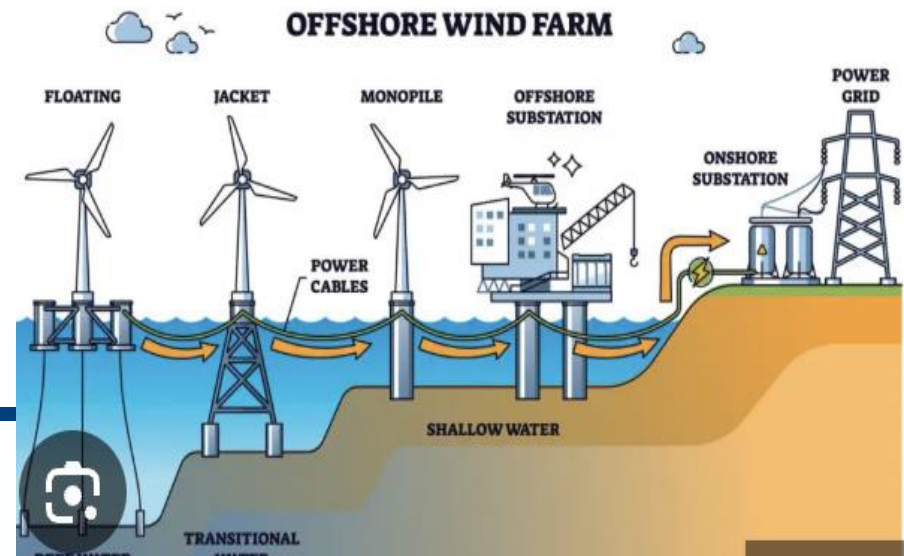
## Categories of Submarine Power Cables

### Submarine Power Cable Interconnectors

Connection of Autonomous Electrical  
Grids of Different Countries

### Submarine Power Cable Offshore Installations and Structures

Transmits Power to Offshore Oil and  
Gas Platforms + Renewable Energy  
Installations



# I. UNDERSEA INFRASTRUCTURE

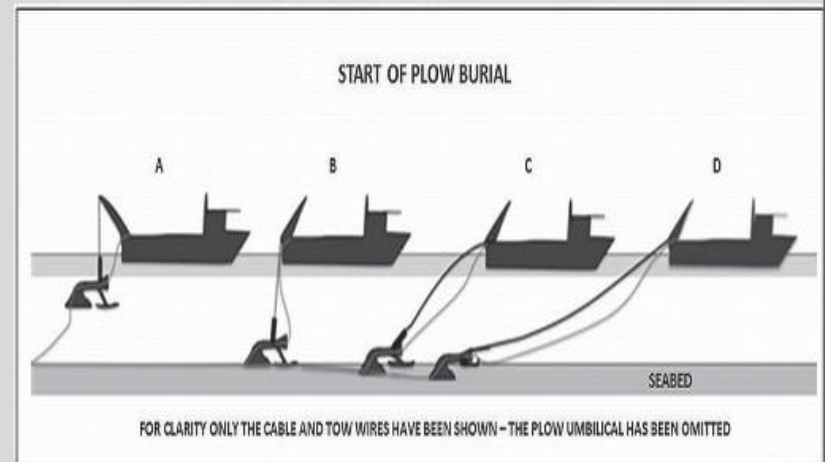
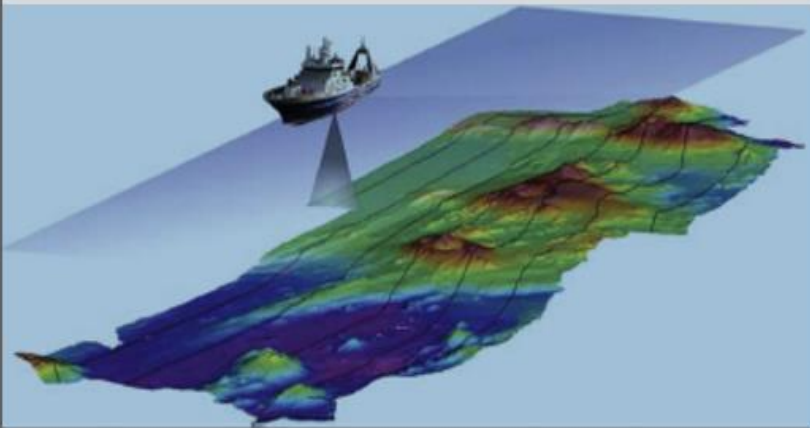
## Activities Related to Submarine Power Cables

**Surveying of Cable Routes**

**Laying of Cables**

**Repair and Maintenance**

**Abandonment or Removal**



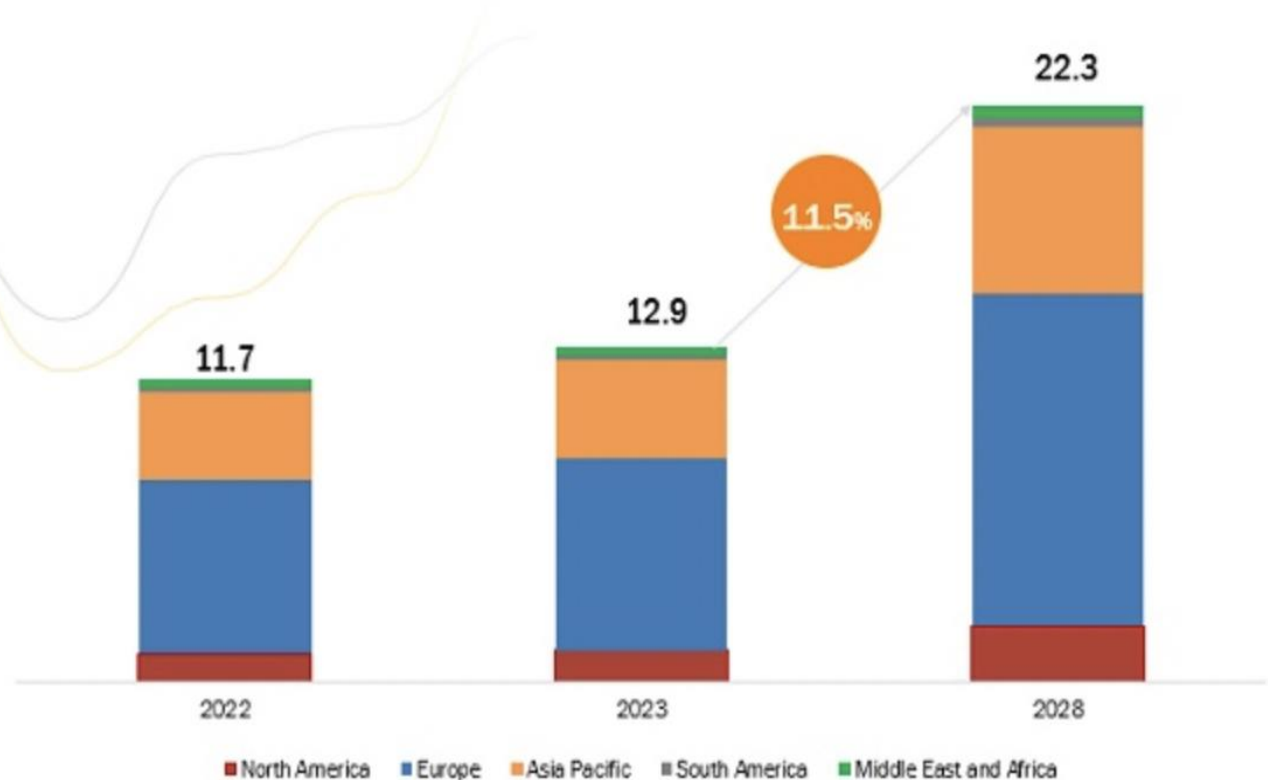
# I. UNDERSEA INFRASTRUCTURE

## SUBMARINE POWER CABLE MARKET GLOBAL FORECAST TO 2028 (USD BN)



CAGR OF  
**11.5%**

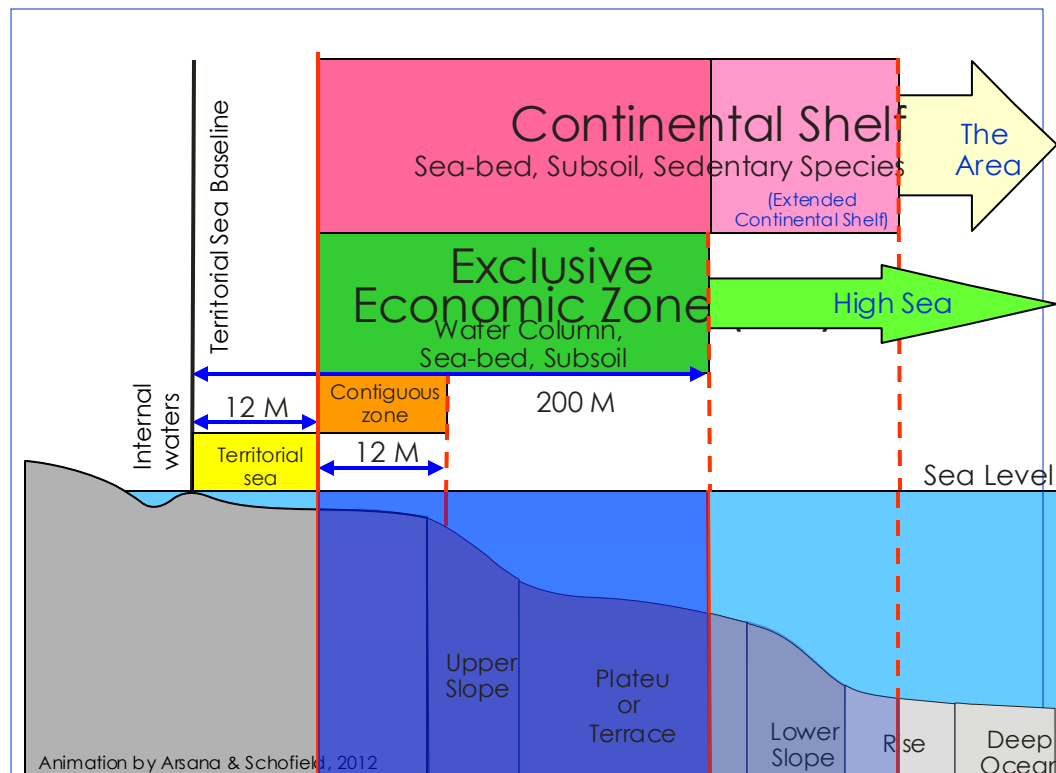
The global submarine power cable market is expected to be worth USD 22.3 billion by 2028, growing at a CAGR of 11.5% during the forecast period.



# **PART II: DEPLOYMENT OF SUBMARINE POWER CABLES UNDER 1982 UNCLOS**

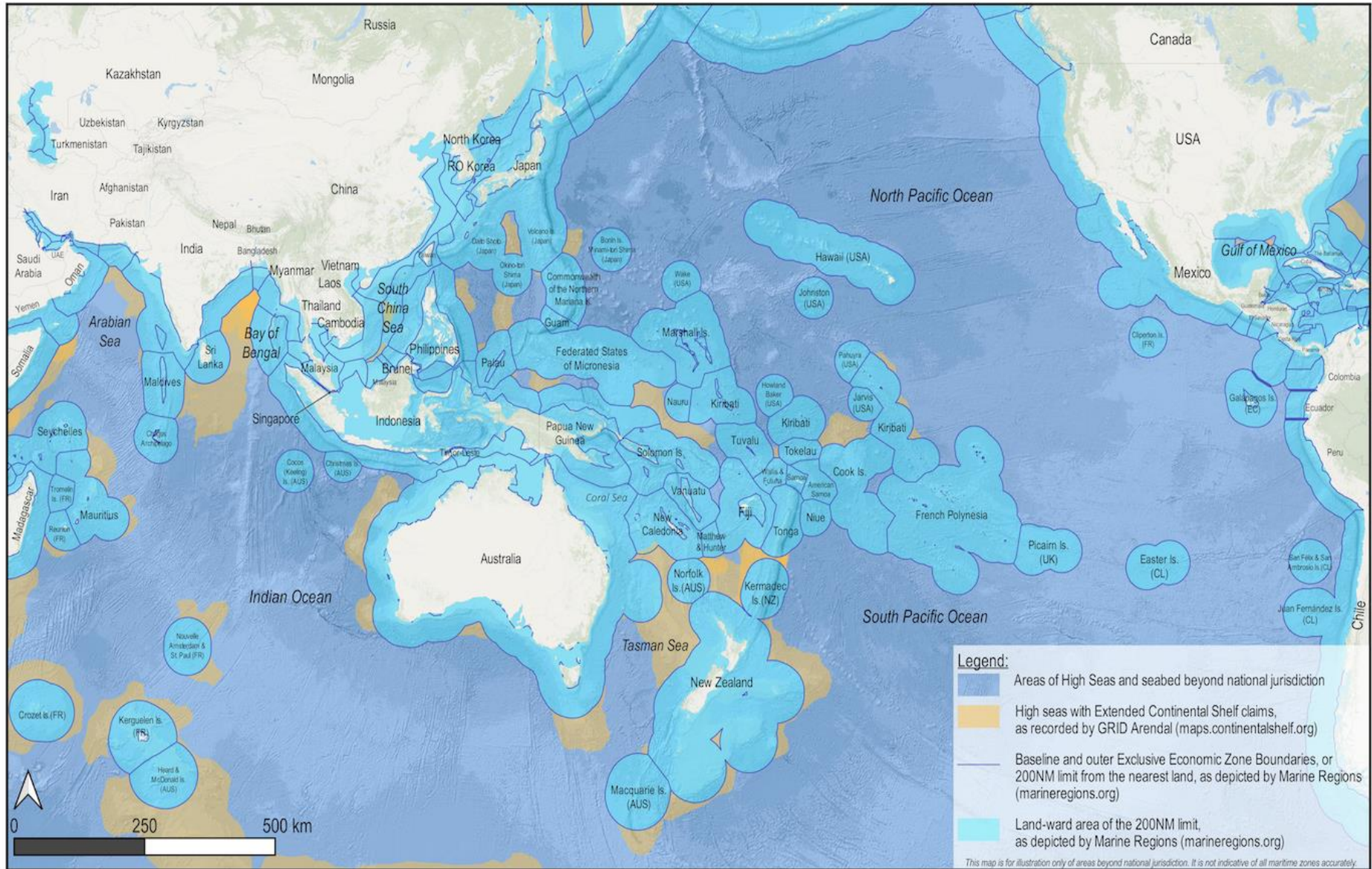
## II. UNCLOS

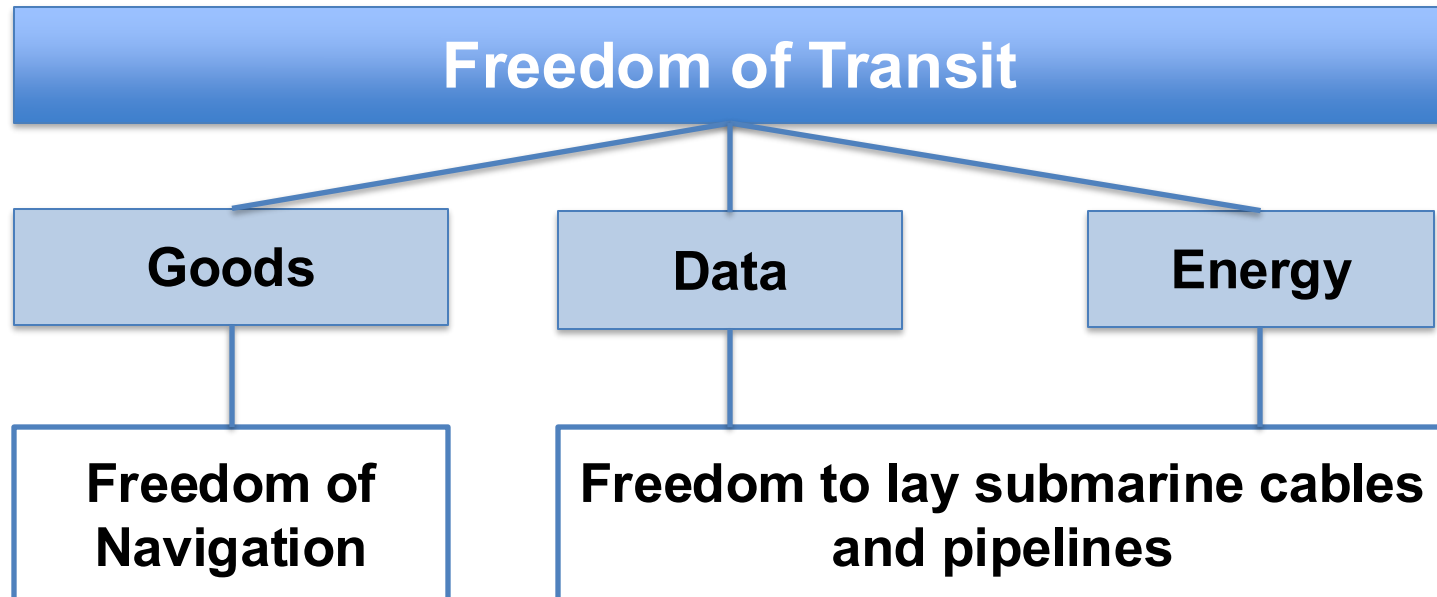
- UN Convention on the Law of the Sea (UNCLOS) adopted in 1982 after 9 years of negotiation between approximately 160 States and entered into force in 1994
- Presently 170 Parties (including EU)
- All ASEAN Member States are UNCLOS Parties except for Cambodia
- 320 Articles, 16 Parts, 9 Annexes
- UNCLOS establishes the legal order for all activities in the oceans



## Maritime Zones under UNCLOS

## II. UNCLOS





Article 87 (1) (c) of UNCLOS:

All States have the freedom to lay submarine cables and pipelines on the high seas

### Areas Beyond National Jurisdiction (High Seas and Deep Seabed)

- All States have **Freedom** to Lay Submarine Cables
- Must have **Due Regard** for Rights of Other States in High Seas and Activities in the Area
- Must have **Due Regard** for cables already in position and must not prejudice possibility of repairing existing cables

### Areas Subject To Sovereign Resource Rights and Jurisdiction (EEZ & Continental Shelf)

#### All States

- All States have **High Sea Freedom** to Lay, Repair and Maintain Cables
- **Due Regard** for cables and pipelines already in position and must not prejudice possibility of repairing existing cables
- **Due Regard** to Rights and Duties of Coastal State in the EEZ & must comply with the laws of coastal State adopted in accordance with UNCLOS

#### Coastal State

- Can impose “**reasonable measures**” for the exploration of the continental shelf and the exploitation of its natural resources
- **Cannot** subject the **delineation** of cable route to its consent
- **Due Regard** to rights of other States in the EEZ & no unjustifiable interference with freedom to lay cables

### Areas under Sovereignty (Territorial Sea & Archipelagic Waters)

<b>Territorial Seas</b>	<ul style="list-style-type: none"><li>➤ Has extensive authority to regulate cable operations in these zones pursuant to their sovereignty over these zones</li><li>➤ Can also regulate the innocent passage of foreign vessels to ensure the protection of cables</li></ul>
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# III. IMPLEMENTATION OF UNCLOS PROVISIONS ON SUBMARINE POWER CABLES

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National University of Singapore



UNCLOS

Multilateral or Regional Treaties on  
Energy Transit

Bilateral Treaties on Energy Transit

Guidelines / Best Practices adopted by  
Governments

National Laws on Permitting Processes  
for Laying, Repair and Maintenance of  
Submarine Power Cables

# III. IMPLEMENTATION OF UNCLOS PROVISIONS ON SUBMARINE POWER CABLES

## 2019 ASEAN Guidelines for Strengthening Repair and Resilience of Submarine (Data) Cables (TELMIN)

Within the sovereign rights and jurisdiction permitted under international law, as reflected in the 1982 UNCLOS, ASEAN Member States agree to:

- a) Seek to streamline and simplify the process of application of permits required to conduct repairs of submarine cables;
- b) Encourage transparency in its process, e.g. publishing guidelines on how applicants may apply and the permits required for the repairs of submarine cables, including clear contact points, and where possible, appointing a single point of contact for the application process for the required permits;
- c) Seek to streamline and simplify (if possible, applying exemptions) the regulations and policies of the individual ASEAN Member States for vessels working on submarine cables.

# THANK YOU

Dr. Tara Davenport  
Centre for International Law  
National University of Singapore  
[lawtmd@nus.edu.sg](mailto:lawtmd@nus.edu.sg)