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ETNO REFLECTION PAPER

Submarine Communication cables

The European Union's dependence on submarine communication cables has emerged as a significant concern for Europe's security, resilience, and sovereignty, a vulnerability underscored by notable incidents involving the Nord Stream undersea gas pipeline in 2022 and undersea cables connecting Estonia and Finland in October 2023.

As the European Commission prepares to release a connectivity package detailing a fresh strategy for its telecom sector and internet infrastructure, including a Recommendation to strengthen coordination among Member States in the deployment, security, and governance of crucial cable connections, ETNO aims to offer its perspective on augmenting the resilience and security of the Union's submarine cable infrastructure.

Resilience through funding

Diversity in submarine cable systems is crucial for bolstering the resilience of Europe's gateway to the global internet. We strongly advocate for continued support from the EU's Connecting Europe Facility (CEF) Digital program to strengthen the EU's capabilities in submarine cable connectivity. The program should be prioritized for refinancing in the next mandate. The goal should be to bolster the competitiveness and relevance of European operators on strategic routes compared to non-EU investors, while adhering to CEF obligations in order to avoid diluting private investment from European operators in existing or planned infrastructure. The CEF Digital program could also contribute to reinvesting in critical cables at the end of their lifecycle. The implementation of the Global Gateway initiative could also become an efficient lever, should relevant financial tools be developed.

Ensuring the robust monitoring and maintenance of submarine cables is essential for their sustained functionality and resilience. While operators demonstrate effective monitoring capabilities for coastal cables, their ability to monitor and repair deep-sea cables faces constraints. Therefore, CEF funding could be extended to support initiatives in this domain, helping mitigate the rising costs that operators consistently encounter, such as those associated with securing effective repair and maintenance strategies. EU funding mechanisms should address the significant challenge of monitoring the seabed, particularly in areas inaccessible to operators, leveraging advanced technologies such as satellite tracking. Publicly-funded monitoring capabilities should be under the responsibility of public authorities, aligned with their financing contributions and jurisdictional powers. Alternative approaches, such as mandating operators to install monitoring tools in cables, would impose a significant financial burden on operators, exceeding the cost of the cables themselves.

Resilience through governance

Member States exercise jurisdiction over cables in territorial waters, while in international waters, no single governing body holds exclusive jurisdiction over the area. To enhance regulatory clarity and promote cooperation, Member States should strive to assert as much territorial jurisdiction as possible over subsea cables. In addition, it is essential to implement harmonized rules, particularly concerning permits, to ensure a coordinated and consistent approach across jurisdictions.

Permitting processes for submarine cables currently face significant challenges, characterized by heterogeneity, a lack of a unified information point, and excessive bureaucratic hurdles. The resulting slowness and difficulties in the permitting process not only impact initial installations but also hinder the timely repair of faults, leading to consequential delays that compromise the security and resilience of submarine cable networks.

We strongly advocate for comprehensive reforms in the permitting procedures. This includes clear identification, simplification, and unification of the process for installation, repair, and decommissioning of submarine cables. These processes should be harmonized throughout Member States as much as possible, including the introduction of a one-stop-shop approach in every country. This centralized process would establish a single point of contact for both operators and various public agencies involved. A recent order from the Portuguese government, outlining measures to simplify the installation of submarine cables, including the establishment of a single licensing portal, sets a EU best practice.

To ensure the resilience and security of submarine cables, enhanced cooperation between public authorities and private entities is imperative. Collaboration between civil and military stakeholders is also essential. Member States should be encouraged to establish a clear and structured dialogue between the private and public sectors to collaboratively safeguard the resilience of submarine cables.

This dialogue should actively promote the exchange of best practices in the security domain and contribute to defining the most appropriate protection strategy in each unique case. Moreover, it should facilitate comprehensive risk analysis, considering potential dangers and threats not only at the operator's level but also across sectoral and inter-sectoral dimensions. To fortify preparedness, the collaborative effort should extend to the development of contingency and business continuity plans that incorporate diverse perspectives from the private sector, public sector, and defense entities. The dialogue should equip submarine cable operators and landing providers with the insights required to appropriately allocate human, financial, and material resources, enabling them to formulate and implement the most effective security and resilience strategies.

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