

POLICY RECOMMENDATIONS FOR QUAD COOPERATION ON SUBMARINE CABLE PROTECTION IN THE INDO-PACIFIC

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Submarine cables have existed under the seas for over 200 years. The telecommunications and internet connectivity cables provide are crucial for a country's development and stability. Cables are optimal due to their reduced latency and bandwidth. Yet, the debate over their protection from a national security viewpoint is relatively new, engendered by a combination of increasing great power rivalry in the Indo-Pacific and several recent incidents, such as the Chinese *NewNew Polar Bear* vessel that <u>damaged</u> a cable in the Baltic Sea in November 2023.

Recognizing the nature of the problem and perceiving growing threats to submarine cables on account of rising global tensions, the Quadrilateral Security Dialogue—Australia, India, Japan, and the US—

established a framework for cooperation on the protection of cables in the Indo-Pacific in May 2023. This paper analyses the Quad Partnership for Cable Connectivity and Resilience within the context of great power rivalry and the Quad's informal, consensus-based approach to governance. Based on research. we provide several recommendations aimed at addressing both the challenges and opportunities associated with the quartet's submarine cable protection efforts across the Indo-Pacific. These recommendations are not aspirational. Instead, they are practical, corresponding to what the Quad can collectively achieve in its current form.

Policy Prescriptions

1. Lease cable repair ships

Currently, there are only about 60 <u>cable repair ships</u> in service, either installing a new cable or repairing a cable. The Quad members can collectively pool resources to lease cable repair ships in collaboration with industry partner like NEC Japan, which <u>signed</u> a charter contract with a UK-based company for an optical submarine cable-laying ship for approximately four years. This recommendation is straightforward, politically safe, and congruent with industry interests and actions.

2. Work with local operators and industry

Quad initiatives should prioritize existing subsea cable arrangements, work with local industry partners when possible, and thereby address local needs. A one-size-fits-all approach will not work, and Quad actions should dovetail with and support local and regional arrangements. Beneficence (do no harm) matters, and by working with smaller cable operators and industry, the interests of local populations in small island states, for example, can better be addressed.

3. Work with (and join) ICPC

Because submarine cable installation and repair are a business carried out by mostly private actors, we recommend that ministries and industry partners from Quad states should be encouraged to join the International Cable Protection Committee. ICPC promotes the safeguarding of submarine cables and facilitates collaboration among stakeholders. Its mandate to prevent damage to and enhance the reliability of cables can be enhanced by greater membership.

4. Update (and join) UNCLOS

Article 113 of UNCLOS requires that every state party to the convention enact domestic legislation making the wilful or negligent "breaking or injury" of a submarine cable a punishable offence. UNCLOS provisions regarding the freedom to operate, maintain, and repair international cables outside of territorial seas must be <u>adhered to</u> by all states. Quad states should begin efforts to uphold and update UNCLOS to clarify the legal regime and obligations of states, and the U.S. should (finally) join UNCLOS.

5. Make undersea cables a global common: 0

Making undersea cables a global common could focus on outreach to the Global South. Developing a "Protect Our Cables" campaign could develop norms related to cable protection and make sabotage and other malicious acts a taboo. This normative angle could develop basic ground rules that mirror Japan's Free and Open Indo-Pacific (FOIP) and Free and Open International Order (FOIO). This can be done more effectively by Quad members India and Japan, given their history and credentials. In essence, the message could be: 'A malicious cable attack harms us all.'

6. Counter espionage

The threat of espionage to undersea cables has increased in tandem with great power rivalry. There is consensus that espionage poses a clear danger to Quad members' national security. Given the threat of espionage, Japan and India should unilaterally encrypt their communications to mitigate this threat (US and Australia and their FVEYs intelligence-sharing framework already do this). Pooling resources may be a non-starter for the Quad in this realm given national security sensitivities and practices. Nevertheless,

sharing basic "best practices" in cybersecurity policy and operations may be a critical first step towards collective Quad-wide security.

7. Focus on the possible

Pooling resources and technologies to pursue a collective maritime security in areas like antisubmarine warfare or defence industrial and technological cooperation, as one report urged, is currently impossible. They are out of reach for the Quad; it is designed to be a highly informal intergovernmental organisation. It is the only workable format for India and the US, for example, to work together at present. While intelligence sharing and defence industrial and tech cooperation on a limited basis are becoming possible, these can only be purposively pursued at the bilateral level—the US and Australia, for example. Cable protection involving cutting-edge technology like autonomous underwater vehicles (AUVs) is chockful of sensitive national security-related technology and secrets. Sharing the eventual "security umbrella" offered by such technologies may be possible as the US underwater surveillance systems did for Japan during the Cold War, but the technologies will not be shared in entirety. Our policy recommendation is, therefore, that the Quad focus on what is achievable and has the most impact today vis-à-vis cable protection rather than attempting to implement technology sharing and research and development in sensitive arenas before the evolution of the Quad into something resembling a theoretical military alliance. This is an unlikely eventuality at this point and rests entirely on the level of threat perceived by each member state from China.

8. Fund cables and expand US-led cable initiative

American, French, and Japanese dominance in cable supply and installation has made it challenging for Beijing to establish a 'Chinese network.' The reality is that most of the world's data flows across non-Chinese cables. Unilateral American efforts since 2021 have further diminished the likelihood of China becoming a cable network leader, and the Quad can support such actions. But caution and context will be required. Google's announcement in October 2023 of

a new subsea cable in between small Pacific Island states may have <u>cut out</u> private operators and given local interests a beating. We thus recommend that the Quad prioritize feasibility studies, engage with local companies and governments, and pressure larger multinationals and companies like Google to subcontract work to local entities.

9. Stop securitizing rhetoric

It does seem that a slight rise in malicious cable attacks by state actors (or state-supported actors) is on the rise. Yet, the rhetoric surrounding such cases seems to have outpaced the reality. Malicious attacks against cables have not been well-catalogued. This is partly because they have been few and far between, and partly because interest in cables has only recently grown across the globe. The Quad's securitization of cables—the process whereby a speech act frames and presents an object as something requiring security may be a self-fulfilling prophesy. This may be a chicken and egg scenario in that we can no longer decide which came first: malicious attacks against cables or the speech acts that have securitized cables. Nevertheless, the results of securitizing what a robust industry has been largely in private hands (outside China) may have more negative the positive consequences.

10. Unilaterally develop cable regimes

Australia's lead in the protection of undersea cables by robust legal, regulatory and policy measures has given it a so-called "gold standard." However, Australia's geography, in particular, allows for this and cannot be reproduced in Japan or India, for instance. We recommend Quad members reference Australia's cable standards but develop individual cable protection regimes that fit with their geographical remit, their public-private frameworks, and their legal regimes.

11. Single point of contact

Quad members should designate their nodal agencies for cooperation on submarine cable protection. Interagency cooperation via a single point of contact in Delhi or Canberra will facilitate quicker resolution of cable sabotage, for instance, but also will build a robust and efficient Indo-Pacific framework by developing Standard Operation Procedures to be followed amongst the partners.

Conclusion

The longevity and critical role of submarine cables in global connectivity underscore the newfound imperative to address their protection in the face of escalating geopolitical tensions, exemplified by the Quad's proactive stance in establishing a cooperative framework. The pragmatic policy recommendations put forth emphasize collaboration with industry, adherence to international agreements, and a focus on achievable goals, reflecting the Quad's current informal structure. In short, the Quad is constrained in what it can and cannot hope to achieve vis-à-vis submarine cable protection as well as a host of other threats across the Indo-Pacific. This policy analysis is useful because it adds to and refines existing literature related to the quartet's efficacy as a security grouping, its cohesiveness, its deterrent value, and its future trajectory in the Indo-Pacific.

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