

MARITIME SAFETY COMMITTEE  
104th session  
Agenda item 17

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## ANY OTHER BUSINESS

### Comments on document MSC 104/17/7

#### Submitted by Friends of the Earth and Pacific Environment\*

#### SUMMARY

*Executive summary:* This document comments on document MSC 104/17/7 and provides additional information on challenges in implementing the Polar Code and on the Arctic Shipping Best Practice Information Forum. It invites the Committee to consider how to support Member States in addressing the challenges experienced with the implementation of the Polar Code.

*Strategic direction, if applicable:* Other work

*Output:* OW 43

*Action to be taken:* See paragraph 9

*Related document:* MSC 104/17/7

#### Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the annex to *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.5/Rev.2)* and comments on document MSC 104/17/7 (WWF).

2 FOEI and Pacific Environment have been involved in the discussions around the development of the International Code for Ships Operating in Polar Waters (Polar Code) since the earliest days of its development and have actively engaged in the work considering safety measures for non-SOLAS ships operating in polar waters. The co-sponsors interest focuses on both the environmental impact of ships operating in polar waters and the impacts for indigenous communities in the Arctic. The environmental impact of polar shipping does not only focus on environmental protection but also on the elimination or minimization of risks of shipping accidents in polar regions.

\* Supported by the Antarctic and Southern Ocean Coalition.

### **Comments on document MSC 104/17/7**

3 FOEI and Pacific Environment welcome document MSC 104/17/7 submitted by WWF presenting challenges experienced with the implementation of IMO's Polar Code. In the paragraphs below, FOEI and Pacific Environment present additional material on challenges in implementing the Polar Code and on the Arctic Shipping Best Practice Information Forum. It is clear that there is complementarity between challenges identified by different sources. For example, document MSC 104/17/7, paragraph 4.1 identifies difficulties in obtaining mean daily low temperature data as some areas are not covered by meteorological data, while below a submission to the Antarctic Treaty Consultative Meeting also identified a similar challenge during the certification of a Category C research ship.

#### **Experience from the Southern Ocean**

4 The Antarctic Treaty Consultative Meeting took place virtually in June 2021 and in a submission (ATCM XLIII IP 57) Spain summarized its experience in certifying for polar operations a Category C research ship, the *RV Sarmiento do Gamboa*. The paper addresses a wide range of requirements under the Polar Code and highlighted some areas where challenges were experienced with respect to the implementation of the Code, including the use of goal-based standards, polar service temperature requirements, operational assessment and risk assessment models, life-saving equipment and polar conditions. Establishing the Polar Service Temperature (PST) is identified as a challenge when data from direct temperature measurements is not available. The paper concludes that for some routes it is necessary to extrapolate data and suggests that it would be helpful if there was clarity on which extrapolation models are considered acceptable.

5 A further challenge highlighted by ATCM XLIII IP 57 focuses on the consideration of hazards listed in the Polar Code. Currently there is only a risk assessment model for ice hazards and as yet nothing available to address or consider the risk associated with operating in low temperatures and at high latitudes. Without a standard assessment model to assess these hazards, the paper concludes that it is difficult to undertake full risk assessments and points out that sailing in low air temperatures has implications for ship's structure.

#### **Arctic Shipping Best Practice Information Forum**

6 The Arctic Shipping Best Practice Information Forum (the Forum) was developed in response to the adoption of the Polar Code by IMO. As detailed in MSC 101/INF.18, the purpose of the Forum is to raise awareness of the Polar Code's provisions among all those involved in or potentially affected by Arctic marine operations and to facilitate the exchange of information and best practices between the Forum participants on specific shipping topics, including but not limited to: hydrography, search and rescue logistics, industry guidelines and ship equipment, systems and structure. A publicly accessible web-portal has been created with information specific to each chapter of the Polar Code at [www.arcticshippingforum.is](http://www.arcticshippingforum.is). Forum participation is open to Arctic States, Permanent Participants and Arctic Council Observers as well as any widely recognized professional organization dedicated to improving safe and environmentally sound marine operations in the Arctic as demonstrated by expertise and experience in Arctic shipping and/or related issues. The Protection of the Arctic Marine Environment (PAME) Working Group of the Arctic Council approved the Forum's Terms of Reference at their meeting of February 2017, and the PAME working group currently supports and maintains the Forum.

7 The Forum is an extremely useful tool for Arctic voyage planning and preparation and is intended to serve as a "one stop shop" for information related to Polar Code compliance for Arctic vessel operations. Despite extraordinary efforts by the PAME Secretariat to support and maintain it, the Forum has not reached its full potential because of a lack of resources in key areas. The following suggestions should be considered:

- .1 Arctic States, insurers, classification societies and/or trade group of Arctic shipping consider financially supporting the Forum to ensure continued operation and utility as a source of high-quality information for Polar Code-compliant Arctic operations;
- .2 shipping insurers, P&I groups and others publicly recommend that their clients use the Forum for Arctic voyage planning. The effects of such recommendations can be measured through increased discrete visits to the site; and
- .3 Arctic States, industry entities, IGOs and NGOs make Arctic operations-relevant contributions to the Forum database to increase the useful information it contains.

8 This submission comments on document MSC 104/17/7, which calls out areas of difficulty in compliance, and gaps, in the Polar Code. The Arctic Shipping Best Practice Information Forum is a tool that can be useful in helping with compliance, and closing gaps in the Code, but only if it is properly supported and utilized.

#### **Action requested of the Committee**

9 The Committee is invited to note the views and information expressed in paragraphs 3 to 8 and to consider how the Committee can support Member States in addressing the challenges experienced with the implementation of the Polar Code.

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