

## IUMI Policy Agenda

### 1. Arctic sailings

#### *Brief description*

Ice conditions make Arctic sailings a relevant option for more commercial vessels transiting between Europe and Asia and the number of cruise ships in polar waters are on the rise. Ice conditions, the role of class, ship design, remoteness, support networks, availability of icebreakers, SAR, and experience and training of crew are amongst the relevant issues for underwriters in assessing this risk.

In November 2014, the IMO Maritime Safety Committee (MSC) adopted the International Code for Ships Operating in Polar Waters and the associated new SOLAS chapter XIV. The Maritime Environmental Protection Committee (MEPC) adopted the MARPOL amendments in May 2015. Training requirements within the STCW Convention and the Code for officers and crew on board ships operating in polar waters were adopted by MSC in 2016.

The Code entered into force 1 January 2017. The safety part of the Polar Code applies to ships certified under SOLAS, i.e. cargo ships of 500 GT or more and all passenger ships. Ships constructed on or after 1 January 2017 shall comply with the safety requirements. Ships constructed before 1 January 2017 shall comply by the first intermediate or renewal survey occurring after 1 January 2018. All existing and new ships certified under MARPOL shall comply with the environmental requirements as of 1 January 2017. Polar Code amendments to STCW took effect on 2 July 2018.

Guidelines for the development of a Polar Water Operational Manual was published by International Chamber of Shipping (ICS) and Oil Companies International Maritime Forum (OCIMF) in November 2019.

An interim guidance on methodologies for assessing operational capabilities and limitations in ice (POLARIS) was approved by MSC 96 in May 2016. The guidance shall be reviewed four years after the entry into force of the Polar Code in order to make any necessary amendments based on experience gained. Member States and international organizations are invited to report on their experience with the use of POLARIS.

In November 2020, MEPC approved a ban on the use of heavy fuel oil in the Arctic region from 1 July 2024. For vessels with double hull, the entry into force date is 1 July 2029. There is also an option for states with an Arctic coastline to waive the requirement for ships flying its flag and operating in its water until 1 July 2029. The MARPOL amendments are expected to be adopted by MEPC 76 in June 2021.

Currently, there is a consideration for an instrument to address non-Convention vessels operating in polar waters. MSC 98 agreed in June 2017 that the output to “Safety measures for non-SOLAS ships operating in polar waters” is a matter of urgency and

moved this to its agenda for the 2018-2019 biennium. MSC 99 instructed in May 2018 the Sub-Committee on Ship Design and Construction (SDC) to develop recommendatory safety measures for fishing vessels of 24m in length and over, and pleasure yachts above 300 gross tonnage not engaged in trade. SDC 6 resolved in February 2019 to develop two sets of guidelines for fishing vessels and pleasure yachts, respectively. The guidelines were finalized by SDC 7 in February 2020, and will be submitted to MSC 103 for approval. In November 2020, MSC 102 instructed SDC to also consider safety guidelines for pleasure yachts engaged in trade and cargo ships, both of 300 GT and above and less than 500 GT, operating in polar waters.

To progress the work, MSC 101 instructed in June 2019 the Sub-Committee on Navigation, communications and Search and Rescue (NCSR) to consider the feasibility and consequences of applying chapters 9 and 11 of the Polar Code to non-SOLAS vessels and how best to enhance the safety of these vessels, including possible amendment of SOLAS and/or the Polar Code. In January 2020, NCSR agreed to progress the work in a correspondence group until NCSR 8 in 2021. The correspondence group has expressed a need to extend the output of this work beyond 2021.

As an interim measure, MSC 101 approved an Assembly resolution urging Member States to take steps, on a voluntary basis, to implement the safety measures of the Polar Code on non-SOLAS vessels.

IUMI participates in the Arctic Shipping Best Practices Information Forum of the Arctic Council that was formed in 2017. The Forum supports the implementation of the Polar Code, and a public web-portal is available with accurate information from authoritative sources including the Arctic States, intergovernmental organisations, classification societies, the shipping industry, marine insurers, and non-governmental organisations.

#### *Relevant authority / organisations and documents*

- **IMO MEPC & MSC** with input from Sub-Committees (HTW, SSE, NCSR)
  - **Polar Code:**
    - <http://www.imo.org/en/MediaCentre/HotTopics/polar/Pages/default.aspx>
    - Resolution MSC Res.385(94), adopted 21 November 2014.
    - SOLAS Ch. XIV (MSC Res.386/94).
    - MEPC 68/21/Add.1/Corr.2, adopted 15 May 2015.
  - MSC95/21/3: Request for data on incidents within polar waters, submitted by Iceland, New Zealand and South Africa, 24 March 2015.
  - SSE3/15/4: Additional performance and/or test standards in support of the implementation of the Polar Code, submitted by Argentina, the Marshall Islands, New Zealand, Norway and Vanuatu, 15 December 2015.
  - MSC.1/Circ.1519: Guidance on methodologies for assessing operational capabilities and limitations in ice (POLARIS), 6 June 2016.
  - MEPC70/17/4: Heavy fuel oil use by vessels in Arctic waters, submitted by FOEI, WWF, Pacific Environment and CSC, 22 July 2016.
  - MEPC71/14/4: Measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters, submitted by Canada, Finland,

- Germany, Iceland, Netherlands, Norway and the United States, 31 March 2017.
- MEPC71/16/4: Current and projected vessel traffic in the Arctic: heavy fuel oil use and its alternatives, submitted by FOEI, WWF, CSC and Pacific Environment, 31 March 2017.
  - MEPC71/16/8: Comments on the document on the use of heavy fuel oil in the Arctic (MEPC71/16/4), submitted by Russia, 12 May 2017.
  - MEPC72/11/1: Proposal to ban heavy fuel oil use and carriage as fuel by ships in Arctic waters, submitted by Finland, Germany, Iceland, the Netherlands, New Zealand, Norway, Sweden and the United States, 2 February 2018.
  - MSC99/INF.12: Industry guidance on the development of a Polar Water Operational Manual, submitted by ICS and OCIMF 12 March 2018.
  - MSC100/7: Safety measures for non-SOLAS ships operating in Polar waters - Application of chapters 9, 10 and 11 of the Polar Code, submitted by Canada and New Zealand, 12 September 2018.
  - MSC100/WP.9: Safety measures for non-SOLAS ships operating in Polar waters, report of the Working Group, 6 December 2018.
  - MSC101/7/2: Consideration of feasibility and consequences of applying the requirements in chapters 9 and 11 of the Polar Code to non-SOLAS ships operating in polar waters, submitted by Chile, France, Marshall Islands, New Zealand, FOEI, WWF and Pacific Environment, 1 April 2019.
  - MSC.1/Circ.1612: Guidance for navigation and communication equipment intended for use on ships operating in polar waters, 14 June 2019.
  - MSC.1/Circ.1614: Interim guidelines on life-saving appliances and arrangements for ships operating in polar waters, 26 June 2019.
  - SDC7/4: Safety measures for non-SOLAS ships operating in Polar waters, report of the Correspondence Group, 1 November 2019.
  - PPR7/14: Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters, report of the Correspondence Group, 14 November 2019.
  - A31/Res.1137: Interim measures for ships not certified under the SOLAS Convention operating in polar waters, 17 January 2020.
  - SDC7/WP.5: Safety measures for non-SOLAS ships operating in Polar waters, report of the working group, 5 February 2020.
  - PPR8/6: Development of guidelines on measures to reduce risks of use and carriage of heavy fuel oil as fuel, report of the Correspondence Group, 18 December 2020.
  - NCSR8/5: Safety measures for non-SOLAS ships – application of chapters 9 and 11 of the Polar Code, report of the correspondence group, 15 January 2021.
  - NCSR8/5/1: Response to the report of the correspondence group, submitted by FOEI, Pacific Environment and WWF, 12 February 2021.

- **Arctic Council** comprising Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the U.S. ([www.arctic-council.org](http://www.arctic-council.org)).
  - **Arctic Shipping Best Practices Information Forum web-portal:** <https://pame.is/arcticshippingforum>
  - [Guideline for Arctic Marine Risk Assessment](#), April 2020.
- **The Arctic Monitoring and Assessment Programme:** [www.amap.no](http://www.amap.no) – status of, and threats to, the Arctic environment.
- **Arctic “Best Practice Declaration”.** IUMI letter of support 19 April 2013.
- **Arctic information database:** [www.arctis-search.com](http://www.arctis-search.com) (Centre for High North Logistics).
- **ArcticWeb:** [www.arcticweb.com](http://www.arcticweb.com) – provides information on offshore Arctic areas through access to public data sources in the Arctic region.
- **European Union:**
  - Joint EC Communication to the European Parliament and Council - JOIN(2016) 21 final: An integrated EU policy for the Arctic, 27 April 2016.
  - European Parliament report on an integrated EU policy for the Arctic, 8 February 2017.
  - SEDNA (Safe maritime operations under extreme conditions) research project (<https://www.sedna-project.eu/>)
- **U.S. Coast Guard:**
  - Arctic Strategy, May 2013.
  - Policy Letter No. 01-16: Guidelines for training of personnel on ships subject to the International Code for ships operating in Polar waters (Polar Code), 10 February 2016.
- **Swedish conference and workshop** March 2014:  
<http://www.polar.se/en/articles/conference-report-sustainable-arctic-shipping-and-marine-operations>
- **Northern Sea Route Administration:**
  - [http://asmp.morflot.ru/en/cefi\\_funktsii/](http://asmp.morflot.ru/en/cefi_funktsii/)
  - [Russian Government: Northern Sea Route Development Plan for the period until 2031](#), 21 December 2019.
- **Insurance industry:**
  - [Lloyd’s / Chatham House: Arctic Opening: Opportunity and Risk in the High North:](#) <http://www.chathamhouse.org/publications/papers/view/182839> - 1 April 2012
  - [Cefor: Arctic Sailings Check List:](#) <http://cefor.no/Clauses/Arctic-Sailings-Check-List/> - October 2012.
  - [Gard: Climate change creates a new trade route – and new risks:](#) <http://www.gard.no/ikbViewer/web/updates/content/20738960/climate-change-creates-a-new-trade-route-and-new-risks> - 26 February 2014.
  - [Marsh: Arctic shipping: Navigating the risks and opportunities](#), August 2014 <https://www.marsh.com/uk/insights/research/arctic-shipping-navigating-the-risks-and-opportunities.html>.

- The Swedish Club: Ice – Advice for trading in the polar regions:  
<http://www.eyemag.se/core/main.php?SITEID=98b6c&PROJECTNR=4931> – 2014.
- Skuld: Arctic checklist:  
<https://www.skuld.com/topics/navigation/geographical/arctic/arctic-checklist/> - 16 February 2015.
- **IUMI: Position paper on Arctic sailings, 29 August 2018.**
- **ABS**: Navigating the Northern Sea Route Advisory:  
[http://www.eagle.org/eagleExternalPortalWEB/ShowProperty/BEA%20Repository/References/Capability%20Brochures/NSR\\_Advisory](http://www.eagle.org/eagleExternalPortalWEB/ShowProperty/BEA%20Repository/References/Capability%20Brochures/NSR_Advisory) - January 2014
- **US**:
  - Bureau of Safety and Environmental Enforcement & Bureau of Ocean Energy Management: Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf, 20 February 2015.
  - Government Accountability Office: Report to Congressional requesters – Maritime Infrastructure, April 2020.
- **CMI Polar Shipping Working Group / Hafnia Law Firm**: Report on the Legal Framework for Civil Liability for Vessel Source Oil Spills in Polar Regions, 2 February 2016.
- **Oil Companies International Marine Forum (OCIMF)**: Northern Sea Route Navigation – Best Practices and Challenges, December 2017.
- **Northern Sea Route Information Office**: [www.arctic-lio.com/](http://www.arctic-lio.com/)
- **The Arctic Maritime and Aviation Transportation Infrastructure initiative**: [www.articinfastructure.com](http://www.articinfastructure.com)
- **People's Republic of China**: China's Arctic Policy, 26 January 2018.
- **ICS & OCIMF**: Guidelines for the Development of a Polar Water Operational Manual, November 2019.

### *Timeline / important dates*

- Russian Northern Sea Route Administration established 15 March 2013.
- IMO Workshop on Safe Ship operations in the Arctic Ocean: 28 February 2014.
- IUMI PF Workshops 2014 & 2015.
- MSC 94: 17-21 November 2014: Adoption Polar Code and SOLAS Chapter XIV.
- MEPC 68: 11-15 May 2015: Adoption MARPOL amendments.
- MSC 95: 3-12 June 2015: Report on operational limitations in ice & approval STCW amendments.
- Arctic Coast Guard Forum: Joint statement on creating a strategic framework for an operationally-focused consultative organization, 10 June 2016.
- US / Canada: Ban on Arctic drilling in key Arctic and Atlantic offshore areas, 20 December 2016.
- Polar Code entered into force 1 January 2017, applying for new ships constructed after that date. Ships constructed before that date shall meet the relevant requirements by the first intermediate or renewal survey, whichever



occurs first, after 1 January 2017. STCW amendments took effect from 1 July 2018.

- European Parliament vote: Resolution on the Arctic, 16 March 2017.
- SEDNA research project June 2017 – June 2021.
- SDC 6: 4-8 February 2019.
- MSC 101: 5-14 June 2019.
- Assembly: 25 November – 5 December 2019.
- NCSR 7: 13-24 January 2020.
- SDC 7: 3-7 February 2020.
- PPR 7: 17-21 February 2020.
- 4<sup>th</sup> annual meeting of the Arctic Shipping best Practices Information Forum, 24-25 November 2020.
- EU Arctic Policy: Public consultation 21 July – 10 November 2020.
- MSC 102: 4-11 November 2020.
- MEPC 75: 16-20 November 2020.
- NCSR 8: February 2021.
- FAL 45: April 2021 - Final consideration of initial review of FAL convention
- MSC 103: 3-14 May 2021.
- Possible entry into force of amendments (if agreed) to SOLAS and/or the Polar Code for non-SOLAS vessels: 1 January 2024.
- MEPC 76: 14-25 June 2021.

*IUMI will:*

- Participate in discussions with industry, IMO and coastal states on necessary standards and infrastructure in Polar waters.
- Support the urgent consideration for a mandatory instrument to address non-SOLAS vessels operating in polar waters.
- Participate in the Arctic Shipping Best Practice Information Forum, which is responsible for the information web-portal launched to support implementation of the Polar Code.