

SUB-COMMITTEE ON NAVIGATION,
COMMUNICATIONS AND SEARCH AND
RESCUE
8th session
Agenda item 5

NCSR 8/5/1
12 February 2021
Original: ENGLISH
Pre-session public release: ☒

SAFETY MEASURES FOR NON-SOLAS SHIPS OPERATING IN POLAR WATERS

Response to the Report of the Correspondence Group (NCSR 8/5)

Submitted by FOEI, Pacific Environment and WWF

SUMMARY

Executive summary: This submission provides comments on the report of the Correspondence Group on Safety measures for non-SOLAS ships operating in polar waters, supports the proposal for a further correspondence group to be established by NCSR 8 and requests that the views expressed in this submission be forwarded to the correspondence group

Strategic direction, if applicable: 6

Output: 6.38

Action to be taken: Paragraph 10

Related document: NCSR 8/5

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 provides comments on document NCSR 8/5 (New Zealand).

2 FOEI, Pacific Environment and WWF participated in the work of the Correspondence Group and support the report on safety measures for non-SOLAS ships operating in polar waters: application of chapters 9 and 11 of the Polar Code to non-SOLAS ships.

Comment on action requested of the Sub-Committee

Establishment of a correspondence group to work on the unresolved issues

3 The co-sponsors support the proposal in document NCSR 8/5 for a correspondence group to be established by NCSR 8 (paragraph 30.3) and in particular support the priority given

to determine the appropriate method for excluding fishing vessels used for subsistence and small scale commercial harvest and on whether chapters 9 and 11 should be extended to fishing vessels below 24 meters in length (paragraph 30.3.2), and will continue to contribute to the work of a correspondence group if agreed by NCSR 8.

Fishing vessel size

4 The co-sponsors encourage scrutiny of the application of chapters 9 and 11 to fishing vessels below 24 metres in length since a considerable number of vessels under this length operate widely in Arctic waters and the number involved in accidents, losses, damage or oil discharges is the most significant. Preliminary analysis undertaken by WWF of the Arctic Council's Protection of the Arctic Marine Environment working group's Arctic Vessel Accident Data 2005-2017 is set out below. This data is for fishing vessels within the maximum extent of Arctic waters as set out in the Polar Code. The data analysed is for the years available 2005-2017, inclusive. We can offer further analysis and submit it to the correspondence group if established, as appropriate.

5 The table shows that fishing vessels between 10 and 24 metres in length have the highest figures relating to every category during the period studied: accidents, vessels lost, vessels damaged and oil discharge.

2005 to 2017 Fishing vessels	Total	Under 10m	Between 10-24m	Over 24m
Accidents	230 (100%)	48 (21%)	109 (47%)	73 (32%)
Lost	24 (100%)	10 (42%)	11 (46%)	3 (13%)
Damaged	86 (100%)	21 (24%)	38 (44%)	27 (31%)
Oil discharge	112 (100%)	14 (13%)	68 (61%)	30 (27%)

Additional comments

Administrative discretion (paragraphs 18 to 21)

6 The co-sponsors remain concerned that any Administration discretion (paragraphs 18 to 21) should not undermine the integrity and consistency of the overall regime. We particularly support the conclusion in paragraph 19.2 and believe that it is important to have a robust regime in place, particularly since with the loss of polar sea ice increasing numbers of ships from flag States that lack polar experience are visiting these challenging regions.

Safety of navigation (annex)

7 Provision 9.3.2.1.1.1 of the annex addressing chapter 9 – *Safety of navigation* remains in square brackets and refers to other devices capable of depth sounding, such as a fish finder device, being used as an equivalent means of meeting the requirement to install two independent echo-sounding devices or one echo-sounding device with two separate independent transducers. The co-sponsors suggest that the primary echo sounding device should be a dedicated depth sounder device, with a fish finder device only available as a secondary device.

8 The co-sponsors support the inclusion of provision 9.3.2.1.2.1, addressing ships of unconventional design which cannot comply regulation 9.3.2.1.2 and require making arrangements to achieve the level of visibility equivalent to that required by 9.3.2.1.2, which remains in square brackets.

Voyage planning (annex)

9 The co-sponsors support the inclusion of the current text in square brackets in provisions 11.3.1 and 11.3.10 contained in the annex, and propose a rewording for 11.3.10 as shown below:

11.3.10 "[Voyage planning should take into consideration the requirements of part II of this Code along with national regulations and relevant indigenous guidance on discharges of wastes and the availability of on-shore infrastructure in polar regions that directly relates to appropriate handling of wastes. Furthermore, in considering provision 11.3.8 above, voyage planning should avoid discharging wastes therein.]"

Action requested of the Sub-Committee

10 The Sub-Committee is invited to note the views expressed in paragraphs 3 to 9, support the establishment of a further correspondence group by NCSR 8, and forward the views in this submission to the correspondence group for consideration.
