



SUB-COMMITTEE ON SHIP DESIGN AND
EQUIPMENT
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DEVELOPMENT OF A MANDATORY CODE FOR SHIPS OPERATING IN POLAR WATERS

Principles for proposed mandatory Code for ships operating in polar waters

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SUMMARY

<i>Executive summary:</i>	This document proposes principles to be followed in developing a proposed mandatory Code for ships operating in polar waters, the Polar Code
<i>Strategic direction:</i>	5.2
<i>High-level action:</i>	5.2.1
<i>Planned output:</i>	5.2.1.1
<i>Action to be taken:</i>	Paragraph 11
<i>Related documents:</i>	DE 41/10; MSC 86/23/9 and MEPC 59/20/1

Introduction

1 The Maritime Safety Committee, at its eighty-sixth session, agreed to include an item on Development of a mandatory Code for ships operating in polar waters in the Sub-Committee's work programme and provisional agenda to DE 53.

2 This submission proposes the principles to be followed in the development of a mandatory Code for ships operating in polar waters. Specific measures can then be based on agreed principles.

3 Certain of the principles proposed in this submission are taken from document DE 41/10 (Development of a Polar Code – The International Code of Safety for Ships in Polar Waters). This document, from which the original Guidelines for Ships Operating in Arctic Ice-Covered Waters were derived, was first proposed as a comprehensive document, written in neutral language for development as either mandatory or not.

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Principles

4 **Scope** – The provisions of the SOLAS, STCW and MARPOL Conventions do not cover all the challenges that operation in polar waters poses to ships and to the persons on board. The Code will therefore address all aspects of the operation of ships not covered by these Conventions as well as such other measures as are considered necessary for the safety of life and the protection of the environment in polar waters.

5 **Application** – The Code will assume that the ship is compliant with IMO Conventions, and as such the Code will be mandatory for Convention vessels. Extension of the Code to other vessels that visit and potentially impact polar regions should be considered. Application to existing vessels will consider reasonable transitional periods for the various requirements.

6 **Implementation** – The Code will be implemented, as a stand-alone document, by amendments to appropriate IMO instruments.

7 **Approach** – The Code recognizes that safe operation in these remote areas requires a holistic approach that capitalizes on all expertise involving: design and outfitting of ships to meet the challenges of polar operating conditions; sufficient numbers of suitably qualified personnel; operation in a planned and prudent manner given the challenges of the environment, SAR capabilities and infrastructure limitations; and adequate preparation for emergency situations.

7.1 The intention is that the mandatory provisions will provide for safe, secure and environmentally sound operation, and promote the harmonization of national regulations that may be in force in individual coastal States. Risk-based and functional requirements should be considered, and, where appropriate, apply goal-based standards. A risk-based approach would be helpful in addressing various operational conditions and ease the transition from specific national regulations to international mandatory provisions.

7.2 The concepts in the existing Guidelines, supplemented by other measures, such as those concepts included in document DE 41/10, will serve as the basis for discussions to more fully develop mandatory provisions in the Code.

7.3 Construction requirements will apply to vessels that operate in polar ice-covered waters or that carry pollutants in polar waters in an amount that poses a higher than acceptable risk. Other requirements may apply to all vessels or apply to vessels with specific operating characteristics. Consideration may be given to the addition of an “open water” Polar Class for vessels meeting all provisions other than hull and machinery ice-strengthening.

7.4 The safety of life will be given priority in the development of the Code, understanding that many provisions for safety of life will promote as well environmental protection by reducing the possibility and severity of incidents.

7.5 Where appropriate, the effectiveness of “best practices” as a mitigating factor, such as operating in conjunction with another vessel, should be considered in promoting innovation in safety and environmental protection.

7.6 Measures relevant to the protection of the polar environment should also be considered, to the extent not covered in other instruments or other means.

7.7 Measures relevant to the availability and capabilities of Search and Rescue assets of coastal States in the polar regions and the likely proximity of other vessels that could provide assistance in times of distress should also be considered, to the extent not covered in other instruments or other means.

8 **Structure** – The Code will conform to the structure of recent Codes developed by the Organization, with mandatory provisions in a Part A and recommendatory provisions in a Part B.

9 **Control of shipping** – Ships will require certification as being in compliance with the mandatory provisions of the Code if they operate in polar waters. The permit will be issued by the Administration and will stipulate the conditions of operation of the ship as well as any constraints that may be applicable.

9.1 A standard for determining the risk posed by ice and weather conditions will be developed in order to provide shipowners and Administrations with a tool to assess the Polar Class required for the intended operation. Consideration may be given to requiring ships to report ice conditions based on the standard, as well as their location, to the Administration at defined intervals.

10 **Enforcement** – Verification of shipping controls introduced in the Code will be added to flag State monitoring and port State control inspections for ships making voyages in polar waters.

Action requested of the Sub-Committee

11 The Sub-Committee is invited to consider the principles proposed in this submission to underpin and guide the work of developing a mandatory Code, as appropriate.
