



SUB-COMMITTEE ON SHIP DESIGN AND  
EQUIPMENT  
51st session  
Agenda item 11

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## **AMENDMENTS TO THE GUIDELINES FOR SHIPS OPERATING IN ARCTIC ICE-COVERED WATERS**

### **Comments on issues to be considered**

#### **Submitted by Australia**

#### **SUMMARY**

***Executive summary:*** The results of Australia's evaluation of the issues associated with consideration and completion of this agenda item are presented for the guidance of the Sub-Committee.

***Action to be taken:*** Paragraph 17

***Related documents:*** MSC 79/INF.2 and DE 50/27, section 15

### **Introduction**

1 Australia noted that, in considering the amendments proposed by the Antarctic Treaty Consultative Meeting contained in document MSC 79/INF.2, DE 50 had concluded that the existing Guidelines for ships operating in Arctic ice-covered waters (MSC/Circ.1056 – MEPC/Circ.399) need to be updated to take into account:

- .1 whether full double-bottom construction is necessary for ships operating in Antarctic waters;
- .2 technical developments since approval of the Guidelines in 2002, especially with regard to damage stability, double bottoms and the carriage of pollutants in spaces adjacent to the outer hull;
- .3 the particularities of the southern hemisphere with regard to environmental and port State control issues;
- .4 IACS Unified Requirements and Finnish ice navigation rules; and
- .5 possible special consideration of passenger ships that only visit the polar regions in summer.

2 The above issues will be considered in turn later in this document.

3 This document is submitted by Australia as an active participant in the Antarctic Treaty, in an attempt to provide the Sub-Committee with a way forward in considering this agenda item, the importance of which was emphasized by the recent damage, capsize and sinking of m.s. **Explorer** while operating in Antarctic waters.

### **General comments**

4 The present Guidelines do not have an application clause in the traditional IMO sense. In Australia's view the revised Guidelines should be applied as widely as possible and certainly in relation to ships constructed or converted for polar service after their date of adoption. They should also be applied as far as reasonable and practicable to ships for polar service constructed before that date.

5 It is impracticable for the revised Guidelines, as may be applied to existing ships, to relate to any one superseded edition of SOLAS. Australia is therefore comfortable with the text being written in general terms, as at present. However, it is our view that all ships operating in polar waters should at least meet the requirements of SOLAS as amended in 1981 in view of the step-change in safety represented by those amendments.

6 Australia is concerned that personnel evacuated into survival craft in polar waters should be afforded modern standards of protection from the elements irrespective of the ship's date of construction or whether it ventures into ice-covered waters. Such standards include enclosed lifeboats and immersion suits. Australia has therefore proposed that the provisions of chapter 11 of the Guidelines should apply to all ships venturing into polar geographic regions, although it would be acceptable if this proposal were to apply only to Antarctic waters.

### **Amendments proposed in annex B to document MSC 79/INF.2**

7 Australia supports the proposed amendments. The text of annex B is therefore taken as the base text for proposals in the remainder of this document.

### **Whether full double-bottom construction is necessary for ships operating in Antarctic waters**

8 The coverage of Antarctic waters with high quality navigation charts might best be described as "patchy". Increased risk of grounding due to inadequate charts is therefore a hazard of Antarctic navigation. Risk of ice damage to vessels is also a possibility. In addition, there are considerable problems with providing assistance to a grounded vessel in a remote area and potentially inhospitable conditions.

9 That being the case, SOLAS regulation II-1/9.1, as amended by resolution MSC.216(82), requires passenger ships and cargo ships other than oil tankers to be fitted with a double bottom extending between peak bulkheads "as far as this is compatible with the design and proper working of the ship". Similar provisions have been included in SOLAS chapter II-1 since 1992. The adoption of the latest amendments to chapter II-1 would therefore not indicate any need to change section 3.3 of the Guidelines. However, this is a matter within the competence of the SLF Sub-Committee and should therefore be referred to that forum.

**Technical developments since approval of the Guidelines in 2002, especially with regard to damage stability, double bottoms and the carriage of pollutants in spaces adjacent to the outer hull**

10 Australia has examined all SOLAS amendments adopted since the present Guidelines were approved in December 2002 and has reached the conclusion that none of them are in conflict with the provisions of the present Guidelines for similar reasons to those outlined in paragraph 8. The Sub-Committee is invited to consider whether it concurs with this view.

11 In view of the fundamental nature of the recent amendments to SOLAS chapter II-1 in relation to subdivision and damage stability (resolutions MSC.194(80) and MSC.216(82)), it may be appropriate for the SLF Sub-Committee to examine whether the general view expressed in paragraph 10 should apply to SOLAS chapter II-1 as amended, notwithstanding the fact that Australia regards the amended chapter II-1 as providing a substantial improvement in ship subdivision and damage stability over the superseded provisions.

**The particularities of the southern hemisphere with regard to environmental and port State control issues**

12 Due to the particular status of Antarctica, difficulties arise in the exercise of the normal rights of port and coastal States in implementing the standards of not only the Guidelines but also the SOLAS Convention in relation to vessels operating in the Antarctic area. For this reason, it is suggested that the revised Guidelines should be adopted as an MSC-MEPC resolution and that the resolution should urge all States to take appropriate steps to ensure compliance with the Guidelines by all ships departing on voyages to the Antarctic area. Such text, inserted with the primary intent of protecting the marine environment through prevention and mitigation of marine accidents, would be consistent with the provisions of Part XII of UNCLOS.

13 Should the Sub-Committee concur with this proposal, the intended course of action should be brought to the attention of the Committee at the earliest opportunity.

**IACS Unified Requirements and Finnish ice navigation rules**

14 In the preparation of this document, it was noted that the IACS Unified Requirements for Polar class were amended in 2007. It would be appropriate for IACS and Finland respectively to advise the Sub-Committee of any amendments to the Guidelines that may be necessary to make the text consistent with the latest requirements.

**Possible special consideration of passenger ships that only visit the polar regions in summer**

15 With respect to Antarctic waters, all passenger vessel ship activity occurs close to or during the summer season. The amendments proposed by the Antarctic Treaty Consultative Meeting contained in document MSC 79/INF.2 take this into account.

16 Therefore, with respect to Antarctic waters, no consideration need be given to waiving or varying requirements for passenger ships that only visit these waters during summer.

**Action requested of the Sub-Committee**

17 The Sub-Committee is invited to take the views expressed into account when considering this agenda item.