Progress on Southern Ocean protection and vessel activity

Submitted by ASOC
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Abstract
The IMO has agreed to consider additional provisions for vessels not covered by the Safety of Life at Sea (SOLAS) Convention in Step 2 or Phase 2 of the Polar Code. Most recently, Member States and international organizations were invited to submit further information to IMO’s Maritime Safety Committee (MSC), the next meeting of which takes place in November 2016. Consequently, ASOC urges the CCAMLR Secretariat to provide comprehensive information on incidents in polar waters involving fishing vessels, and encourages Commission Members to submit to the IMO’s MSC national reports into incidents and accidents involving fishing vessels. Nevertheless, given the seriousness of recent incidents involving fishing vessels in the Convention Area, ASOC believes it is appropriate for CCAMLR to introduce additional measures to protect human life and the environment. These include requiring all licensed vessels to meet at least the ICE-1C ice classification standard and introducing a two-tier level of training for fishing vessel crews in the CCAMLR area via a new Conservation Measure.

1. Progress at the IMO on non-SOLAS vessels operating in polar waters
Over six years ago it was recognised that there is a need to consider additional provisions for vessels not covered by the Safety of Life at Sea (SOLAS) Convention and operating in polar waters, including fishing vessels. During an IMO Working Group meeting in 2010, it was proposed, and subsequently approved, that work on the Polar Code be split into two steps – with the second step considering the necessary requirements for so-called non-SOLAS ships which includes fishing vessels, private yachts and smaller cargo vessels under 500 gross tons.

The second phase of work on the Polar Code has yet to be timetabled. Following a proposal to the IMO’s Maritime Safety Committee (MSC) in June 2015 from Iceland, South Africa and New Zealand, IMO Members agreed that information on incidents involving non-SOLAS ships in polar waters would be submitted to the 96th meeting of the MSC. The 96th session of MSC was held in May 2016, with three papers submitted providing information on non-SOLAS vessels in polar waters and recent incidents. There was general support with some IMO Members supporting work on Phase 2 beginning without delay to enhance the safety of non-SOLAS vessels in polar waters. There was at least one view that the Polar Code should not be applied to fishing vessels until after the entry into force of the 2012 Cape Town Agreement. There were also views that further incident data relevant to non-SOLAS vessels would be valuable, and again Member States and international organizations were invited to submit further information to MSC 97 which takes place in November 2016.

Over the past years, ASOC has continued to highlight the importance of full reporting on all incidents, including thorough investigation into the causes of incidents, monitoring of associated pollution and environmental response and restoration actions. It is vital that lessons are learnt from incidents and accidents in polar waters and that the implementation of recommendations that arise from each investigation is monitored to ensure that maritime activities become safer for everyone.

Consequently, ASOC urges the CCAMLR Secretariat to provide comprehensive information on incidents in polar waters involving fishing vessels, and encourages Commission Members to submit to the IMO’s MSC national reports into incidents and accidents involving fishing vessels.

2. Aspects of Polar Code relevant to fishing vessels
In addressing the safety of passenger ships and cargo vessels in polar regions, Part I of the Polar Code includes a comprehensive range of provisions (see Table 1).

<table>
<thead>
<tr>
<th>Polar Code Part I</th>
<th>Polar Code Part II</th>
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<td>- requirement for a polar certificate</td>
<td>- prevention of pollution by oil</td>
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1 DE 54/13/5 Fishing vessels operating in polar waters. Submitted by New Zealand. DE 56/10/4 Safety and environmental requirements for fishing vessels when operating in polar waters. Submitted by Iceland.

2 CCAMLR XXXIII/BG/22 Proposals on improving the governance and control of fishing vessels operating in the Southern Ocean.
In CCAMLR XXXIV/BG/24\textsuperscript{3}, ASOC reviewed reports involving fishing vessels in the Antarctic area and concluded that all the chapters of Part I of the Polar Code should be considered to be potentially relevant for fishing vessels, although recognising that the specific provisions of the current Code may not be directly transferable. While reviewing reports on incidents, ASOC identified a lack of attention to safety in the design and operation of fishing vessels in the Antarctic, as well as a need for improvement in vessel safety and operation. Ice strengthening, watertight and weathertight integrity, machinery installations, fire safety and protection, safety of navigation, communication, voyage planning, and crew training were all identified as areas in need of further consideration based on the review of recent incidents involving fishing vessels in the Southern Ocean. ASOC also supports the need for fishing vessels to be issued with a polar certificate and to prepare a polar water operational manual to ensure that appropriate structural and operational standards are met.

3. **Action needed ahead of the development of a Polar Code for fishing vessels**

As the timescale for the development of a Polar Code for fishing vessels still has to be agreed, ASOC believes that CCAMLR should introduce priority measures in the interim to improve the safety of vessels operating in the Antarctic Area, including requirements for ice strengthening and crew training\textsuperscript{4}.

ASOC repeats calls for CCAMLR Members to address ice strengthening of fishing vessels\textsuperscript{5}, and urges Members to adopt a Conservation Measure (CM), that would reaffirm and strengthen CCAMLR Resolution 20/XXII, and require Members to only license vessels with a minimum ice classification standard of ICE-1C or more. A CM should address the overall minimum requirement for ice class for all vessels, as well as include a requirement for Members to notify the CCAMLR Secretariat of each registered fishing vessel’s ice class and for the information to be included in CCAMLR’s list of licensed vessels. It is clearly within CCAMLR’s authority to enact such a requirement.

A further area still in need of attention is the ratification and implementation of the IMO Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) which entered into force in 2012. In 2015, ASOC’s submission to CCAMLR\textsuperscript{6} identified that the Convention, which establishes basic requirements and minimum standards on training, certification and watchkeeping for fishing vessel personnel, had only been ratified by six CCAMLR Members (Namibia, Norway, Poland, Russia, Spain, Ukraine). This is still the case, and even if the Convention had been fully ratified and implemented, additional training for personnel operating in polar waters would be a gap in the Convention.

As a result, ASOC proposes that Commission Members both ratify the STCW-F and also adopt a Conservation Measure which would introduce a two-tier level of training for the Masters and crews of fishing vessel operating in waters south of 60°S. This would be similar to measures introduced in the Polar Code for Masters and crews of other vessels, and would require training be given for all fishing vessels.

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\textsuperscript{3} CCAMLR XXXIV/BG/24 The International Code for Ships Operating in Polar Waters: Step 2 addressing fishing vessels.

\textsuperscript{4} CCAMLR XXXIII/BG/22 Proposals on improving the governance and control of fishing vessels operating in the Southern Ocean.

\textsuperscript{5} CCAMLR XXXIII/BG/22 Proposals on improving the governance and control of fishing vessels operating in the Southern Ocean.

\textsuperscript{6} CCAMLR XXXIV/BG/24 The International Code for Ships Operating in Polar Waters: Step 2 addressing fishing vessels.
personnel on vessels operating in polar waters. It would also strengthen standards for training of Masters and officers in charge of the navigational watch.

4. Southern Ocean heavy fuel oil prohibition
Finally, on a positive note, ASOC welcomes the prohibition on use and carriage of heavy fuel oil in bulk on vessels operating in the Southern Ocean. Earlier this year, an amendment to the International Convention for the Prevention of Pollution from Ships (MARPOL), which bans the carriage of HFO as ballast, entered into force.

5. Recommendations
In brief, ASOC submits that CCAMLR Members should agree to:

- provide information on incidents in Antarctic waters involving fishing vessels to future sessions of IMO’s Maritime Safety Committee,
- upgrade CCAMLR Resolution 20/XXII on ice strengthening standards to a binding Conservation Measure that sets a minimum standard of ICE-1C for all fishing vessels, and
- ratify the IMO Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessels and introduce a two-tier level of training for fishing vessel crews in the CCAMLR Area via a new Conservation Measure.