

Polar ICE

Polar Code Implementation, Compliance and Enforcement

Piotr Graczyk

Research Scientist

NORCE Norwegian Research Centre

Arctic Shipping Best Practice Information Forum
24-25 November 2020

Outline of presentation



- About NORCE
- Project background
- Project objectives
- Organisation and implementation
- Preliminary findings

This is NORCE



773

Employees



939

MNOK



6

Key areas of research



4

University owners



10

Cities



49

Nationalities



Energy



Health



Climate



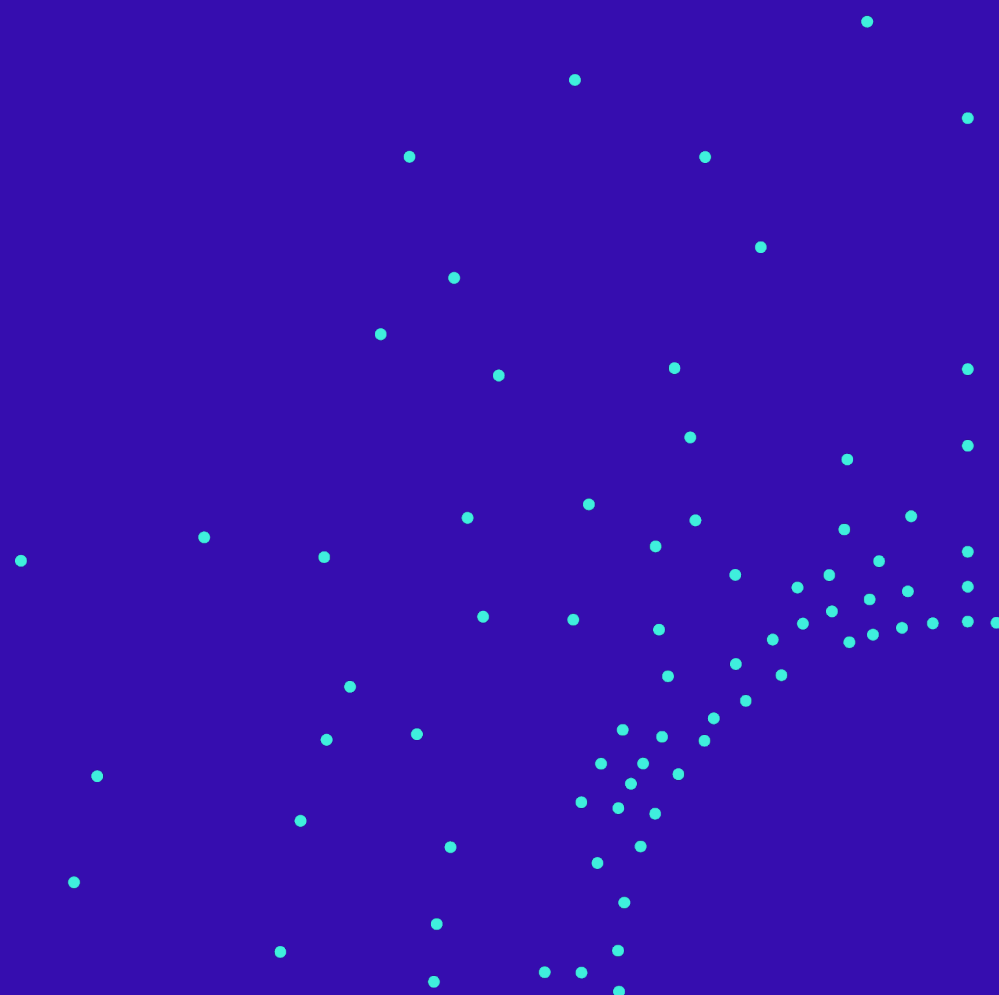
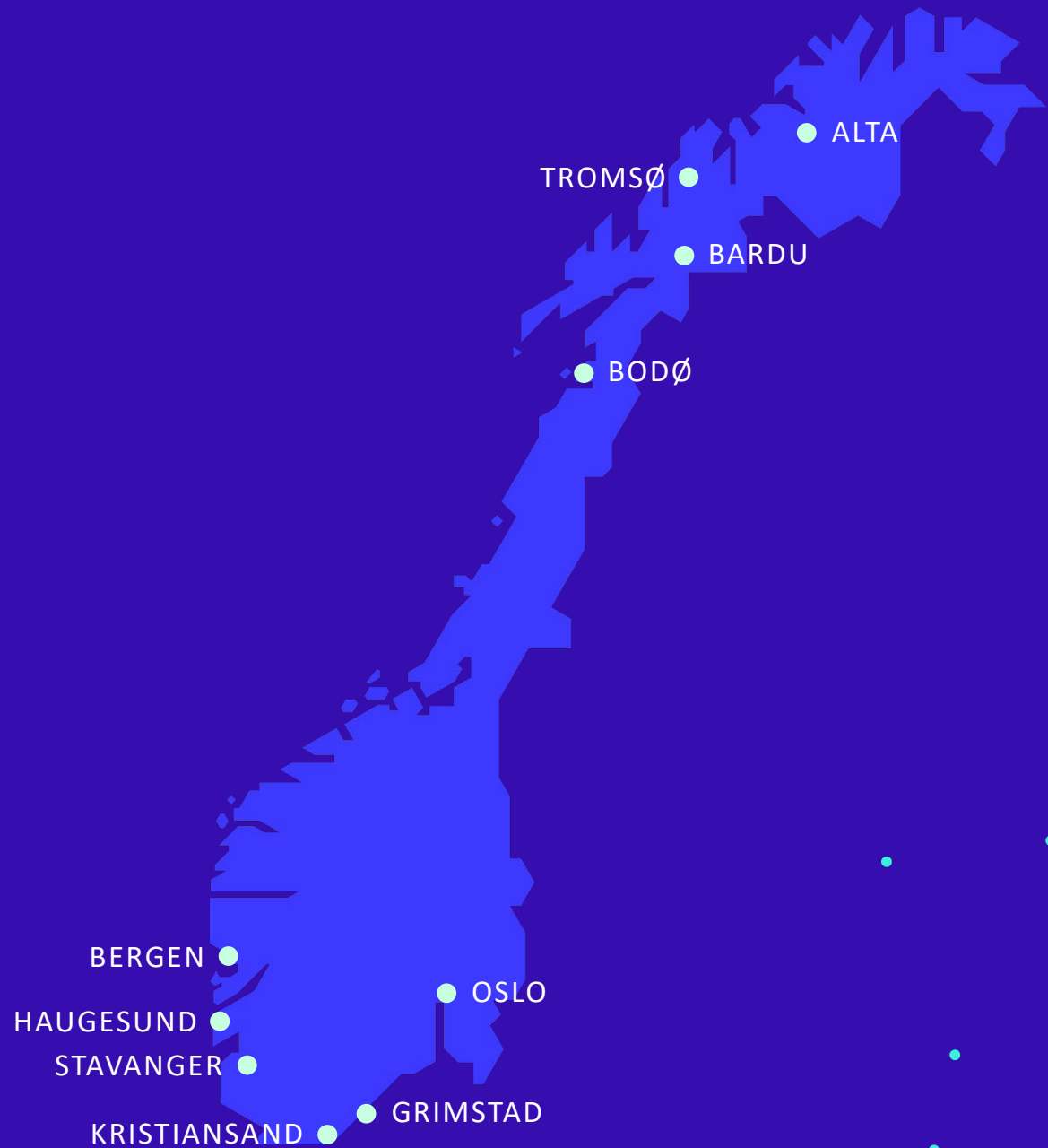
Environment



Society



Technology



Background



Complex constellation of interests:

1) Regional divisions

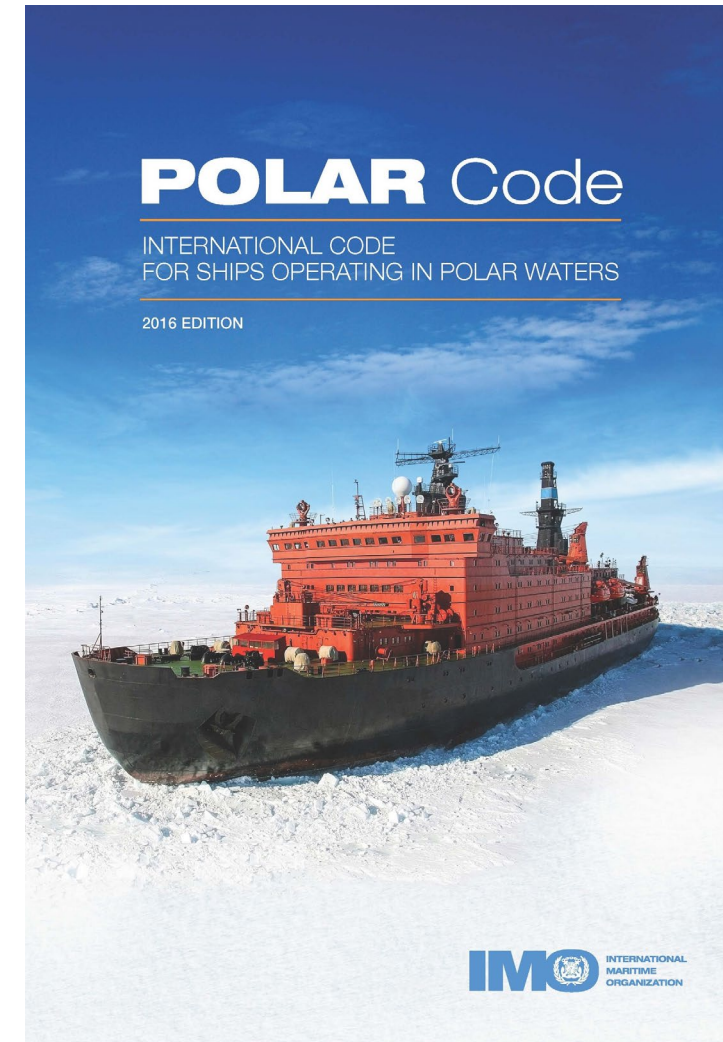
(Arctic vs. Antarctic, among the Arctic States)

2) Functional divisions

(Flag states, coastal states, port states, cargo owner / destination states)

3) Interests of non-state stakeholders

classification societies, ship operators, cargo owners, environmental NGOs, etc.



Implementation challenges

Goal-based functional requirements (Part I-A)

Implementation of Part I and Part II – different approaches

Harmonized interpretation

Human element

Crew training and manning

LSA and survivalability requirements

Regulatory and enforcement bodies

Scope of application

Ship category

Ice/polar class

Ice conditions

Operational Assessment

PWOM

Port State Control

POLARIS

Status

One parameter

«Interim guidance»

Human element

International cooperation



International efforts to facilitate implementation:

- IMO
- Arctic Council
 - PAME
 - Arctic Shipping Best Practice Information Forum
 - Arctic Council/IMO interplay
- Paris and Tokyo MoUs on Port State Control
- WMO, IHO/ARHC, IICWG

Strengthening of the Polar Code



1) Strengthening the existing provisions and enhancing implementation

Parts left blank and not addressed (primarily environmental)

POLARIS

2) Phase 2 – non-SOLAS vessels

Decision on more experience

Fishing vessels – Torremolinos Protocol/2012 Cape Town Agreement

Pleasure yachts not engaged in trade (above 300 GT) and cargo vessels (300-500 GT)

Outstanding issues



- heavy fuel oil
- grey water
- underwater noise
- air emissions from ships / black carbon
- marine plastic litter

Project objectives



Main goal:

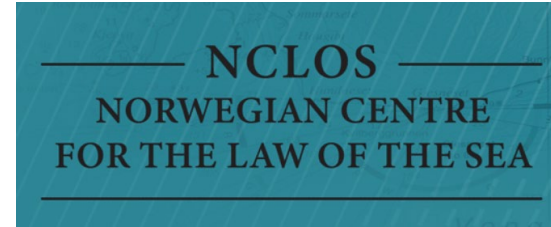
To develop a better understanding of differences in PC interpretation and knowledge gaps that are influencing on effective and consistent implementation of the Polar Code.

Project objectives



- 1) to **identify** and **map out how** different flag states **interpret** specific PC provisions and **how** these **interpretations are received** by other stakeholders;
- 2) to **analyse** the **legal aspects, consequences** and **measures** to address the issues identified;
- 3) to **compile a catalogue** of different **interpretations, knowledge gaps** in stakeholder's understanding of specified PC provisions as well as a **list of possible international mechanisms and measures** to address these issues.

Project Partners



NORCE

NORD
universitet

CHNL CENTRE FOR
HIGH NORTH LOGISTICS

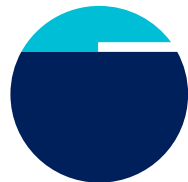


St Petersburg
University



Michael Kingston
Associates Ltd.

Collaborators:



Centre for the Ocean
and the Arctic



HALPIN
Centre for Research & Innovation at NMCI
Ionad um Thaighde agus Nuálaíocht ag NMCI

Project organisation

WP1

Identification and mapping of different interpretations of the PC provisions in defined areas and gaps in knowledge and information and engaging with stakeholders on these aspects of the PC implementation.

WP2

Legal analysis of the identified interpretation issues, supplemented by interviews along with a comparative study of the implementation of other IMO codes.

WP3

Compilation of a catalogue of different interpretations with additional, knowledge gaps in stakeholder's understanding of selected PC provisions and information gaps in the Forum's Web Portal; identification of most effective international mechanisms and measures to facilitate PC implementation.

Preliminary findings



Indicators of Polar Code implementation in national legislation and practice

1.	<i>Are there any changes in the national legislation and regulations in line with the Polar Code's requirements?</i>
2.	<i>How many Polar Ship certificates are issued by national competent authorities?</i>
3.	<i>Were the old ships (built prior to 1 January 2017) refitted in line with the Polar Code's requirements? How many ships were reequipped after the Polar Code's entering into force?</i>
4.	<i>How is control over the construction of ships for navigation in polar waters carried out? How many new ships are built in line with the Polar Code's requirements?</i>
5.	<i>How has the system of management bodies responsible for the implementation of the Polar Code been changed? Is the system for issuing permits for passage of vessels in polar waters clear and transparent?</i>
6.	<i>How has the role of national and international classification societies in surveying ships and issuing Polar Ship certificates changed? Whether their powers expanded or decreased in this sphere? How much can their competences and professionalism be trusted in the Polar Code implementation?</i>
7.	<i>What has changed in the national training system for crews navigating polar waters? How many new training centers have been created? How has the training system in these centers changed, including curricula and course system?</i>
8.	<i>Is the Polar Code implementation a subject to regular discussion by the professional community? How many and which conferences/seminars/meetings on the Polar Code implementation took place in a particular country?</i>
9.	<i>What expert recommendations for further improvement of the Polar Code have been developed by stakeholders?</i>

Preliminary findings



Analysis of the challenges of the Polar Code implementation (a background study)

Comprehensive analysis of the Forum's Web Portal

- Analysis of available information, knowledge gaps and possible improvements in this regard under respective PC chapters;
- In-detail qualitative content analysis of the Portal submissions

***Example:** Submissions of the Arctic States Administrations are not uniform and structured in the same way, with some information duplicated, which makes it more difficult to navigate within, compare and possibly comply with;*

Analysis of the Russian Polar Code implementation activities

Work in progress



1. Compilation and **comparison of approaches to achieving functional requirements**, based on the submissions, to assess their effectiveness (criteria under development);
2. Data collection for **legal analysis of interpretations** of PC functional requirements and their impacts on implementation;
3. Next step: a **catalogue** of different **interpretations** and their impacts on effective PC implementation, including **knowledge gaps** in stakeholder's understanding of specified PC provisions as well as **suggestions for possible international mechanisms and measures** to address these issues.

The text "Thank you!" is centered in the lower half of the image. It is written in a white, sans-serif font. The background is a dark blue ocean at sunset, with a silhouette of a coastline on the left and a bright orange glow on the horizon.