



KIMO RESOLUTION 4/10

Presented by KIMO Faroe Islands

North Atlantic and Arctic Shipping Routes

Exploration and developments in search of natural resources such as minerals, oil and gas coupled with climate change and retreat of the polar ice, continue to push industrial expansion and increase in amount of ships both in the polar region as well as traffic through the North Atlantic and North Pacific waters.

In the past 10 years the North Atlantic and Arctic waters have experienced a growing interest from tourist cruise ships operating in un-surveyed and sea-ice covered areas. With hundreds or sometimes thousands of passengers onboard vessels not built in any Polar-Class, and with very limited possibilities for salvage or rescue in case of emergency, these voyages are fully unacceptable and neglect the basic demands for safety and response to passengers and crew.

Similar and even more devastating threats with significant impacts would result for the environment and coastal communities in the case of the grounding of a Very Large Crude Carrier (VLCC) at some hundred thousand ton DWT. Marine polluting effects of this kind in the Arctic and North Atlantic cold waters have great uncertainties though influences to plankton, micro habitats beneath the sea ice, larvae, fish, animals and sea-birds are likely to be disastrous and with unknown long-time effects.

Russian tankers heading for Europe have reasonable security from powerful towing vessels stationed along the Norwegian coastline, but with course west to the American energy market the route through international territory passes Iceland and Faroe Islands. These mid-Atlantic waters have extreme weather conditions in the winter period, very strong tidal currents and no possibilities for any salvage or rescue operation to a VLCC with engine troubles or a fishing net in the propeller.

The “Erika” and “Prestige” disasters are well known, but two years later, the 28th of November 2004 the 225meter cargo ship “Selendang Ayu” got engine stop in ruff seas and storm and hours later grounded in Skan Bay in Aleutian

Islands. Towage vessels were not available and the accident caused the life of 6 men, helicopter and vessel crew. Even the amount of fuel and diesel oil leaking into the sea was “only” 1.8 million litres; the pollution of the marine environment still has its impacts to the Arctic ecosystem.

Beside the very limited and in some waters non-existing salvage and rescue possibilities to serious incidents in the North Atlantic and Arctic regions, the monitoring and tracking system is not yet met with demands to heighten safety to acceptable standards. The most critical subject is that no automatic computerized registry is linked to the LRIT system. The AIS system has a maximum monitoring range to approximate 60nm and is still at a stage of coordination and development. The European Commission SafeSeaNet, as the information and tracking directive 2002/59/EC together with IMO’s Marine Electronic Highway, seem not yet to have been made mandatory rules. Information on vessel intensity, navigation, positioning, sea-ice conditions, combined to weather, tide and current data, are still not at acceptable standards.

The governance of shipping activities, marine safety, security and environmental protection is arranged within several international conventions, protocols, standards and guidelines in a framework also addressed to the jurisdiction at different marine zones. While the International Convention on Safety of Life at Sea (SOLAS) 1974) is mandatory, the IMO’s Arctic Guidelines from 2002 are non-mandatory and also lack standards on several subjects i.e. training and experience standards for navigating in ice, as guidance for towage. Within the SOLAS convention no requirements are set to ice-classed strength for Arctic waters and IMO’s Arctic Guidelines, Places of Refuge for Ships in Need of Assistance, might become risky to practice, as useful refuge is difficult to find in Arctic regions.

Marine pollution from oil, hazardous and noxious substances, sewage, garbage and air emissions are set out in the MARPOL Convention, as the 1992 OSPAR Convention and 1998 Annex on protection on biodiversity and ecosystems. With insufficient protection of the sensitive Arctic and North Atlantic environment IMO standards, as Chapter V of SOLAS, may designate special demands on discharge from ships, disturbance from shipping traffic, traffic re-routing, mandatory reporting and more. The PSSA Guidelines resolution A.982(24) have quite strict criteria for protection on unique and rare ecosystems, biodiversity, social, cultural activities and recreation. It is obvious Arctic and North Atlantic marine areas have to be designated to special protection either within the PSSA Guidelines or framework of SOLAS.

Compensation for pollution damage by ship-source is fragmented and limited. In the Arctic context it is unclear if the 1992 Civil Liability Convention (CLC), the 1992 Fund Convention, as well as the 2003 Supplementary Fund Protocol apply to floating production, storage and offloading units as ship- to ship transfers. Considerations might be made to the separate regime under the Oil Pollution Act of 1990, which has been established by the US. This provides compensation for both reductions in value of natural resources and the cost of assessing such damages. The 1992 HNS Convention on damages from

hazardous and noxious substances by sea is not in force and ought of course to be ratified by all of the Arctic states.

The North Atlantic – Faroe Islands passage – is in urgent need for facilities and capacity to combat serious marine emergencies. The Iceland waters will have the needed facility within a short period and the West Passage and Greenland have the same urgent need to heighten safety and marine protection as Faroe Islands.

Therefore, KIMO, in recognition of the need to improve the Arctic Guidelines, existing conventions, protocols and standards to heighten the overall framework to protect the Arctic and North Atlantic marine environment, the coastal communities, their economies and living conditions and taking into account KIMO Resolutions 04/1994, 1/1998, 7/2001, 1/2003, 1/2004 and 1/2006.

Urges

The Arctic states included the home-governing countries Greenland and Faroe Islands and governments within the European Union to act within the International Maritime Organisation (IMO) to establish regulations and new standards for shipping and maritime activities on North Atlantic and Arctic Sail Routes, incorporating basic principles below:

- **Foreign passenger ships as vessels of any type heading for sea-ice areas included an Exclusive Economic Zone (EEZ) shall be approved to a Polar Class.**
- **Unsurveyed areas, bays, straits or fjords may not be entered without permission from marine authorities and pilot shall be on bridge on any commercial vessel.**
- **Prohibition on discharge of all kinds of materials and substances in all marine zones incl. area outside the EEZ.**
- **Timely and mandatory monitoring of vessel movements and positioning, with coordination and exchange of data, for vessels down to a minimum length of 15m.**
- **The stationing of standby salvage, rescue, towage and multipurpose vessels at critical and intensively shipping routes.**
- **Designation of protection on sensitive areas within the PSSA Guideline or framework of SOLAS.**
- **Designation of framework similar to the US Oil Pollution Act of 1990 providing full compensation for both reduction in value of nature resources as cost of assessing damages.**
- **Ratification of the 1992 HNS Convention on hazardous and noxious substances to all of the Arctic states incl. the home-governing countries Greenland and Faroe Islands.**

KIMO members:

Agree to submit this Resolution to all the Arctic states included the home-governing countries Greenland and Faroe Islands and governments within the European Union and other relevant organisations.