

Abstract:

Rear Admiral Steven D. Poulin joins a panel titled “Status and Issues with the Polar Code.” As the Judge Advocate General and Chief Counsel of the United States Coast Guard, Rear Admiral Poulin is a leader within the U.S. delegation to the International Maritime Organization (IMO). The Polar Code is a major accomplishment of IMO, culminating in over a decade of challenging negotiations. It will greatly improve safety, security, and environmental protection for commercial shipping in Polar waters. However, certain gaps and challenges remain that the international maritime community must address. Maritime-related industry must play a key role in this effort. For instance, the Polar Code is ship-focused with mandatory provisions generally limited to the applicability and scope of the parent conventions (SOLAS and MARPOL). As such, the Polar Code does not address issues including traffic schemes, geographic access requirements, pollution categories not already regulated under MARPOL, or the lack of response resources (e.g., search and rescue, pollution, salvage, towing services, or icebreaking services). The Code, likewise, does not address the lack of communications, navigation information, and shore-side infrastructure. The Polar Code bolsters standards for ice-strengthened ships, safety risk assessments, operational planning, shipboard equipment, training, and certification. The Code further tightens regulations for waste streams regulated by MARPOL to enhance protection of these pristine cold water environments. Yet, achieving our desired goals to promote safety, security, and stewardship only begins with the Code. The Code is an important foundation, but there is much more to do – and we all have a shared responsibility to do it.