

A REALITY CHECK

The race to the Arctic is often justified by assumptions, such as that it would cut the journey time between Asia and Europe by up to 40%. It is also argued that the Arctic would be a safer route given the threats that piracy poses to the Suez Canal route. These statements have to be handled with extreme care. Given the lower vessel speeds necessitated by Arctic conditions, a journey on the Northern Sea Route could actually be longer than through the Suez Canal. Dangers in the High North are plentiful, but of a different nature: there may be less piracy, but navigation charts of Arctic waters are still imprecise, the 'ice-free' waters of the summer months often have ice in them, and despite relatively low levels of shipping, there were nearly 300 accidents in the Arctic between 1995-2004.

A LIGHTLY REGULATED PART OF THE WORLD

Recent discussions at the IMO demonstrated exactly how poorly charted the Arctic area is. The only instrument specifically tailored for regulating shipping in the polar waters is constituted by a set of voluntary guidelines adopted by the IMO a decade ago. Since then, traffic in the Arctic has boomed and the voluntary guidelines do not provide sufficiently serious safeguards compared to the potential dangers from increased activities in the region. When the IMO began to discuss the Polar Code, it was a good idea. It has now become imperative.

ENVIRONMENTAL ICE-BREAKING

Consideration of environmental questions in the Polar Code ran into delays very early on, and a growing lack of appetite developed as the high political and commercial stakes became clear. In 2012, work on the environmental chapter was abandoned for more than a year, ostensibly to give priority to safety questions. In the Arctic, meanwhile, the climate change clock continued to tick.

A new environmental chapter was back on the negotiating table in 2013 and some progress has been made on issues regarding the discharge of oil and sewage. However, the new text did not consider issues surrounding black carbon emissions and the use and transport of heavy fuel oil (HFO) by ships operating in the Arctic. Both of these issues are central to preserving the poles as we know them.

If the purpose of the environmental chapter of the Polar Code is to ensure sustainability of ship operations in polar waters, it is hard to believe it can skip over the question of black carbon. This fraction of particulate matter is now widely recognised as the second most important agent of climate change, after carbon dioxide (CO₂). Its climate impact is magnified in ice-covered regions as black particles landing on pristine snow and ice

reduce the reflection of these surfaces, which translates to an increased rate of melting. At least one important study suggests that black carbon may account for up to half of all Arctic warming.

After two years of work on this issue, the IMO is still bogged down by basic questions such as definitions. No regulatory proposals are yet in sight, and the Arctic now suffers from a vicious circle where the opening of new sea routes due to melted ice leads to increased ship air pollution, which in turn contributes to the increasing rate of melting ice.

STILL TIME FOR A PRECAUTIONARY APPROACH

Another issue is quite symptomatic of the difficulties surrounding the development of a robust Polar Code. The burning of HFO, the dirtiest fuel used in transport today, and the carriage of crude oil in polar waters is a major concern given the catastrophic effects that a maritime oil spill would have there. Oil, certainly of the heaviest variety, lingers for ages in cold conditions. At the moment the use of HFO is relatively limited in the Arctic, but most of the traffic growth concerns large ocean going-vessels, which sail on HFO. Countries in the Antarctic adopted a complete ban of HFO in 2005, which was confirmed in international law through MARPOL Annex I in 2010. Eight years later the IMO is dithering about the relevance of a similar approach, which would provide the same level of environmental protection for the Arctic and Antarctic. Let's just hope we have become a bit wiser and won't have to wait for another Exxon Valdez or Erika disaster before taking the necessary precautions.

STEAMING FORWARD, SUSTAINABLY

The Polar Code is still a work in progress at the IMO: some positive steps have been made, but the highly contentious issues of black carbon and HFO are elephants in the room. Timing is becoming increasingly important. In many instances prevention is better than a cure, particularly in waters where the weather and general conditions are so hostile, remote and treacherous - not to mention so utterly different to the rest of the world. Regulators should issue a strong call for rapid and robust progress. The issues of black carbon and HFO need to be considered now, while traffic levels remain manageable. To linger is to risk history, in the form of environmental and safety disasters, unnecessarily repeating itself, at great cost to our heritage.

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