

DRAFT REPORT OF CMI IWG (POLAR SHIPPING) ACTIVITIES

(1 July 2023 to 31 December 2023)

IWG Membership: Aldo CHIRCOP, *Chair*; David BAKER; Ilker BASARAN; Phillip BUHLER; Kim CROSBIE; Peter CULLEN; Gen GOTO; Tore HENRIKSEN; Stefanie JOHNSTON; Kiran KHOSLA; Didem LIGHT; Esther MALLACH; Young-Kil PARK; Bert RAY; Nicolò REGGIO; Henrik RINGBOM; Lars ROSENBERG OVERBY; Donald ROTHWELL; Alexander SKARIDOV; David (Duke) SNIDER, *Technical Advisor*

1. INTRODUCTION

This report covers the reporting period from 1 July 2023 to 31 December 2023.

2. IWG ACTIVITIES SINCE THE LAST REPORT

3.1 Antarctic shipping

The subgroup chaired by David Baker finalized the working paper on the IMO liability regimes and the Liability Annex of the Environment Protocol of the Antarctic Treaty. The working paper was kindly distributed to the Secretariats of the Antarctic Treaty, IMO, and IAATO by CMI President Ann Fenech, with a note advising the Secretariats to follow-up on the issues identified in the paper with D. Baker. The working paper was also submitted to the CMI Yearbook for publication.

3.1 Follow-up to CMI Montreal

At our meeting on 14 June 2023 in conjunction with CMI Montreal, the IWG agreed to establish two new subgroups to work on: (1) the interface between the implementation of Indigenous rights (UNDRIP) and the governance of Arctic shipping (chaired by A. Chircop); and (2) coastal states' responsibility for the establishment and maintenance of navigation aids and services in Arctic waters (chaired by I. Basaran).

To date, the subgroups have not commenced substantive work. With respect to subgroup 1, the IWG Chair followed up on the IWG's decision to invite the Inuit Circumpolar Council (ICC), which holds provisional consultative status at the IMO, to partner on the subgroup's work. Although there was an earlier indication of interest, the Chair has yet to receive a formal response.

The IWG assisted the CMI Secretariat with various follow-up requests concerning presentations at the Montreal Colloquium, contributions to the CMI Yearbook and reporting. The IWG also requested the Secretariat to update the IWG's page on the CMI website.

3.3 IWG membership

D. Baker informed the Chair that his role as representative of the International Group on the IWG would end on 31 December 2023. D. Baker indicated his interest in remaining a IWG member in a personal capacity and recommended appointment of a new International Group representative on the IWG. The Chair will follow up on this matter with the CMI President and ExCo.

3. NEXT STEPS

The IWG's next steps are as follows:

- Continuing efforts to mobilize the two new subgroups.
- Preparations for the IWG's meeting in association with CMI Gothenburg.
- Appointment of a new International Group representative in the IWG.

Respectfully submitted,

Aldo Chircop
Chair, IWG (Polar Shipping)
5 January 2024