

**IMO MEPC 51
Agenda Item 3 Recycling of Ships**

**Proposals for further development of the list of future work items on
shiprecycling as approved by MEPC 49**

**Submitted by
Greenpeace International**

Executive Summary: This submission contains proposals for the further development of the list of future work items on shiprecycling as approved by MEPC 49 with a view to making the IMO guidelines fully compliant with the Basel Convention. The Committee is urged to instruct the working group to do the necessary preparation work and assessments to turn the guidelines into a mandatory regime.

Action to be taken: Paragraph 3.

Related Documents: MEPC 51/3/1, Resolution A.926 (23), MEPC 49/22/Add 1 and MEPC 49/3/1

1. Introduction and Background

1.1 The report of the Assembly meeting 23 (A. 23/C.2/WP.1/Add.2), noted the view of a number of delegations that in a particular moment in time, the MEPC should consider as part of its list of future work items the possibility of developing a mandatory regime on ship recycling and that the MEPC should assess the pros and cons of such a mandatory regime. Greenpeace International suggests that the working group takes this up in its list of future work, item 3.5.

1.2 Greenpeace recognises that the guidance offered through the voluntary Industry Code of Practise and the adopted IMO guidelines on Ship Recycling is of value. However, Greenpeace remains very concerned that none of these documents are adequate to protect workers or the environment. This concern stems in part from the fact that none of the texts contain effective mechanism to monitor or ensure compliance. In addition, both documents lack real state involvement and basic elements like the obligation for shipowners to report on the export of the vessel and the presence of hazardous materials. The IMO Guidelines furthermore lack a firm recognition of the need for a global level playing field in the competitive international shipping and shipbreaking market. The Guidelines on Ship Recycling presuppose voluntary implementation by ship owners of actions and measures identified in the Guidelines. Experience shows, however, that voluntary approaches do not provide a sound basis to further prevent the export of end-of-life-ships that contain hazardous substances for breaking. Research by Greenpeace in two shipbreaking countries regarding the way in which end-of-life-ships have been delivered by their last owners to shipbreaking yards, showed a lack of adherence by shipowners to already agreed voluntary measures within the shipping industry since 2001. The results of this

research have been submitted as an information document (*Investigation on the dumping of toxic waste and compliance to Voluntary Code of Practice on Shiprecycling*). The results confirm the need to establish a mandatory regime as proposed by several delegations during the AGM.

1.3 A further issue of major concern is that the IMO Guidelines do not provide guidance for companies, courts or governments on how they should deal with the export of ships for scrapping in a manner that is fully consistent with other existing international commitments. On the contrary, the IMO guidelines are in direct conflict with the Basel Convention. This is specifically the situation when it is stated in the guidelines that: *‘The guidelines accept that the obligation for environmental and worker protection in ship recycling facilities must rest within the recycling facility itself and with the regulatory authorities of the countries in which the recycling facility operates.’* This ignores the responsibility of those other stakeholders under the Basel Convention and sets the tone for the rest of the guidelines, making any steps, which are taken by shipowners merely acts of charity. Therefore, developing the Guidelines further to the point where the shipowners responsibility for end of life vessels is clearly established is essential. A Greenpeace/BAN paper summarising general violations of the IMO guidelines on Ship Recycling with the Basel Convention has been submitted to MEPC 51 as an information document (*Analysis of inconsistencies between the IMO Guidelines on Shiprecycling and the Basel Convention*).

1.4 We ask the Committee to take note of EU Commissioner Margot Wallström’s letter to the Secretariats of Basel, IMO and ILO of July 2003 in which she wrote: *‘As European Commissioner for the Environment, I attach a great deal of importance to the issue. The application of the Basel Convention – and for the EU countries, the European Waste Shipment Regulation – sets the framework against which the export of end-of-life ships is regulated.’* Greenpeace International considers it necessary to make the IMO guidelines in full compliance with the Basel Convention as soon as possible. This submission is therefore focused on first proposals for the introduction of a clear reporting mechanism for end-of-life ships in compliance with the Basel Convention.

2. Future work item 4 and 5 “ready for recycling criteria” and “reporting system”

2.1 Taking note and emphasising that in the working group of MEPC 49 it was agreed (in a discussion that followed a proposal of India (MEPC 29/3/3)) that “Ready for Recycling Criteria” also include the establishment of criteria “Ready for the Final Voyage to Recycling”.

2.2 Taking note that only the introduction of an effective reporting system, with state-involvement, can contribute towards better compliance with the Guidelines in line with the Basel Convention. The proposal below for the introduction of documents integrates both future work items 4 and 5.

2.3 We propose the introduction of specific documentation that will be required prior to the final voyage of the vessel for shipbreaking and will be integrated into the Basel and IMO guidelines. Under such a reporting system, ship owners must apply for such

a document from the IMO or Basel Convention (or an independent body, which will establish a Registry of Vessels destined for Disposal) at least 6 months before their vessels can be sent to ship recycling yards. Amongst other items relevant to the ship's registry, such documentation should include the following information

- Inventory of all onboard hazardous materials
- Ship Recycling Plan
- A written document confirming the safe removal and disposal of hazardous materials on board prior to arrival at the shipbreaking yards as well as indication on the extent and limit of such removal.
- Assurance that hazardous waste generated during the shipbreaking process will be treated and disposed of under the responsibility of the exporter in a manner that is consistent with existing practices in OECD countries.
- After the scrapping is completed deletion of the ship from the flag register and the Registry of Vessels destined for Disposal should be obligatory

In addition, the documentation should provide a guarantee that the ship's technical state and the export of the vessel to a shipbreaking yard is fully consistent with existing Basel and IMO guidelines, obligations and decisions:

3. Action requested of the committee

- 3.1 The Committee is urged to instruct the working group for doing the necessary preparation work and assessments to turn the guidelines into a mandatory regime.
- 3.2 The Committee is urged to endorse the principle points referred to in this document and instruct the Working Group to ensure that the IMO guidelines will be in compliance with the principles and requirements of the Basel Convention as soon as possible.