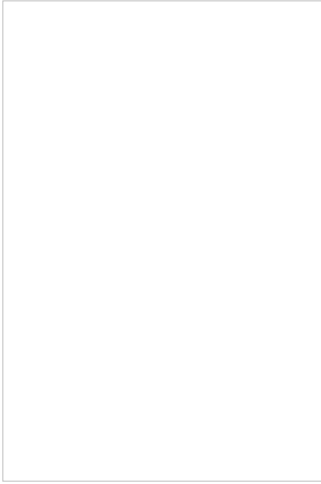


## Platform member offers springboard to green court for shipbreaking workers

2011-05-16 16:05:23 Shipbreaking



**16 May 2011** - LIFE (Legal Initiative for Forest and Environment), a member organisation of the NGO Shipbreaking Platform based in India, has announced it will support Indian shipbreaking workers who wish to bring a complaint before the court in India against shipbreaking yard owners, for issues ranging from unpaid compensations for accidents to repression of trade union meetings. The complaints will be brought to the newly formed National Green Tribunal (aka NGT), the long-awaited judiciary institution tasked with hearing and judging cases related to the environment in India. *"The incentive for it to be a success is the promise to get compensation"*, said Ritwick Dutta, lawyer at LIFE and member of the board of the NGO Shipbreaking Platform. *"If they want to complain but that this would only mean causing their employer to close down, they won't do it. They want the money to help them or their village."* In India today, the law on compensations is not well enough developed, said Dutta. In the case of shipbreaking, the people who will be able to complain to the NGT are either shipbreaking workers and their families, or a community directly affected by the shipbreaking industry, such as fishermen. Dutta said that the complaints will be based on breaches of Indian environmental laws and of the polluter pays principle. *"It will be evidence-based, not law-based, so we will need medical reports, samples collected on the beaches, pictures, etc. to bring a strong claim for damages,"* he said. Dutta said he and others at LIFE have been using the Right to Information (RTI) law to access government documents related to shipbreaking, such as reports on death counts in shipbreaking yards. They intend to use them to support the cases defended before the NGT. At first, the shipbreaking workers might not agree on taking their case to court, as many will prefer not stepping into the spotlight. Dutta said a class action will probably work better in the initial steps of the court. The NGT will be headed by a former judge of the Supreme Court and its power will be comparable to that of a High Court. Its launch was delayed by a year. Dutta expects the first claim to be brought to court in the next three months.