



SOUTH ASIA QUARTERLY UPDATE

Update on shipbreaking in South Asia from
the NGO Shipbreaking Platform

9 October 2014 | #3

In this quarterly publication, the NGO Shipbreaking Platform informs about the shipbreaking industry in Bangladesh, India and Pakistan. Providing an overview of vessels broken on the beaches of South Asia, accidents, recent on-the-ground, legislative and political developments including our activities in South Asia we aim to inform the public about the negative impacts of substandard shipbreaking practices as well as positive steps aimed at the realisation of environmental justice and the protection of workers' rights. In this third edition of the update we inform amongst other about a fatal accident onboard the German owned ship KING JUSTUS; growing opposition against dirty and dangerous shipbreaking in Kerala, India; and the lack of medical treatment for injured workers and ongoing court case by BELA in Bangladesh. This edition also includes two case stories from our field visit to Chittagong in September. So far this year 515 ships have ended up on the beaches of South Asia causing this third quarter the death of at least 4 workers – bringing the total death toll so far this year to 21 workers.

OPINION FROM SOUTH ASIA:

In 2013, the National Human Rights Commission of India (NHRC), a statutory body advising the Indian Government on human rights issues, commissioned the Tata Institute of Social Sciences (TISS) to conduct research on the working and living conditions in the shipbreaking yards of Alang, India. Geetanjoy Sahu was responsible for the extensive field work in Alang and wrote the report which was submitted by TISS to the NHRC in July. According to the TISS report, the situation in Alang has barely improved these last 30 years despite official claims to the contrary. The researchers found inadequate accommodation, a lack of clean drinking water, lack of sanitation facilities, understaffed and underequipped health care facilities and workers without sufficient training on how to handle hazardous wastes and emergencies. The Indian Factories Act and other labour laws continue to be blatantly violated at the Alang shipbreaking yards. TISS also looked at the impact of the shipbreaking activities in Alang on local communities and found villagers suffering from skin and respiratory problems, water scarcity and polluted tube-wells.

“The shipbreaking industries in India are promoted and developed at the cost of the environment and workers' rights. That major issues related to working and living conditions have not been addressed so far is due to a real governance deficit in the whole regulation of the shipbreaking industries in India. The presence of multiple authorities without any coordination has resulted in the failure of the implementation of both environment and labour laws. This problem needs to be addressed through multi-pronged strategies including strong regulatory measures both at the national and international level. Shipbreaking activities can only be sustainable with an integrated approach to balance environmental protection, development and social justice.”



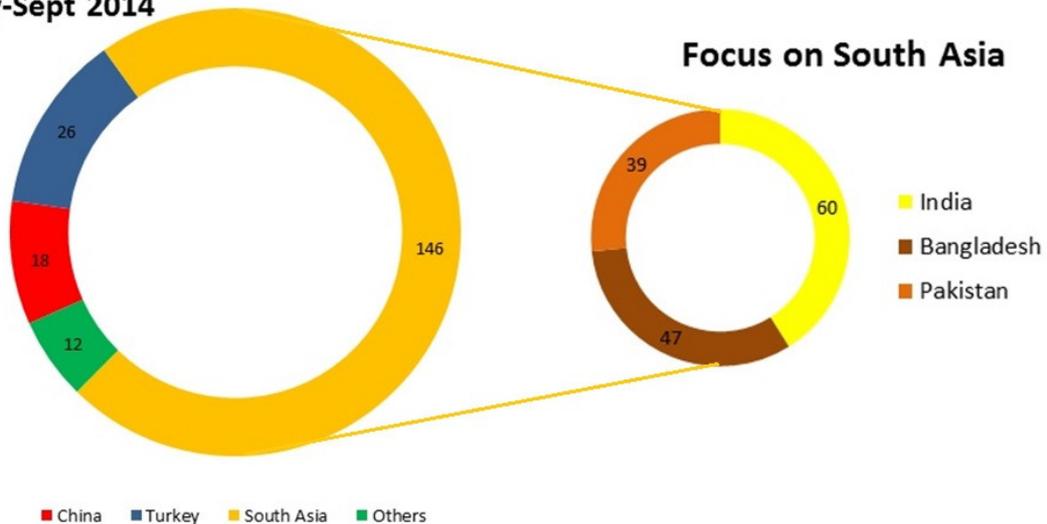
Dr. Geetanjoy Sahu
Centre for Science, Technology & Society
Tata Institute of Social Sciences, India

OFF THE BEACH !

Out of 202 vessels broken during this third quarter of 2014 more than 70 percent ended up on the beaches of South Asia. 39 of these ships were owned by European ship owners – Greek owners alone sold 19 ships to South Asian breakers representing more than 80% of all Greek ships broken globally this quarter. Despite the new EU law outlawing the use of the beaching method to dismantle EU flagged vessels, ships registered under the flags of Cyprus, Malta and Greece hit the beaches – more ships also changed their flag from an EU to a non-EU flag just weeks before reaching South Asia. Polish Government owned *POLSTEAM* sold three vessels to South Asian breakers this quarter, all were registered under the flag of Vanuatu. This brings the number of *POLSTEAM* ships broken in substandard beaching facilities to a total of seven since

2013. Also, while Chinese ship owner COSCO reportedly will receive a 225 million USD subsidy to decommission and upgrade ships domestically, a Chinese Government owned vessel was sold to a Bangladeshi breaker in July. More than half of the Chinese owned ships broken this quarter were sold to South Asian breakers. None of these – except the Government owned ship sold to Bangladesh – were registered under the Chinese flag. Flags of convenience (FOCs) such as *Comoros*, *Saint Kitts and Nevis* and *Tuvalu*, that are less favoured during operational use, were excessively popular flags for the end-of-life ships broken in South Asia. Finally, whilst German Hapag-Lloyd joined the group of progressive ship owners committed to responsible ship recycling off the beach, Dutch ship owner *VROON B.V.* does the opposite by selling one of its livestock vessels to Bangladesh.

**202 ships broken worldwide
July-Sept 2014**



ACCIDENTS

Seven accidents – six in Chittagong and one in Alang - have been reported this quarter. At least three workers lost their lives breaking obsolete ships on the beach, an additional worker died whilst working at an adjacent steel re-rolling mill in Chittagong.

- On 3 July, two workers, Taslim and Shahajahan got injured working on the Greek owned tanker *OLYMPIC SPONSOR*. The Bangladeshi yard concerned, Legend Holding Shipbreaking, has a sad track record of accidents (see story about Taslim on page 6).

- Another worker, Shofiq, got injured at Legend Holding Shipbreaking on 3 August. In addition to the *OLYMPIC*

SPONSOR, German owned bulk carrier *MAGDALENE* was being dismantled at this yard.

- On 14 August a gas cylinder explosion severely injured four workers at Master and Brother LTD shipbreaking yard in Chittagong. The workers were submitted to a private hospital. No visitors were allowed. Both ships that were broken at the yard at the time of the accident – Chinese owned *SKY OCEANUS* and *SKY TETHYS* – had sailed under an EU flag up until the age of 30.

- Gas operator Uttam Nath died on the spot when he fell from a ship at M/S M.A. Shipbreaking yard in Chittagong on 16 August. His dead body was sent to post-mortem and a case of accident was filed with the Sitakund Police Station. Uttam provided sole income to family of three daughters.

- On the 30 August two workers were in an accident at Kabir Steel Shipbreaking in Bangladesh. 5 days later, 42 year old Azfal died in hospital of his injuries.
- At Kabir Steel re-rolling mills, adjacent to the Kabir Steel shipbreaking yard, Asad Mia, 20 years old, died when he fell from a high ladder.
- In India, on Plot nr 58 which is operated by Malwi Shipbreaking Company, 27 year old Prasant Dakua originally from Orissa lost his life on 22 September. He slipped and fell while climbing a ladder during the oil removal process on board German owned KING JUSTUS. Another worker, Ravindra Prajapati, got injured (see box below).

FATAL ACCIDENT IN INDIA ON GERMAN OWNED VESSEL “KING JUSTUS”

On 22 September, Prasant Dakua and his fellow workers were working on the KING JUSTUS, a vessel beached in Alang for breaking, when he and another colleague fell from a high ladder. 27 year old Prasant died, his colleague was severely injured. Neither of the workers wore a safety harness. The KING JUSTUS was owned by a German ship fund managed by Hamburg based *König & Cie*, an asset management firm offering private investment in shipping. Their fund “Schiffahrts Investment I” went bankrupt earlier this year, forcing insolvency administrators to sell the ships which had been financed through the fund, including the KING JUSTUS.

In July, the Platform received information that two vessels owned by the *König & Cie* managed fund had been sold for breaking and that their illegal export from the EU to India was imminent - the KING JUSTUS from the Canary Islands and the KING JULIUS from Malta. The European Waste Shipment Regulation prohibits the export of hazardous waste, including end-of-life vessels, to developing countries. Also under the new EU Ship Recycling Regulation, which has entered-into-force, but is not yet applicable, the export of the UK flagged KING JUSTUS is illegal as the new law out-rules the use of beaching facilities to dismantle EU flagged ships. The Platform informed the Maltese authorities about the imminent illegal export of the KING JULIUS (the KING JUSTUS had already sailed from the Canaries), but only received out of office replies – even after their holidays the Maltese authorities never answered to our request for action to enforce existing law.

Several German ship funds have recently gone bankrupt forcing insolvency administrators to sell the vessels financed by these funds. In search for maximum profit, the insolvency administrator appointed to sell the *König & Cie* ships did so in breach of current European law. Informed of the fatal accident onboard the KING JUSTUS by the Platform, *König & Cie* emphasise that they were not in charge of the sale as the ship was under the administration of the liquidator of the bankrupt fund. They further state “*We are shocked by the news and would hereby like to express our sincere regret at this unfortunate incident*”. The Platform will follow up the German bankruptcy cases and inquire why an insolvency administrator appointed by a local court in Hamburg sold the ships in violation of existing law.

DEVELOPMENTS

INDIAN PRIME MINISTER PAMPERS SHIPBREAKERS WITH TAX REDUCTION – GOVERNMENT SHOULD PLAN FOR REAL MODERNISATION

In July, the Indian shipbreakers rejoiced when the Narendra Modi Government lowered customs duty on imported end-of-life vessels from 5% to 2,5%. The industry foresees a boost of its activity and the tax reduction is part of the Indian Government’s new policy to develop coastal areas and port zones. While also Indian activists claim that this new policy may provide the opportunity for the currently dirty and dangerous shipbreaking industry in India to finally

modernize, the tax reductions came just weeks after a major explosion in the shipbreaking yards, which instantly killed five workers and injured at least seven others. Concession to the shipbreakers under these conditions sends out the wrong signal if the Government’s intention is to improve the industry to world class standards, NGOs warn.

Ravi Agarwal, director of Toxics Links, a Platform member organization, said: “*I would hesitate to call this an industry. There is no clarity on who the owners are and what proper transaction values are.*” Moreover, he argues that India has refused to allow the World Bank and the European Commission to assess environmental and labour conditions at shipbreaking yards. The only recent study was undertaken by the Tata Institute of Social

Sciences on behalf of the National Human Rights Commission (NHRC). The findings have however not yet been released officially, although the study was concluded in May. A citizen of Gujarat has now requested the release of the report by the NHRC based on the right to information guaranteed under Indian law.



Also in August, an article in the daily newspaper *The Hindu* revealed corruption and poor law enforcement in Alang. It was stated that permits and clearances supposed to be issued by the Customs, Gujarat Pollution Control Board (GPCB) and the Gujarat Maritime Board (GMB) can be bought without having met necessary safety and environmental measures as required by the law. By circumventing environmental and safety regulations, the industry and local authorities are jeopardising the health and lives of ten thousands of workers, it claimed.

Civil society is concerned that the new Government will dilute both environmental and labour law based on the belief that lax legislation supposedly fosters growth. So far, the issues of contamination, lack of governance, accidents and precarious working and living conditions have not been addressed. If India wants to excel in ship recycling, the government has to foster investment in proper infrastructure and to strictly enforce the law, rather than make tax gifts to a backward industry prone to corruption.

The article of corruption and lack of law enforcement in Alang can be read in [the Hindu](#).

PROTESTS AGAINST SHIPBREAKING IN KERALA WIDENS

Local populations continue to voice concern about the polluting and dangerous practices of shipbreaker Steel Industries Kerala (SILK) operating in the southernmost state on India's West coast. The *Kappalppoli Virudha Samithi* (Committee against Shipbreaking) criticises that SILK has since its establishment in 1984 operated without the required licences from the local government (*panchayat*) and the Pollution Control Board.

So far, the protests concerned SILK's operations in Azhikkal. An "action council of people" recently constituted to campaign against shipbreaking in Kerala, is

now widening its activities to a SILK unit in Beypore, South of Azhikkal. SILK in Beypore intends to dismantle the *ASIAN KING*, an oil tanker owned by Tokyo-based *Interasia Lines*. According to the local protestors, leading environmental organisations, fishermen's unions and human rights organisations have joined hands to raise awareness on the issue and enforce the law. Rajesh Warier, leader of the council, was quoted saying that Kerala State Pollution Control Board (KSPCB) has already declared that it would not approve any more shipbreaking ventures in the state.

In July, the State Human Rights Commission (SHRC) visited the unit in Azhikkal following the protests. Commission member Mr KE Gangadharan said the concerns seemed to be genuine and explained, "*Many have complained of itching and inflammation in their eyes. Lack of immediate action might lead to serious issues. A study is required to assess the gravity of the situation*". He further said that the management of SILK had apparently little interest in running the unit in accordance with the law – he spoke about "*gross violations*".

SHIPBREAKING TRADE UNIONS MOBILISE ON THE WORLD DAY FOR DECENT WORK

Upon the call of the IndustriALL's global action to stop precarious working conditions, the National Trade Union Federation Pakistan (NTUF) organised on the World Day for Decent Work, 7 October, a demonstration with shipbreaking workers at the Gadani shipbreaking yards. A similar rally was also organised by the Mumbai Port Trust Dock & General Employees' Union at the Mumbai shipbreaking yards.



LACK OF ADEQUATE HEALTH CARE FACILITIES IN BANGLADESH – BSBA HOSPITAL IS DYSFUNCTIONAL

In the shipbreaking yards of Bangladesh, accidents happen every day: small cuts and burn wounds, bone fractures, suffocation, but also fatal injuries due to falls, explosions or dropping steel plates. For more severe

injuries the workers have to be taken from Sitakund, the shipbreaking area, to the Medical College in Chittagong, Bangladesh's second largest city. Depending on traffic, this is a one to two hour drive. It is further the case that there is usually no ambulance available, forcing fellow workers to organise for local transport on a "CNG" (three wheel motor rickshaws). According to a doctor at the Medical College, workers arrive in the hospital 6 to 10 hours after the accident occurred. Injured workers often die on their way to the hospital. Once at Chittagong Medical College, injured shipbreaking workers often only receive basic treatment, as nobody is willing to pay for the necessary treatment such as complicated operations. As a consequence, workers may suffer for many months, even life-long, although better treatment would be possible.



Already six years ago, the Bangladesh Shipbreakers' Association (BSBA) built a hospital in Sitakund, close to the shipbreaking yards. When Platform members visited the hospital in September 2014, not a single doctor was present. The six-floor building was void of any activity and not a single patient was treated although accidents occur daily and the local community is desperately in need of health care facilities. The entrance way to the shiny glass

building was blocked, so that no ambulance can reach the entrance directly. The members of the BSBA had agreed to raise the funds for building the hospital, but did not show any willingness to jointly provide the financial means to run the hospital. The BSBA should either hand the hospital over to the government or find another way to render it operational – in any case, the BSBA should stop claiming it is providing health care services to the shipbreaking workers.

BANGLADESH SHIPBREAKING DOWN BECAUSE OF MASSIVE FRAUD CASE

Earlier this year, shipbreaker Giasuddin Kusum fled the country after having betrayed several banks and shipbreaking traders. Amongst other, Bank Asia filed a case against him for having stolen more than one billion Bangladeshi Taka (BDT) – around 10 million EUR – and two local companies claim to have been swindled of more than 300 million BDT each (3 million EUR). Kusum took the loan for importing a ship, which he never dismantled.

According to a recent article by daily newspaper *Prothom Alo*, banks in Chittagong have been defrauded by several businessmen. The latter took loans against trust in order to import goods, and instead of repaying their loans fled the country. In total, the banks have filed cases for at least 50 billion BDT (500 million EUR). So far the courts have not sentenced anyone because the responsible court has been void of a judge and because several businesses have submitted appeals. As a consequence, banks have been very reluctant to offer loans to shipbreakers to import end-of-life vessels for breaking. *"The shipbreakers and their henchman regularly accuse NGOs of endangering employment by demanding higher safety and environmental standards. The fact is that their own fraudulent practices have put people out of work"*, comments Patrizia Heidegger from Bangladesh.

OUR INITIATIVES

SOUTH ASIAN PLATFORM MEMBERS IN BRUSSELS

Platform members from South Asia participated to a debate on "Environmental (in)justice and the role of European companies" on 9 July in Brussels. The event was hosted by the European Asian Institute Studies and co-organised with the European Environmental Bureau/EJOLT and the European Coalition for Corporate Justice (ECCJ) and was attended by EU and UN policy makers, representatives of the diplomatic corps of Pakistan, Bangladesh and EU Member States, NGO campaigners, business associations and experts from the ship recycling industry. Later that same day the Platform's South Asian members met with European Commission Director General for the Environment, Karl Falkenberg to

discuss the new EU Ship Recycling Regulation and share concerns regarding the current shipbreaking practices in South Asia. Both events took place while the Platform's 19 member organisations and its secretariat were convening in Brussels for their annual general meeting, during which they discussed their campaigns in South Asia and in the EU.

BELA CHALLENGES BANGLADESH SHIPBREAKERS FOR LACK OF COMPLIANCE

Platform member organisation Bangladesh Environmental Lawyers Association (BELA) has submitted a new affidavit to the ongoing court case in Bangladesh that in 2009 forced all shipbreaking yards in Chittagong to close down

due to lack of necessary environmental permits. BELA has been challenging the shipbreaking industry's lack of compliance with environmental law over many years. In the latest affidavit dated July 2014, BELA argues that the yard owners continue to circumvent their legal obligations and that they have not provided any report or other proof that would substantiate their claim of having improved their operations. Amongst others, BELA asserts that:

- in absence of an approved training manual and curriculum for the workers as demanded by the court and the lack of a participants⁴ list or training certificates the shipbreakers' claim to have trained more than 5.000 workers can not be ascertained;
- shipbreakers still employ child and adolescent workers, independent monitoring is thus necessary to halt this especially unscrupulous illegal practice;

- the 150 bed hospital built by the BSBA in Sitakund is completely dysfunctional; and
- the inspection reports of the Department of Environment (DoE) on hazardous substances found in the yards prove that the "toxic-free certificates" for the imported ships are all false.

BELA asks the Court to shut down all yards until they can prove to fulfil the requirements given by the law and previous court rulings.

FIELD VISIT TO BANGLADESH

Platform Director Patrizia Heidegger travelled to Bangladesh in September. Together with Platform coordinator Shahin Ali Muhammed based in Chittagong they collected the following stories from field visits to the yards and the home villages of the workers:

LEFT ALONE WITH A FRACTURED LEG AND NO LIVELIHOOD

Case Study of the worker Taslim, severely injured in Legend Holdings shipbreaking yard

September 2014, Chittagong, Bangladesh

On 3 July this year, the young labourer Taslim and his colleagues were working the nightshift in Legend Holdings shipbreaking yard in Sitakunda, close to Bangladesh's major port city Chittagong. It is 4 o'clock in the morning and the men are cutting and carrying large steel plates from one of the ships. A foreman tells them to move a heavy plate. Taslim and the other workers ask their superior for a magnetic crane to lift the huge piece of scrap. Taslim, now 25 years old, has been working in the several different shipbreaking yards for seven years and has gained experience. The foreman refuses to interrupt the work in order to deploy lifting machinery. He asks the men to continue. "*Just do it*", he says. The heavy steel plate slips and falls down – onto Taslim and one of his colleagues.

Both men are severely injured. Taslim has managed to move to the side and protect his head, but the plate has fallen on his leg. His lower leg is fractured and bleeding heavily. There is no ambulance and no emergency equipment in the yard. In violent pain, Taslim and his colleague have no choice but to lie waiting in the yard for three hours. Nobody takes care of them. After dawn, around 7 o'clock, fellow workers manage to move them to the street and organise for a vehicle to take them to the Medical College hospital in Chittagong. It is already after 9 o'clock when the severely injured men arrive in the emergency room. Seven hours after the accident, at 11, a doctor finally comes to see them. Nobody has taken care of their bleeding wounds, offered first aid or given them pain killers so far.

The x-ray taken later that day shows that the bones in Taslim's lower leg are smashed to pieces. His foot is twisted from the leg. He receives some initial treatment, however, he has no money to pay for the necessary operation. His family cannot afford it and the yard owner does not respond to the family's plea for medical support. For one long month nothing happens. Taslim stays in the hospital without further treatment. The flesh wounds are healing, but his bones are still smashed. The family borrows money from all around – altogether 40.000 Bangladeshi Taka (BDT) – around 400 EUR – to afford at least some treatment. After local NGOs have informed the Labour Department and the Factory Inspection about the accident, the yard owner contributes 16.000 BDT (around 160 EUR). Taslim's leg is now held together by three metal screws. A new x-ray shows a splintered fracture of both the fibula and the tibia. The two parts of the fibula are completely dislocated. He needs an operation in order to fix the bones and to be able to walk again properly. The doctors have already proposed three different dates for the operation, but as the yard owner is unwilling to pay for treatment and has not insured his workers against accidents, time has passed without the operation taking place.

Two months ago, the doctors sent Taslim home. He comes from a neighbouring village behind the shipbreaking yards. Today, the young lean man is lying on a bed in a tiny room within the family's hut. His leg became infected around one of the screws. He is in severe pain and can hardly move his leg. After not being able to move for nearly three months, he has become very weak. There is nothing to do – the September sun is scorching hot, it is dark inside the hut, and the old TV is broken. His only joy is his 18-month-old daughter. "I do not expect them to pay for my operation", he says with a weary voice. Too much time has passed already, and not even the Eid festival, the end of the Ramadan and the time for compassion, has convinced the yard owner to help his employee.



Seven years have already passed since the Bangladesh Shipbreakers' Association (BSBA) built a hospital in the area. The shipbreaking industry had been making headlines because of the many accidents and deaths that took place in the yards. The impressive six-floor building is adorned with blue glass windows and boasts a marble desk in the entrance hall. When asked about health care facilities, the yard owners are not tired to mention their hospital in international conferences and to journalists. However, all the rooms are empty – there is no patient being treated there. Apparently, the industry raised the funds to raise the building, but then never agreed on how to run the hospital. "There is not a single doctor here and the hospital does not treat a single person", summarizes Shahin, the local coordinator of the NGO Shipbreaking Platform.

Taslim's mother is sitting on a pile of rice bags in the hut. She is crying. "What are we supposed to do? Our elder son earned most of the family's income – now who will sustain us?". Taslim's father and younger brother are day labourers, they work in the fields of land-owning neighbours. In order to improve his family's income, Taslim decided to work as an industrial worker. When he first joined the shipbreaking yards, he says he was aware of the risks of accidents. He has regularly witnessed accidents that resulted in severe injuries and the death of workers. "I did it for my family. We do not want my younger brother to work in shipbreaking", he says. Taslim got a job as a "cutter" – one of the better paid jobs in the yards, but also one of the riskiest ones. Workers are regularly crushed to death by heavy steel plates. An average monthly salary of only 8000 or 9000 Taka (about 80 or 90 EUR) made him put his life in danger. Now he has become a burden for the family.

Taslim's wife steps out of the shade of the small room next door. "We do not own this hut nor the land it is built on. We rent it from our neighbours. Now that my husband cannot work anymore, they want to get rid of us". Their landlord has already gone to the court to ask for their eviction. The accident has not only ruined Taslim's health, but the whole family's livelihood.



Regarding his own future, the young man hopes that the family can somehow manage the money for his operation. They estimate that it will cost them 100.000 to 150.000 BDT (around 1000 to 1500 EUR). "I hope that my leg will heal. But I cannot return to the shipbreaking yard – that is over". He hopes that the yard owner will pay him to compensate for his loss of livelihood. If a doctor attests the disability, the yard owner has a legal obligation to compensate him. "This will at least allow me to start something new. I could open a little shop in the village, where I can sit and sell small items," Taslim explains. Local NGOs will support him too with his plea for compensation.

The shipbreaking yard where he used to work, Legend Holdings, has already seen several severe accidents this year. “The yard owner did not provide us with safety equipment. We have to buy our own safety shoes. We did not wear helmets,” Taslim reports. “I remember on the very first day I worked at this yard, one worker was struck by an iron cable that suddenly tore”. It was his colleague Mohsin, who died while dismantling the MAGDALENE, a German ship owned by the Bremen-based company Johann M. K. Blumenthal. After Taslim and his colleague were injured in July, another severe accident happened at the same yard in August. “We don’t know where these ships come from”, he says. All they know is that they risk their lives to break them.

Pictures *Taslim with Patrizia Heidegger and safety signs as found in most shipbreaking yards in Chittagong.*

A FAMILY TORN APART BY UNSCRUPULOUS SHIPBREAKERS

Case study of an adolescent worker in S. Trading shipbreaking yard

September 2014, Chittagong, Bangladesh

Kader, 16 years old, is lean and small. He seems to be much younger. Up until last year, Kader went to school and managed to finish class 8. But when his father was sent to jail by a powerful shipbreaker – based on false allegations – his family faced a grim situation. Now the boy works in the shipbreaking yards himself, 12 hours a day, either from eight in the morning to eight in the evening, or the nightshift from after dusk till dawn.

He and his young fellow workers are “cutter helpers”: they assist the older workers who dismantle the ships with blowtorches. They carry gas cylinders and other equipment for the cutters. “*I am afraid to be struck dead by a falling steel plate*”, Kader says. “*Often, the other workers do not tell us before they cut a large piece and it just falls down without warning*”. Kader knows about the risk of fires that can burn and kill workers and about toxic gas explosions which suffocate the workers, sometimes to death. In the last few years, NGOs have recorded several fatal accidents at S. Trading shipbreaking yard, the yard where Kader works. In May this year, a shipbreaking worker called Saidur Rahman, 30 years old, stood next to a gas cylinder when it exploded. Saidur suffered from severe gas poisoning. There was no doctor in the shipbreaking yard and no ambulance to quickly take him to an emergency room. Fellow workers carried him to a car, but he died on the way to the hospital in Chittagong.

When he joined S. Trading shipbreaking yard, Kader did not receive any training on health and safety issues. Kader and his fellow workers have however learnt about the risks when working. As safety equipment is scarce, the boys have to bring their own boots when they go to the yard. They wear simple jeans and shirts. If they happen to find old or even torn gloves on the yard, they put them on to protect their hands. “*When we get a bad cut, we receive 100 Taka (around 1 EUR) from the yard owner*”, Kader explains. For smaller wounds, they receive bandages that they need to apply themselves, and go straight back to work.

Kader and the other boys do not have any employment relationship with the yard owner. They are brought to the yard by “contractors” and foremen, who take the responsibility to organize the workforce throughout the dismantling of a ship. As soon as a ship is completely dismantled, Kader has to work for another yard, any yard, depending on the work available. It does not make a difference that yard owners have put up big sign boards at the entrance of their yards, saying “Safety first” and “No child labour” as long as nobody ensures that workers coming into the yard are qualified and old enough to work in a hazardous industry. For a 12 hour shift, the boys earn 280 Taka (around 2,80 EUR). That is more than what some of the adult workers receive. The “cutters” and “cutter helpers” get relatively higher wages as their jobs are at the core of the shipbreaking business, but are also riskier than other activities. The relatively high payment lures the boys into this dangerous job. “*Other people in this area work in shipbreaking. They just took me with them*”, Kader explains when asked about his introduction to the industry.

The owner of S. Trading shipbreaking yard, Alhaj Mohammad Shafi, owns four shipbreaking yards in total in Sitakunda. They are part of the Seema Group of Industries, which also includes Seema Automatic Re-Rolling Mills Ltd (SARM) in Sitakunda, where the scrap steel is processed in cold re-rolling mills and turned into steel bars. The website of the group states: “SARM is dedicated to safely producing the highest quality steel products for our customers (...). SARM is committed to being a responsible corporate citizen. It is our intention to operate ethically with all constituents, maintaining fair and honest relationships and to operate within both the letter and the spirit of the law (...).” The pictures on the group’s website only display the steel mill, a large factory. Companies like SARM feed the construction and real-estate sector’s need for steel bars.



Kader lives in a small settlement of simple huts in the vicinity of the shipbreaking area in Sitakunda, to the north of the port city of Chittagong. He shares one room with his mother Halima and his younger brother. His older brother works in a shop close by and does not stay at home. The younger brother is seven years old, but seems merely four or five. Halima is a very joyful person and smiles a lot. But when she speaks about her son Kader, she immediately starts to cry. *“What can I do? I have to send him off to work since my husband is in prison”*. Kader’s father Kamrul was also a shipbreaking worker. According to his fellow workers, an influential shipbreaking businessman decided to scrap a ship which had been laying on the beach for a long time, close to the shipbreaking yard. He engaged a

foreman. The latter asked Kamrul to work on the abandoned ship. One day, the Police arrived to recover the ship as they were informed that the ship was being demolished by a group of local bandits. The police only found Kamrul on the spot. He was charged with carrying illegal arms and looting. A local court sentenced him to 10 years in jail. The shipbreaking businessman who had asked Kamrul to work on the ship remained silent although he knew his worker was innocent – he and his allies needed a scapegoat, Kader’s father. Kamrul has already served two years in prison. His family is left behind with hardly any income. *“I have a heart problem”*, Halima explains putting her hand to her chest, *“and cannot do heavy labour. So we sent Kader to work in the yards.”*

Bangladesh’s domestic law prohibits the employment of children younger than 14 as well as of adolescent workers younger than 18 in shipbreaking yards. The domestic regulations reflect international standards that aim at abolishing the worst forms of child labour. According to the Labour Act 2006, adolescents cannot work in hazardous industries at all – and shipbreaking has been classified as such. Even if they were allowed to work there, every adolescent worker would need a medical certificate of fitness, to be delivered by a medical practitioner. The adolescent workers in the shipbreaking yards are not even registered as workers and no doctor has ever looked at Kader. Moreover, no adolescent is allowed to work in an environment where machinery or parts of machines are in motion. Adolescents cannot work with any machine at all unless they have sufficient training and are under adequate supervision, which is not the case in shipbreaking yards. Finally, adolescents may work a maximum of 30 hours a week and are not allowed to work any nightshift. All these provisions of the Labour Act are bluntly violated by the shipbreaking yards.

Halima and her sons do not know what the future holds for them. They still hope Kamrul will be released from prison. A local supporter group will try to appeal against his sentence. Kader and his family have twice become victims of unscrupulous practices in shipbreaking yards: the father, who is at the mercy of a yard manager who had him jailed for no reason, and a 16-year-old, who is exploited due to the family’s desperate situation and forced to work in a highly risky job.

Picture Kader in his home village.

FURTHER READING

RECENT STUDY REVEALS TBT CONTAMINATION AT GADANI, PAKISTAN: A recent study of Karachi University’s Centre of Excellence in Marine Biology has found that female snails at the Gadani shipbreaking yards in Pakistan have developed male sex organs due to exposure to a highly toxic chemicals, such as tributyltin (TBT), used in ship paints. Pakistani newspaper [Dawn](#) wrote about the report.

CONDITIONS IN BANGLADESH: [VICE](#) had a good piece about the shipbreaking yards in Chittagong in August. The [Maritime Executive](#) wrote about child labour in Bangladesh.

HAPAG-LLOYD COMMITS TO RESPONSIBLE SHIP RECYCLING: German shipping company Hapag-Lloyd made headlines in August when they decided not to sell any more end-of-life ship to beaching yards in South Asia. The story was covered by leading German media such as the [Frankfurter Allgemeine Zeitung](#), [Deutsche Welle](#), [Süddeutscher Zeitung](#), [Spiegel Online](#) and many more. [BBC World](#) also covered the story from Berlin.

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