

Draft I.M.O.treaty called “shockingly inadequate” in addressing global ship scrap crisis

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16 March 2006 - An analysis released today by a coalition of environmental, labor and human rights organizations called the new draft “International Convention for Safe and Environmentally Sound Recycling of Ships” being developed by the International Maritime Organization woefully insufficient and a retreat from existing laws and principles. The draft convention criticism included the following concerns:

* It ignores principles and rules already established under the Basel Convention in force since 1992 * It fails to demand decontamination of ships in developed countries prior to final export to developing countries. * It fails to encourage shipbreaking and decontamination capacity be built in developed countries. * It limits state responsibility to minimum requirements and only places these on flag states and shipbreaking states which often have limited resources and capacity, instead of on states with jurisdiction over the ship-owner – the polluter. * It exempts military and government vessels allowing the massive toxic “ghost fleet” of countries like the United States, France and UK to go unregulated.

While thousands of ships built with toxic substances such as asbestos and PCBs will need to be recycled in the next decades, rich, developed countries have failed to create technical capacity for managing such hazardous wastes on their own shores. Instead, they have simply shunted them off to some of the world's poorest countries, and communities for dismantling.(1) “Rather than closing the floodgates to toxic ship dumping, and promoting pre-cleaning of ships, the draft IMO Treaty, would allow many more scandalous exports such as we have recently seen with the Clemenceau, and legalize them on a daily basis,” said Ingvild Jenssen, Platform coordinator. The Clemenceau, a defunct aircraft carrier laden with asbestos and PCBs, was exported by the French Government in January to India only to be called back after a French court ruled that France, in exporting the Clemenceau, was not abiding by the rules established under the Basel Convention and Council Regulation (EEC) 259/93/EEC on Shipments of Waste. Meanwhile with respect to any new Convention on the issue, the Parties to the Basel Convention as well as the European Council have all called for at least an “equivalent level of control” as that of the Basel Convention. Yet the analysis of the draft IMO Convention concluded that of the 24 widely identified elements needed to redress the ship scrap crisis, the IMO Draft Convention adequately addressed only two of these while the Basel Convention covered 20 elements. “Not only is this treaty shockingly inadequate in providing an ‘equivalent level of control’ as that already established elsewhere, it appears to be intentionally designed to legitimize what the world has already agreed is a criminal activity – dumping toxic waste on weaker economies,” said Jim Puckett of the Basel Action Network, a toxic trade watchdog organization. “We can only hope that the authors go back to the drawing boards, and design a treaty that diligently improves upon, and does not retreat from, existing principles of human rights and sustainable development.” Non-Governmental organizations forming the Global NGO Platform on Shipbreaking(2) fear that the shipping industry is using the International Maritime Organization (IMO) and this new Convention as a vehicle to avoid adhering to principles of environmental justice embodied in the Basel Convention and is not really interested in preventing hazardous waste materials in ships from being exported to developing nations such as Bangladesh, India, Pakistan and China for recycling and disposal. The draft Convention will be on the Agenda of the upcoming Marine Environmental Protection Committee of the IMO, March 20-24 in London. Notes: (1) A report published by Greenpeace and the International Federation of Human Rights (FIDH) in co-operation with YPSA (Young Power in Social Action) entitled “End of Life Ships - the Human Costs of Breaking Ships”, December 2005