



Ms Sheikh Hasina
The Honourable Prime Minister of Bangladesh
Prime Minister's Offices
Old Sangsad Bhaban Tejgaon,
Dhaka-1215
Bangladesh

Brussels, 4th January 2011

Dear Madam,

With this letter, the NGO Platform on Shipbreaking and all its member organizations as well as other undersigned persons and organizations,¹ wish to express our great appreciation for your government's commitment and leadership to protect the environment and the precious natural resources of Bangladesh and to reinforce labour rights. Such a commitment towards sustainability and respect of human rights in Bangladesh improves our fragile planet's hope for a sustainable future worldwide.

With this letter we seek your judicious and appropriate intervention against the dumping of hazardous end-of-life ships, primarily by western, foreign owners, which results in the continued exploitation of Bangladeshi labourers and coastal environment. It is unacceptable that the European countries protect their own beaches and labourers and refuse to take the responsibility for dismantling or pre-cleaning their own ships in their own facilities. Yet due to the higher costs involved in the safe and sound pre-cleaning and dismantling of ships in proper facilities, the shipping industry continues to use countries like Bangladesh as a dumping ground for obsolete vessels laden with deadly hazardous waste materials found on board such ships including asbestos, PCBs, toxic paints, biocides, fuel residues and other hazardous substances.

These unscrupulous shipping companies and countries that represent them are organizing themselves against any attempt by national governments to put a halt to such unsustainable and exploitive exportation. Meanwhile, shipbreaking on

¹The **NGO Platform on Shipbreaking** is a global coalition of environmental, human and labour rights organisations, working to prevent the environmental and human rights abuses of current shipbreaking practices and to ensure safe and environmentally sound recycling of end-of-life ships worldwide. The current members of the Platform are: **the Basel Action Network (BAN), Greenpeace, the International Federation of Human Rights (FIDH), the European Federation of Transport and Environment (T&E), Bellona, the North Sea Foundation, the Ban Asbestos Network, Prevention of Hazardous Shipbreaking Initiative Turkey, Young Power in Social Action (YPSA), Bangladesh Environmental Lawyers Association (BELA), Bangladesh Institute of Labour Studies (BILS), Bangladesh Occupational Safety, Health and Environment Foundation (OSHE), Toxics Links, Gujarat Occupational Safety and Health Association.**

Bangladeshi beaches has continued to expand at an ever-increasing rate with a commensurate increase in death and accidents (which do not even begin to reflect the numbers of workers impacted from toxic heavy metals, PCBs and asbestos) with occupational diseases such as asbestosis and cancer.

So too have the losses of coastal fishery and forests preceded at an alarming rate due to this unregulated industry. It is worth noting that no developed country from which these ships are managed during their useful lives would ever allow the management of hazardous waste ships on their coastal beaches.

The export of obsolete ships from wealthy shipping companies and nations to the beaches of Bangladesh and other South Asian countries for scrapping is the type of scandalous exploitation that the United Nations Basel Convention - the only international Convention currently in force that applies to toxic end-of-life vessels - was designed to arrest. Decision VII/26 of the Basel Convention requires all countries to actively implement the Basel Convention for ships as a form of 'hazardous waste.' The Basel Convention requires inter alia for states to avoid the transboundary movements of wastes, and to never allow such wastes to ever go to facilities or countries that cannot operate in an environmentally sound manner (e.g. in accordance with the Basel Convention Guidelines on Ship Dismantling). Further, the Basel Convention passed Decision III/1 that forbids the export of hazardous wastes from Annex VII countries (OECD/EU and Liechtenstein) to all other countries for any reason.

It is clear that the export of ships by developed countries to Bangladesh for breaking purposes without first having them pre-cleaned by the owner in an Annex VII country and outside the territory of Bangladesh is a violation of the letter and spirit of the Basel Convention and its Decision III/1. Further, they can only be received by facilities that are defined as environmentally sound in accordance with the definition of the Basel Convention. That definition calls for taking all practicable steps to ensure the protection of human life and the environment. Such is far from the case in Bangladesh. All these years these legal requirements have tactically been avoided by the owners/exporters and thus the environment of Bangladesh continues to receive irreparable harm to its ecosystem and people. This has been done in the name of economics, but the economic costs of the long-term damage to human health and the environment far exceeds the alleged benefits. And yet such externalized costs to Bangladesh are conveniently unaccounted for by those reaping short-term gain.

Continuing to allow deadly and dirty shipbreaking in the developing countries without prescribing responsibility to the shipping industry to firstly, clean their ships of all hazardous waste and secondly, move this industry off of the beaches to the docks of Chittagong, shall only mean perpetuating a human and environmental disaster which is far out of proportion to the welfare the industry provides the country and the global environment.

Now we note that the Supreme Court of Bangladesh has finally come forward to address the anarchies and hypocrisies surrounding this shipbreaking industry and last year rendered a landmark and correct judgement to regulate the shipbreaking industry by requiring compliance with international and national law. The directions of the Supreme Court are in accord with the international legal obligations of the exporting countries, as they require all ships entering the territory of Bangladesh to be

decontaminated prior to importation. Furthermore, the Court requires compliance with all environmental regulations of Bangladesh. This is the only legal means by which ships can continue to be imported into the territory of Bangladesh – by first pre-cleaning them in an Annex VII country prior to export.

However, despite this progressive step forward, the business pressure from the shipping and shipbreaking industry is now growing high on all of the actors in Bangladesh seeking to do what is just and right for the national interest because if Bangladesh begins to comply with its international environmental commitments, it will be very difficult for any other country to not do likewise and the industry would finally have to reform and clean up its behaviour for lack of global dumping grounds.

With our confidence in your righteous thinking and humanitarian leadership, we humbly urge your full support in demanding compliance with all international and national legal requirements by the owners/sellers of ships and by shipbreaking yards. We urge your support for ensuring implementation of the Supreme Court ruling in this regard. Your committed and prudent leadership gives us the confidence that Bangladesh shall resist the undue pressure from the global and local actors of the industry. If Bangladesh manages to ensure compliance with international law it will be regarded as a global leader in defending its own territorial interest against the undue pressure from the exploitive practices of some wealthy developed nations. Moreover, such a step will lead to the creation of the true global solution – pre-cleaning of vessels and green ship recycling facilities that are off our world's precious beaches.

Finally, we wish to call your attention to the efforts of the shipbreakers to criminalize and threaten the public interest organizations that have challenged their deadly and damaging activities to the workers and the environment of Bangladesh. While we condemn such activities of the shipbreakers, we hope you will take into consideration our concerns voiced as they are from all around the world, and, with your kind intervention and guidance, protect and support our members in Bangladesh in their struggle to prevent Bangladesh from being used as a global dumping ground at the expense of its environment and labour force.

We are grateful for your kind and careful consideration of our collective concern with regards to this grave problem and look forward to your righteous response to it.

Yours sincerely,

The undersigned persons and organizations appeal to the Prime Minister of Bangladesh to support the Bangladesh Supreme Court Decision to end the unsustainable and illegal shipbreaking operations on the beaches of Bangladesh and to also support and protect those individuals that seek reform of this dangerous and illegal industry:

Grazia CIOCI, Acting Director, **NGO Platform on Shipbreaking**, Belgium

Jim PUCKETT, Director, **Basel Action Network (BAN)**, USA

Souhayr BELHASSEN, President, **International Federation of Human Rights (FIDH)**

Marietta HARJONO, **Greenpeace**, Netherlands

Eelco LEEMANS, Acting Director, **The North Sea Foundation**, Netherlands

Ritwick DUTTA, Executive Director, **Legal Initiative for Forest and Environment (LIFE)**, India

Erdem VARDAR, Director, **Yuva Society**, Turkey

Nityanand JAYARAMAN, Independent Researcher and Journalist, Chennai, India

Madhumita DUTTA, **The Other Media**, Chennai, India

Gopal KRISHNA, Convener, **ToxicsWatch Alliance**, India

Eivind HOFF, **Bellona Europa**, Belgium

Chris CARROLL, **Seas at Risk**, Belgium

Knud ANDERSEN, Chairman, **The Danish Society for a Living Sea**, Denmark

Genon JENSEN, Director, **Health and Environment Alliance (HEAL)**, Belgium

Jyoti MHAPSEKAR, President, **Stree Mukti Sanghtana**, Mumbai, India

Rico EURIPIDOU, GroundWork - **Friends of the Earth SA**, South Africa

Geoffrey N. KAMESE, **National Association of Professional Environmentalists (NAPE)**, Uganda

S.M. Mohamed IDRIS, President, **Consumers' Association of Penang, Sahabat Alam (Friends of the Earth)**, Malaysia

Sanjeev KUMAR, **WWF European Policy Office**, Belgium

Sasanka DEV, President, **Society for Direct Initiative for Social and Health Action (DISHA)**, Kolkata, India

Juliette WILLIAMS, Director, **Environmental Justice Foundation (EJF)**, UK

Helen MUSCAT, Chairperson, **The Action for Breast Cancer Foundation**, Malta

Donald L. HASSIG, Director, Cancer Action NY, **Cancer Action Network**, USA

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Zuleica NYCZ, APROMAC – **Environmental Protection Association and
TOXISPHERA – Health Environmental Association**, Brazil
Natasha HARTY, **East Cork for a Safe Environment**, Ireland
Ram Charitra Sah, Executive Director, **Center for Public Health and
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Leo Saldanha, Bhargavi Rao, Mallesh K. R. and Sruthi Subbanna, **Environment
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Yuyun ISMAWATI, **BALIFOKUS Foundation**, Indonesia
Mwadhini O. MYANZA, Executive Director, **Irrigation, Training and Economic
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