



NGO platform
on shipbreaking



Mr. Ronald-Mike NEUMEYER
Senator of Building, Environment and Transportation in Bremen
Ansgaritorstr.2
DE-28195 Bremen
Fax: +49 421361 10875

BY FAX AND E-MAIL

Concerning: Illegal export of SS Norway (aka SS Blue Lady, ex-France)

Dear Senator Neumeyer,

28 June 2006

We, the NGO Platform on Shipbreaking, are writing to urge you to take the necessary action concerning the illegal export of the SS Norway (aka SS Blue Lady, ex-France) to Asia from Bremerhaven, Germany last 23 May 2005.

Before the vessel left the Port of Bremerhaven, the owner, Star Cruises Ltd, obtained permission from the port authorities for the vessel to depart by declaring that it was headed to Asia for needed repairs. Months before the departure of the SS Norway, however, civil society groups raised concerns that the true intent of Star Cruises Ltd was to bring the vessel, with all the toxic wastes contained in its structure, to Asia for disposal.

After attempting to cover its tracks for a year, by repainting and renaming the vessel SS Blue Lady, and numerous rumours of third-party sale, the true motive behind the export of the obsolete vessel has finally become apparent. Star Cruises Ltd was sending the vessel for scrap to South Asia where shipbreaking yards are globally acknowledged not to respect even minimum human rights and environmental standards.

Star Cruises Ltd's initially tried to dispose of the vessel on 15 February 2006, when it attempted to berth in Bangladesh. Bangladeshi authorities, however, did not allow the SS Norway (now called SS Blue Lady) to enter its territorial waters and invoked their right under international law, namely the Basel Convention on Transboundary Movements of Hazardous Waste and their Disposal, to refuse any material or carrier that can cause harm to the environment.

Having been rebuked by the Bangladeshi government, Star Cruises Ltd is now looking to dismantle the vessel in Alang, India. The matter of the SS Norway is currently before the Indian Supreme Court, which is deliberating on the issue of whether to accept the vessel. Its final decision is expected by the end of July 2006.

The attached document prepared by the NGO Platform¹ confirms that the decision to discard the vessel was taken by Star Cruises Ltd and its subsidiary Norwegian Cruise Lines, at the least, during the last quarter of 2004, months before Star Cruises Ltd declared to German port authorities that the vessel was headed to Asia for repairs.

As you are surely aware, the European Commission has asked German authorities for clarifications on this issue. You will certainly find the information contained in the attached document of use when preparing a reply to the Commission.

In light of evidence confirming Star Cruises Ltd's decision to dispose of the vessel before it left Bremerhaven, the following international and EU legislation stipulates that Germany must recall the vessel because:

- The export of the SS Norway from Germany on 23 May 2005 is an Article 9.1(c) illegal traffic under the Basel Convention (consent obtained from Germany through falsification, misinterpretation or fraud);
- The export of the SS Norway from Germany to Asia constitutes a violation of the Basel Ban Amendment, which Germany has ratified, and the EU Council Regulation (EEC) 259/93/EEC on Shipments of Waste, which incorporates the Basel Ban Amendment into Community law prohibiting the export of hazardous wastes to non-OECD countries for disposal; and
- There are outstanding legal commitments by Germany arising from the Basel Convention and the Stockholm Convention on Persistent Organic Pollutants.

¹ Norwegian Cruise Lines and Star Cruises Ltd: Deceiving Germany and Violating International Laws in the Export of the SS Norway to India

In the hope that Germany complies with international and European law, once again, we strongly encourage you to take all necessary action and immediately recall the SS Norway (aka SS Blue Lady, ex-France) back to Germany.

We remain available should you wish to further discuss this matter with us.

Yours Sincerely,

Ingvild Jenssen
Coordinator
NGO Platform on Shipbreaking
Clos du Parnasse 10B
BE-1050 Brussels
Tel : +32 2 648 31 22
Fax : +32 2 646 81 22
Mob : +32 485 190 920

*On behalf of the following NGOs: **Ban Asbestos Network India, Basel Action Network, Greenpeace, Bellona Europa, European Federation for Transport and Environment, North Sea Foundation, International Federation for Human Rights, Ban Asbestos, International Ban Asbestos Secretariat, L'Association pour le Paquebot France, Corporate Accountability Desk India, Bangladesh Environmental Lawyers Association and Young Power in Social Action.***

Please note that a copy of this letter has also been sent to:

The German Federal Ministry, the German Basel Focal Point, the European Commission, Basel Convention Secretariat, and the UN Special Rapporteur of the Commission on Human Rights on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights.