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PROPOSED SHIP SCRAP TREATY CALLED “TOO LITTLE, TOO SLOW”

London, July 22, 2005. Delegates attending meetings this month at the International Maritime Organization (IMO) have agreed to move ahead and create a new legally binding instrument - probably a new treaty - to deal with the scrapping of obsolete vessels. Greenpeace and the Basel Action Network (BAN), however, have denounced the proposed treaty, as currently envisaged, for placing the burden of hazardous waste on developing countries, and for providing provisions far weaker than the existing and already into force United Nations Environment Program’s Basel Convention (2) which also governs the movement and disposal of obsolete ships.

The shipping industry continues to refuse to accept that the Basel Convention has competence over old ships when they reach end-of-life and has turned to the IMO to rush through a new treaty in order to continue exploiting cheap labor and weak environmental regulations in developing countries. The obligations of the 1989 Basel Convention and its 1995 Basel Ban Amendment prevents export of the waste vessel if they are not decontaminated and stripped of toxic substances such as asbestos and PCBs under the responsibility of shipowners/exporting states. Whereas the Basel Convention places responsibility on industry and rich nations to prevent and even prohibit the export of hazardous wastes to developing countries, the new IMO Convention now being discussed will place almost all responsibility on the shipbreaking countries and their facilities.

“For decades, the shipping industry profited using cheap labor struggling in deadly conditions,” said Richard Gutierrez of BAN. “Then once we pointed the spotlight on this abuse, they move to quickly blame the shipbreaking countries. Unless the shipping industry takes primary responsibility for the hazardous waste onboard obsolete ships and pays to decontaminate existing ships and halt the use of dangerous materials in ship design, the new agreement will be a travesty, not a treaty.”

So far, according to the environmentalist in attendance at the meetings held this month there has been no support among IMO delegates to:

- Make this new instrument at least as effective as the Basel Convention. (3)
- Require decontamination of ships under the responsibility of shipowners.
• Require states with jurisdiction over the owners of the obsolete vessels to be responsible in any way.
• Require states having physical or legal jurisdiction over obsolete vessels to prevent exports if they have reason to believe the receiving facility would not be environmentally sound.
• Provide transparency over the fleet of single-hulled tankers that must be phased out in accordance with IMO agreements. (4)
• Create a shipping industry fund based on the polluter pays principle to provide green shipbreaking capacity. (5)

The environmentalists do applaud the intent for mandatory requirements to phase-out toxic substances on newly built ships, to substitute these substances in existing ships and the extra emphasis given to the immediate need for gas-free-for-hot work certification, a measure that will save life of workers in the shipbreaking yards immediately.

The most pressing concern, however, is the fact that the proposed treaty will not even be legally binding for at least 5 years and more likely 10 years. Meanwhile, a massive flood of dirty single-hulled tankers that will be phased out in the next 5 years is expected to be scrapped with almost no green shipbreaking capacity available. For this reason BAN and Greenpeace demand immediate actions be taken if a real crisis is to be averted.

“One person per day is dying in the Asian shipbreaking yards,” said Marietta Harjono of Greenpeace. “For this reason we cannot afford to shuffle paper for 5 to 10 years without acting now. States must use all available means, including the Basel Convention to ensure that illegal exports of hazardous ships are prevented, ensure that ships are decontaminated under the responsibility of shipowners, and that new green shipbreaking capacity is developed.”

Notes to the editor:

(1) Meetings and working groups of the 53rd Marine Environmental Protection Committee of the IMO held in London between 18-22 July.
(3) The Basel Convention in it’s Decision COP VII/26 (October 2004) invited the IMO to ensure in it’s mandatory requirements for shiprecycling an equivalent level of control as established under the Basel Convention. The EU Council took a similar Decision in June 2005
(4) For more information on the imminent human and environmental crisis due to the phase out of single hull tankers please read report "Destination unknown -European single hull oil tanker, no place to go” to be downloaded from www.greenpeaceweb.org/shipbreak/documents
(5) To read the submission of Greenpeace and BAN to IMO/MEPC 53 please visit: www.greenpeaceweb.org/shipbreak/documents

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