

# STATEMENT of CONCERN on the NEW I.M.O. CONVENTION ON SHIPBREAKING



NGO platform  
on shipbreaking

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**We the undersigned organisations** working in the fields of human rights, environment, labour and health, wish to register our profound concern over the draft IMO Convention on the Safe Recycling of Ships. Despite prolonged and repeated effort by civil society NGOs to create legal restraints against exploitation of human beings and the environment by the global shipping industry at the end of the life of a ship, the **draft IMO Convention text** prepared to be adopted in the week of May 11-15, 2009 in Hong Kong will do little to effect real change from the current tragic situation in the shipbreaking yards in India, Bangladesh and Pakistan.

Sadly, **the draft IMO Convention**, currently does not represent an "equivalent level of control" to the Basel Convention as was called for by the Parties to that United Nations Environment Programme Convention, and as such **will do little to prevent hazardous wastes such as asbestos, PCBs, old fuels, from being exported to the poorest communities and most desperate workers in developing countries.**

Likewise, the draft IMO Convention, currently **fails to condemn the fatally flawed method of scrapping ships known as "beaching"**, where ships are cut open in the sea and tidal flats of the beaches of south Asian countries in a method that is fatally flawed as it makes it impossible to:

- Contain oils and toxic contaminants from entering the marine environment
- Bring lifting cranes along side ships to lift heavy cut pieces or to rescue workers.
- Bring emergency equipment (ambulances, fire trucks) to the workers or the ships
- Protect the fragile intertidal coastal zone from the hazardous wastes on ships.

Furthermore, the draft IMO Convention, currently represents a **"turning back of the clock"** on principles already long established in international law and policy. The principles ignored by the draft IMO Convention include:

- The Polluter Pays/Producer Responsibility Principle
- The Environmental Justice/Transfer no Harm Principles
- The Waste Prevention/Substitution Principles
- Principle of Environmentally Sound Management

For the reasons outlined above, unless dramatically reformed at the Hong Kong conference, the draft IMO Convention will not be the treaty the world asked for to address the global shipbreaking crisis. It will not effectively prevent the developing world from receiving a disproportionate burden of the world's ship-borne toxic wastes, nor will it command green design of future ships. Rather the current draft IMO Convention appears tailored to allow shipowners to continue to externalize the real costs and liabilities of ships at end-of-life, while giving the appearance of taking action.

We the undersigned organizations therefore call on the IMO Party governments to take the necessary and urgent actions at the Hong Kong Conference May 11-15, to correct the grave deficiencies found in the existing text. We wholeheartedly support true advancement in international law for sustainable development, but we cannot accept the current text which represents an unfortunate step backwards with respect to international governance, and the protection of human rights and the environment.



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