

# Media Alert – EU Commission Attempts to Legalize Export of Toxic Ships to Developing Countries

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## Exporting jobs and toxic waste

**Brussels, 9 October 2012** --- In a letter mailed today to the Brussels-based Environment attachés of all 27 Member States, environmental groups[1] denounced a proposal by the European Commission on ship recycling[2] to legalize the export of hazardous end-of-life ships to developing countries, a practice that has been forbidden in Europe since January of 1997. By unilaterally seeking to exempt most ships from the EU Waste Shipment regulation[3], the Commission would break with the EU law that implements the international treaty known as the Basel Convention[4] and its Amendment which bans hazardous waste exports to the world's poorest countries. *"The proposal is both profoundly immoral and illegal,"* said Roberto Ferrigno of the NGO Shipbreaking Platform. *"And yet it does not appear that the Commission understands the gravity of this action. This proposal will render European governments powerless in preventing exports of asbestos and PCB laden ships from being sent to developing countries and putting vulnerable workers at risk in contravention of our own treaty obligations. We are calling on the EU, which has the capacity to recycle ships safely and cleanly, to respect its laws and create good shipyard jobs at home."* The European Environment Council will debate the Commission's proposal on ship recycling on the 25<sup>th</sup> of October. The Commission has justified their proposal by claiming that the EU and developed countries lack adequate ship recycling capacity[5] and that, in any case, there is no way to prevent ships from simply reflagging their ships to circumvent national laws. Environmental groups assert that the capacity studies of the Commission are flawed and further, that the Commission has failed to look into ship-owner/producer responsibility schemes which would create funds for proper, safe and environmentally friendly recycling operations in Europe – saving both the environment and jobs. Because the Basel Convention allows no exceptions or reservations to its rules, and that Convention lists ships as covered hazardous wastes, the EU proposal has legal experts shaking their heads. *"The Commission Proposal constitutes a unilateral departure from the provisions of the Basel Convention that is not allowed by the Convention,"* said Prof. Dr. Ludwig Kraemer, noted European Community legal expert. *"The adoption of the proposal by the European Parliament and the Council would constitute a breach of the EU obligations under the Basel Convention and would therefore be illegal."* Each year, approximately 800 ocean ships reach the end of their services and are broken down to recover primarily steel[6]. Yet, only a fraction is handled in a safe, sustainable manner. About 70% of all ships[7] are simply run ashore on tidal beaches in developing countries such as Bangladesh, India and Pakistan, often ignoring the Basel Convention obligations, where unscrupulous companies exploit minimal enforcement of environmental and safety rules to maximize profits. The European Commission estimates that 40,000 to 1,3 million tonnes of toxic substances onboard vessels (including asbestos, PCBs, and heavy metals) are exported each year to South Asia from the EU alone[8]. Toxic waste sickens the workers and ravages the coastal ecosystems. In Bangladesh, children under 15 years of age count for 20% of the workforce[9]. In 2011, more than 55 workers were reported killed in accidents in shipbreaking operations in Bangladesh, India and Pakistan[10]. Last Saturday, five workers were killed in a fire that broke on a ship beached in Alang, India[11]. **CONTACT:** Roberto Ferrigno Policy Adviser Delphine Reuter Communications Officer NGO Shipbreaking Platform [press@shipbreakingplatform.org](mailto:press@shipbreakingplatform.org) 0032 (0) 2 6094 418 **NOTES** **The letter can be found at <http://bit.ly/VJ6GC4>** [1] The NGO Shipbreaking Platform is an umbrella organisation representing 18 global environmental, human and labour rights organisations joining forces to prevent the damage to human health and the environment from shipbreaking operations around the world. See [www.shipbreakingplatform.org](http://www.shipbreakingplatform.org) [2] COM(2012) 118. The proposal is available here: <http://bit.ly/Pz8ANd> [3] Regulation EC 1013/2006 on shipments of waste [4] Basel Convention on the Control of Transboundary Movements of Waste and their Disposal. Official website: [www.basel.int](http://www.basel.int) [5] See the EU Commission's Impact Assessment, p14 at <http://bit.ly/QNAp6v> [6] <http://ec.europa.eu/environment/waste/ships> [7] See UNCTAD 2011 Review of Maritime Transport at <http://bit.ly/Wu29Bd> [8] European Commission: *Impact Assessment for an EU Strategy for Better Ship Dismantling*, SEC(2008)2846. See p15 at <http://bit.ly/UIF5vM> [9] FIDH/YPSA: *Childbreaking Yards – Child Labour in the Ship Recycling Industry in Bangladesh*, 2008 [10] The NGO Shipbreaking Platform compiles these data from member organisations, as well as sources in Bangladesh (the Daily Star newspaper: [www.thedailystar.net](http://www.thedailystar.net)), in Pakistan (National Trade Union Federation, NTUF) and India (Mumbai Port Trust Dock & General Employees' Union, MPTDGEU) [11] The news report was published by The Indian Express: <http://bit.ly/PS2FnZ>