

## MS OTAPAN – “the Dutch Clemenceau”: Environmental Activists Demand Netherlands to Recall Toxic Vessel

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12 August 2006 - On August 16, 2006, the MS Otapan, a double-hulled chemical tanker completed in 1965, is expected to arrive in Turkey for dismantling. The vessel brings with it a maelstrom of controversy over the real quantity of hazardous wastes it carries onboard, and puts into question the validity of the Turkish entry permission for the vessel in the absence of a complete inventory of hazards. The Basel Action Network (BAN) a global environmental group dedicated to halting global toxic trade, questions the accuracy of the toxic inventory as reported in the official Dutch export notification, and points to the possible presence of toxins in the vessel, such as polychlorinated biphenyls (PCBs), lead, mercury, cadmium, tributyltin, and other heavy metals that have not been quantified and reported to Turkey. BAN is concerned that the Dutch government, worried over the cost of decontamination of the MS Otapan, may have overlooked the actual quantities of toxins in the vessel, passing the full burden of their cost-cutting measures to Turkish workers, communities and environment.

In early 2006, an agreement was reached among the Dutch Ministry of Housing, Spatial Planning and the Environment and the owners of the MS Otapan, Basilisk, a Mexican company acting as administrator on behalf of the bankrupt original owner, Navimin, and the Dutch the State Property Department, to export the MS Otapan to Turkey. The vessel departed the Netherlands on July 28, 2006. Prior to its departure, the owners of the MS Otapan sent a notice to the Turkish Ministry of Environment and Forest, alerting them of the export and disclosing that only “1,000 kg of asbestos” are on board the vessel. No other toxins were mentioned in the official notice. Vessels built before 1979, such as the highly publicized case of the French aircraft carrier “Clemenceau”, and the latest case of the SS Norway, are highly suspect to contain PCBs, a man-made chemical that is classified as a persistent organic pollutant (POPs), known probable human carcinogen and has been slated for global phase-out under the Stockholm Convention on Persistent Organic Pollutants. PCBs were used in felt and rubber gaskets, paints, electrical cable insulation, caulking, transformers and capacitors, and other applications in vessels. “As part owners of the MS Otapan, the Dutch government should have done more to quantify the toxins present in the vessel. Without comprehensive sampling and laboratory testing, any claim put forward by the Dutch government on the non-existence of PCBs and other toxins is mere guesswork,” says Richard Gutierrez of the Basel Action Network. “Under these circumstances, Turkey has the legal right to rescind its consent based on misinformation, and the Netherlands is bound by international law to recall the vessel and properly manage the wastes.” The Basel Convention a United Nations’ treaty on hazardous wastes, to which Netherlands is a party to, requires that exporters of toxic wastes must provide a complete inventory of the hazards on board the vessel prior to its voyage. The Basel Convention also requires that the complete inventory be attached to the notice sent by the exporter to the competent authority of the importing country. These measures are required under the Basel Convention to enable the importing country to arrive at an informed decision on whether to accept the waste. The Basel Convention considers an export to be illegal traffic when consent is obtained through misrepresentation or if the shipment does not conform in a material way to the export documents. Illegal traffic is considered criminal under Basel, and the exporters are required to take back the toxic waste. “Human lives and the environment are at stake. The Dutch government must cease its blind insistence that things will be safe once the MS Otapan arrives in Turkey,” explains Derk Byvanck, member of the NGO Platform in Turkey. “There is still time to rectify any mistakes before the MS Otapan is beached. And the time for the Dutch to act is now.”