

Press Release – NGOs call on progressive EU governments to protect developing countries against hazardous shipbreaking waste

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EU Environment Council taking dangerous steps regarding ship recycling, could legalize export of toxic waste to developing countries Brussels, 25 October 2012 - The NGO Shipbreaking Platform, a global coalition of human rights, labour rights and environmental organisations, is applauding progressive EU governments, amongst whom Germany, Finland, the Netherlands, Denmark, Italy, Ireland, Estonia, and Sweden, for supporting today the existing ban on the export of end-of-life ships containing hazardous wastes to developing countries. During an EU Environment Council meeting in Luxembourg, EU Member States were split when debating a proposal by the Cyprus presidency of the European Union to heavily water down the European Commission's proposal for a regulation on ship recycling[1]. In its current form, the Commission proposal could effectively legalize the export of end-of-life ships containing hazardous wastes from the EU to developing countries, a proposal deemed appropriate by not only Cyprus, but also several other European governments. *"We call on the Environment Council and EU governments supporting the Cyprus position to be sensible,"* said Patrizia Heidegger, Executive Director of the NGO Shipbreaking Platform. *"The Commission proposal in its current form cannot, and will not pass the test of effectively preventing hazardous wastes from being dumped in developing countries."* Last July the European Economic and Social Committee said the Commission proposal is "weak and full of legal loopholes", and concluded that "the political will [to solve the problem] is manifestly absent"[2]. The ban on the export of end-of-life ships containing hazardous wastes was implemented into European law with the 2006 Waste Shipment Regulation. Since then, it's illegal for any ship to leave any EU port for a shipbreaking destination located in non-OECD countries. In 2006, the French aircraft carrier "Le Clémenceau" was brought back to Europe after it was proved that the ship would be beached in India and the hazardous materials it contained would pollute the land and harm local communities. But today at the Council meeting, most Environment ministers seemed ready to rid the EU of the Waste Shipment Regulation's competency over ships, claiming the current ban is too easily circumvented by shipowners. *"Realizing that EU Member States have failed to adequately enforce the existing EU regulation on waste shipments, the Council seems ready to circumvent this regulation altogether, rather than to give Member States proper enforcement mechanisms,"* said Patrizia Heidegger. Every year, about 1,000 ships are sent for breaking so that their steel and some of their contents can be recycled. Most of the ships contain hazardous materials such as asbestos, mineral oil, PCBs, mercury, etc. More than 200 European ships were sent for breaking on the beaches of South Asia in 2011, and the number of ships to be broken in 2012 is expected to beat all records. Meanwhile, too little is known about the amounts of wastes piling up on the shores and sickening the workers and nearby communities. A 2006 study commissioned by the Indian Supreme Court showed that 16% of shipbreaking workers showed symptoms of asbestosis. Instead of selling their ships to recycling facilities that enforce strict downstream waste management, such as in the EU, Turkey, Canada, the US and Mexico, most shipowners prioritize maximum profits and sell them to the shipbreaking yards of India, Pakistan and Bangladesh. Out of all ships sent for breaking every year, 40% are owned by European companies, whereas only 8%[3] are flagged in the EU. The Commission proposal aims at regulating only EU-flagged ships sent for breaking, thus only covering 8% of all end-of-life vessels. Basing the future EU ship recycling regulation on flags competency only is in line with the ratification of the Hong Kong Convention, which was signed in 2009. In today's Council debate, some EU governments including Belgium stated that the main goal of the Commission proposal is to speed up Hong Kong ratification and completely ignored the consequences on the bans on exports of hazardous wastes to developing countries. Also today at the Council, Environment Commissioner Janez Potočnik said that the Commission proposed to oust end-of-life ships from the Waste Shipment Regulation because it deemed insufficient the ship recycling capacity in OECD countries that is legally accessible to ships flying a flag of an EU Member State. *"Currently, the combined capacity of ship recycling facilities located in OECD countries would be enough to properly recycle most of EU-flagged and EU-owned ships,"* said Patrizia Heidegger. *"Instead of scrapping the EU ban on hazardous wastes exports to developing countries, the EU should promote green ship recycling at home."*

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[1] Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ship recycling /* COM/2012/0118 final published last March

[2] See entire EESC's opinion: <http://bit.ly/Lf5S35>

[3] European Commission Impact Assessment 23.03.2012