

Victory for Safe Jobs and the Environment

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High Court Halts Deadly Shipbreaking on the Beaches of Bangladesh Dhaka, 17 March 2009: As a result of a petition filed by the Bangladesh Environmental Lawyers Association (BELA), the Bangladeshi High Court has directed the Department of Environment (DoE) to ensure that all shipbreaking yards operating without environmental clearance close their operations within two weeks. None of the 36 shipbreaking yards in Chittagong currently have an environmental clearance. The decision therefore effectively shuts down an industry that has been highly criticized by environmentalists and human rights activists for many years for operating with complete disregard for the law, human health and the environment. The court also ordered that no ship listed on the "Greenpeace list" of dangerous ships can be allowed into the country. BELA and Greenpeace are member organizations of the NGO Platform on Shipbreaking, a global coalition working to promote safe and environmentally sound ship recycling. The Court further ordered that no end-of-life vessel shall be imported by Bangladeshi shipbreakers without having been pre-cleaned of hazardous materials such as asbestos, PCBs, heavy metals and oily sludges before arriving in Bangladesh. This "pre-cleaning" requirement is in accord with Bangladesh's national toxic waste import ban as well as its responsibilities as a Party to the Basel Convention – a UN treaty which decided in 1995 to ban the export of toxic wastes to developing countries for any reason. Pre-cleaning has been one of the demands of the NGO Platform on Shipbreaking in order to avoid developing countries receiving a deadly and disproportionate burden of toxic ship waste from the global shipping industry. *"This decision to finally enforce existing international and Bangladeshi law on this very dangerous and damaging industry is long overdue,"* said Rizwana Hasan of BELA. *"There are ways to import and recycle steel without having to accept the gross pollution of our fragile coastal zone, nor the exploitation and extremely dangerous working conditions that have killed so many of our young men."* The Court decision was based on a startling report submitted by the Department of Environment (DoE) on 11 December 2008 which revealed that none of the 36 shipbreaking yards operating on the beaches near Chittagong, Bangladesh have the required environmental clearance. The Court stated that it was appalled to learn that the Department of Shipping has illegally facilitated the import of toxic ships, and has directed the Ministry of Environment to frame, within three months, necessary rules on ship breaking based on the obligations of Bangladesh under the Basel Convention, the Environment Conservation Act and the Environment Conservation Rules. It also called for the formation of a committee to monitor the implementation process. The decision comes just a few months before the adoption of a new Convention on Ship Recycling negotiated by the International Maritime Organization that has been roundly criticized as doing far too little to prevent toxic ship scrapping on South Asian beaches. *"This ruling sends an unmistakable signal that Bangladesh will no longer compromise the welfare of its poorest most desperate workers, nor its environment for the sake of narrow industrial interests that refuse to recognize that it is impossible to safely dismantle ships containing toxic wastes on a tidal beach,"* said Ingvild Jenssen, Platform coordinator. *"It is indeed time for the rest of the world and in particular the International Maritime Organization to similarly draw a line in the sand and once and for all demand an end to the dumping of toxic ships on the beaches of the poorest countries of the world",* she said.