



NGO  
SHIPBREAKING  
PLATFORM

Kaspars Gerhards  
Minister for Environmental Protection and Regional Development  
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**To:** EU 28 Environment Ministers

**CC:** 28 Member States' Permanent Representations to the EU; the European Commission

**Attachments:** Lloyds List article "*Pressure grows for Euro to rethink beaching-ban*"; and NGO Shipbreaking Platform report "*What a difference a flag makes – Why ship owners' responsibility to ensure sustainable ship recycling needs to go beyond flag state jurisdiction*"

**CONCERNING:** TAC meeting Friday 26 June on the European Ship Recycling Regulation

Dear Minister Gerhards,

Brussels, 23 June 2015

With this letter we would like to urge for no more delays in the adoption of the formats required for the application to the European Union list of accepted ship recycling facilities and express our concern with regards to some Member States' attempt to water down the requirements for acceptance on the list.

The NGO Shipbreaking Platform is a global coalition of 17 environmental, human and labour rights organisations working to reverse the environmental and human rights abuses of current shipbreaking practices and to ensure the safe and environmentally sound dismantling of end-of-life ships worldwide. We have been closely following and contributing to the discussions on ship recycling at the European level.

The EU Ship Recycling Regulation entered into force in December 2013 and its applicability in part depends on the publication of an EU list of accepted ship recycling facilities. The sooner this list is published the sooner the EU SRR can have an effect on improving ship recycling practices globally. Indeed, ship owners and their associations have been calling for such a guiding list to determine acceptable destinations for their end-of-life tonnage and ship recycling facilities globally are awaiting the publication of guiding documents to present their applications. We therefore urge you to support the adoption of the formats accompanying applications for inclusion on the EU list of approved ship recycling facilities during the TAC meeting in Brussels on 26<sup>th</sup> June.

Further, we also call on you to support the technical guidance (FAQ) for ship recycling facilities which has been prepared by the European Commission. As key stakeholders we have provided our input to the development of the FAQ and expected the guidance to be published already last year. It is with great concern that we learn via the maritime press (such as Lloyds list attached) that the FAQ remains unpublished because some Member States are attempting to water down its content. The

EU SRR article 13 sets clear requirements for sustainable ship recycling and according to most interpretations this article, including the Commission's, the current substandard beaching practice will not be granted EU approval. That being said, any facility - in any country - can of course apply to be on the EU list. Facilities that want to be approved need however to show that they practice a method of ship recycling which allows for the full containment of pollutants to prevent any releases to the water, sediments and air, as well as to prevent any adverse effects on the workers' health; the controlled moving of cut-off blocks to prevent accidents caused by simply dropping large parts of the vessels onto the water, sand or into hull; and rapid emergency response to all parts of the vessel in case of accidents. According to article 15 of the SRR the facility also needs to provide evidence that waste disposal management is conducted in a manner that is broadly equivalent to European Union standards.

Breaking ships on tidal beaches is not accepted within the EU and the EU list of approved facilities should not set double standards whereby lower standards would be accepted in facilities located outside the EU. This would be in contradiction to the aim of creating a level playing field where facilities globally will compete on the same terms. We expect therefore that your government supports the FAQ as it stands – this will allow the Commission to finally start assessing applications on a case-to-case basis. Once published, the EU list will become an important reference for governments and ship owners alike seeking clean and safe recycling. It will also create an incentive for facilities world-wide to meet its requirements.

Finally, and in light of the on-going study on a financial instrument, we also take advantage of requesting that your government remains open to a constructive dialogue on effective measures to enhance the implementation of the Ship Recycling Regulation and invite you to read the attached report on the use of substandard flags at end-of-life.

We remain of course available should you have any questions or wish to discuss the above-mentioned issues further with us.

Yours sincerely,

Patrizia HEIDEGGER  
Executive Director NGO Shipbreaking Platform

A handwritten signature in black ink, appearing to read 'Patrizia Heidegger', with a long horizontal flourish extending to the right.

[www.shipbreakingplatform.org](http://www.shipbreakingplatform.org)