

MINISTER SEGOLENE ROYAL
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22 May 2014
SENT BY E-MAIL



A copy of this letter has also been sent to:
The European Commission, Basel Convention Secretariat

URGENT / RE: Imminent illegal export of *GLOBAL SPIRIT* from France to India

Dear MINISTER SEGOLENE ROYAL,

The NGO Shipbreaking Platform alerts with this letter the French government regarding a pending violation of the European Union (EU) Waste Shipment Regulation. We have information confirming that a vehicle carrier named the *GLOBAL SPIRIT*, currently on its way to the port of Le Havre in France, has been sold for breaking (see information and photo below).

We note that Recital 35 of the Waste Shipments Regulation (EC) No 1013/2006, states that *“a ship may become waste as defined in Article 2 of the Basel Convention and that at the same time it may be defined as a ship under other international rules.”* This language echoes the language in decision VII/26 of the Basel Convention that furthermore states: *“recognizing that many ships and other floating structures are known to contain hazardous materials and that such hazardous materials may become hazardous wastes as listed in the annexes to the Basel Convention.”*

Further, that same decision: *Reminds the Parties to fulfil their obligations under the Basel Convention, where applicable, in particular their obligations with respect to prior informed consent, minimization of transboundary movements of hazardous wastes and the principles of environmentally sound management.*

We also note that the export of the *GLOBAL SPIRIT* from France to India would constitute a violation of:

- the Basel Ban Amendment, which France has ratified, and the EU Council Regulation (EC) No 1013/2006 on Shipments of Waste, which incorporates the Basel Convention into Community law prohibiting the export of hazardous waste to non-OECD countries for the disposal (Article 36); and
- the outstanding legal commitments by France arising from the Basel Convention and the Stockholm Convention on Persistent Organic Pollutants.

The *GLOBAL SPIRIT* has been sold to Indian breakers and will be broken in Alang under conditions which cause great damage to the workers' health and lives, and the environment. The vessel is expected to contain hazardous materials such as asbestos, refrigerants and mercury within its structure and electronic equipment; operational oily wastes such as sludge and oil residues; and stores including paint tins and heavy cleaning agents.

The evidence of intent to break the ship is found in several subscriber data bases, such as Lloyds Marine Intelligence www.lmiu.com; shipping statistics website www.equasis.org; and was reported in Lloyds List 28 April: "Other sales included the 1987-built, 13.298 ldt car carrier **Global Spirit**, operated by World Marine Co and reported sold for delivery to Alang at \$512 per ldt, or \$6,5m". We also have information from the Turkish Ship Recyclers' Association that several Turkish ship recyclers in Aliaga were contacted by MOL/Nissan and asked to bid on the vessel early April. MOL/Nissan declined mid-April the highest offer from the Turkish breakers - \$380 per ldt.

Based on the information supplied above it is incumbent on France to act at once to enforce the EU Waste Shipment Regulation and prevent the imminent departure of the vessel *GLOBAL SPIRIT* to a non-OECD country for breaking. Also, in light of the new EU Ship Recycling Regulation which entered into force 30 December 2013, but is not yet applicable, we note that the *GLOBAL SPIRIT* would continue to be covered by the EU Waste Shipment Regulation as the vessel is registered under a non-EU flag. Further, the substandard beaching practice in Alang, India does not comply with the new EU Ship Recycling Regulation's requirements for safe and environmentally sound ship recycling.

French authorities need to immediately contact the ship upon arrival to France (see ETA below) and obtain copies of the sales transaction. The Japanese owned vessel, which is on time charter for Hoegh Autoliners, is expected to be on its final operational voyage. It is likely orders for departure to Alang have been received by crew already, and therefore imperative that France act at once.

The departure of the ship from France can only be authorised if the ship owners can provide evidence that the *GLOBAL SPIRIT* will be broken in compliance with the EU Waste Shipment Regulation's ban on exports of hazardous end-of-life ships to non-OECD countries as well as requirements related to Prior Informed Consent (PIC) and Environmentally Sound Management (ESM). French authorities should indeed seek to avoid a similar situation as was the case of the fraudulent export of the SEA FRANCE vessels *RENOIR* and *CEZANNE* to Asia from France in 2011.

Thank you in advance for notifying the NGO Shipbreaking Platform upon receipt of this letter as to what actions will be taken by French authorities to prevent a violation of the Waste Shipment Regulation. We stand ready to assist you in any way we can with supplying necessary information on the case.

Sincerely yours,



Ingvild Jenssen
NGO Shipbreaking Platform

GLOBAL SPIRIT



CURRENT LOCATION:

Le Havre / ETA 29.05.14 via Spain

DESTINATION:

Alang shipbreaking yards, India

OWNER:

Mitsui O.S.K. Lines Limited (MOL)

SHIP DETAILS:

Name	GLOBAL SPIRIT
IMO number	8517279
Flag	LIBERIA
Type of vessel	VEHICLE CARRIER
Size of vessel GT	47500
Year and place build	1987 – INNOSHIMA
Expected Hazardous Materials onboard	ASBESTOS, OIL RESIDUES, ELECTRONIC EQUIPMENT

OWNERSHIP DETAILS:

Beneficial owner	Mitsui O.S.K. Lines Limited (MOL) 1-1 Toranomom 2-chome Minato-ku Tokyo 105-8688 , Japan Tel: +81 3 35877015 Fax: +81 3 3587705, + Email: pblmo@mail.mol.co.jp Web: www.mol.co.jp
Commercial operator	MOL Ship Management Company Limited
Registered owner	World Car Carriers Incorporated
Class	Nippon Kaiji Kyokai (NK)

DEMOLITION DETAILS:

Destination	ALANG, INDIA
Price	US\$ 512/LT LDT
Sources	Lloyds List, www.equasis.org

FURTHER BACKGROUND

Vehicle carrier GLOBAL SPIRIT transports cars for Nissan on a regular route Morocco-EU-Turkey and is currently under long term time charter with HOEGH AUTOLINERS under the management of AUTROTRANS <http://www.autotrans.fr/> based in France.

The Platform has sent a letter to Mitsui O.S.K. Lines Limited (MOL) and Nissan Car Carriers calling for a sustainable solution for the dismantling of the GLOBAL SPIRIT under safe and clean conditions.

In 2013 Mitsui O.S.K. Lines Limited (MOL) sold six ships for dismantling on the beaches of South Asia:

- 1996 built wood chip carrier Daio Robin (IMO 9136905) sold to Alang breakers, India
- 1991 built wood chip carrier Ryu Yoh (IMO 8921444) sold to Alang breakers, India
- 1986 built roro Cosmos Venture (IMO 8600143) sold to Alang breakers, India
- 1988 built roro Solar Wing (IMO 8708244) sold to Alang breakers, India
- 1999 built tanker Diamond Jasmine (IMO 9177143) sold to Alang breakers, India
- 1994 built bulker Rubin (IMO 9064114) sold to Chittagong breakers, Bangladesh