

SOUTH ASIA QUARTERLY UPDATE

#26

A large, abstract, black graphic with a marbled, liquid-like texture occupies the bottom third of the page.

VISION & MISSION

Vessels are recycled in facilities that ensure clean, safe, and just practices that provide workers with decent jobs. Vessels will be toxic-free and no longer cause harm to workers, local communities, or the environment at end-of-life.

To act as a catalyst for change by effectively advocating for clean, safe, and just ship recycling globally. This necessitates denouncing dirty and dangerous practices, such as the dumping of end-of-life vessels on the beaches of developing countries. Our commitment to finding sustainable global solutions is based on the respect of human and workers' rights and the principles of environmental justice, producer responsibility, 'polluter pays', and clean production.

AUGUST 2021
SAQU #26

In this quarterly publication, we inform about the shipbreaking practices in South Asia, providing an overview of accidents that took place on the beaches of Bangladesh, India and Pakistan, relevant press media as well as research. We aim to raise public awareness about the many negative impacts of shipbreaking in South Asia as well as developments aimed at the protection of workers' rights and the environment.



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*workers suffered an accident
on South Asian
shipbreaking beaches*



76%

*of ships ended up on South
Asian beaches*

03

SHIPBREAKING RECORDS

There were a total of 258 ships broken in the second quarter of 2021. Of these, 197 ships were sold to the beaches of South Asia, where conditions are known to put workers' lives and the environment at risk. United Arab Emirates ship owners sold the most ships to South Asian yards, closely followed by Greek, Singaporean and South Korean owners. Almost one third of the ships sold to South Asia this quarter changed flag to the registries of Comoros, Gabon, Palau and St. Kitts and Nevis just weeks before hitting the beach. These flags are not typically used during the operational life of ships and offer 'last voyage registration' discounts. They are particularly popular with the middlemen scrap-dealers that purchase vessels cash from ship owners, and are grey- and black-listed due to their poor implementation of international maritime law.



TOTAL
258 SHIPS DISMANTLED WORLDWIDE
APRIL - JUNE 2021

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04

CASES & INVESTIGATIONS

THE J.NAT CASE: HIGHLY TOXIC SHIP BEACHED AT GADANI, PAKISTAN

After its import in Bangladesh and India was denied, the Floating Storage and Offloading (FSO) tanker J. NAT reached the beach of Gadani on April 30, despite of international civil society groups' and Interpol's warnings. Under the name of CHERISH, and after several months off the radar, the vessel departed from Mumbai towards Gadani. Local media reported that mercury-contaminated oil sludge was removed from the ship and filled in drums for sale, with workers complaining of severe burning, rashes on their hands and face, and breathing difficulties. The J.NAT contains 1,500 tons of mercury-mixed oil as well as higher levels of other dangerous chemicals. It is further likely that the vessel's steel is contaminated by mercury, which will release extremely toxic vapors when heated by blow torches.

Immediately after local media alerts, authorities halted the dismantling operations and sent samples of loaded materials to three private laboratories in Karachi, Pakistan. The Balochistan's Environmental Protection Department ordered the closure of plot 58 and started an investigation to understand how the ship was allowed to be beached at Gadani shipbreaking yard. If unauthorized levels of mercury are found, legal action might be taken against the yard owner, Dewan Rizwan, and the plot could be sealed permanently. A representative of the Shipbreaking Workers' Association emphasized that action had only be taken because of the fact it was leaked to the media, otherwise work might have not been stopped. By the time that operations were suspended, workers had already dismantled the stern of the ship. To date, investigation's findings had not been shared yet.

“

The November 2016 blast flashed before our eyes when we hear about the ship with hazardous mercury.

”

Shipbreaking worker at Gadani

05

Following the explosion of 1 November 2016, there has been increased awareness, nationally and internationally, on the dangers faced by the workers in the shipbreaking yards in Pakistan. However, as proven once again by the beaching of the J.NAT, breaches of basic labour rights and occupational health and safety in the shipbreaking yards in Gadani persist.

SÃO PAULO: CLEMENCEAU'S SISTER SHIP

Fifteen years after the Clemenceau scandal, a similar case has surfaced. The Clemenceau's sister ship São Paulo (ex-Foch) was sold by the French to the Brazilian Navy in 2000. After being decommissioned, its auctioning started in 2019 in Rio de Janeiro, in which both EU-approved facilities and Indian shipbreaking yards have taken part. NGOs called upon both French and Brazilian authorities to ensure the safe and environmentally sound recycling of the military ship and highlighted the risks linked to exporting the vessel for breaking at a beaching yard. The São Paulo, as the Clemenceau, contains large amounts of hazardous substances within its structure. It is estimated that onboard the vessel there are approximately 900 tons of asbestos and asbestos-containing materials, hundreds of tons of PCB-containing materials and large quantities of heavy metals. After a long auction process, the São Paulo has been recently sold to an EU-approved facility in Turkey. However, some concerns still exist related to the lack of transparency during the bidding process. The actual amount of asbestos inside the aircraft is unknown. The lack of a proper Inventory of Hazardous Materials (IHM) has led NGOs, including the Platform, to send a public letter to official authorities not only in Brazil but also in France and Turkey calling upon all competent bodies to ensure a proper characterization of the hazardous wastes on board the aircraft carrier.

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ACCIDENTS

Bangladesh

On 11 April, three young workers, Md. Samad (40), Md. Pilot (22) and Jihad (18), got severely injured after an explosion at Jamuna shipbreaking yard. The workers suffered burn injuries while cutting a pipe above the engine room of the ship, which contained oil that blasted during the cutting operation. The workers were transported to the Chattogram Medical College Hospital. The accident involved ARGO I (IMO 9083964), a vessel owned by a United Arab Emirates company.

On 12 April, another accident took place in Chattogram. Aatur Rahman (45) lost his life at R.A. shipbreaking yard when hit by an iron plate. The worker was dismantling the MV Gagasan Johor (IMO 9528897), owned by a Malaysian company. He was not wearing protective equipment, according to his fellow workers, and did not receive immediate assistance by the shipyard management. He had to wait three hours to be transported to the Bangladesh Ship Breakers Association (BSBA) Hospital in Sitakunda, which is not equipped to assist shipbreaking workers in case of serious accidents. Aatur Rahman was then re-transferred and died on the way to the public Chattogram Medical College Hospital, located at least half an hour from the Sitakunda area. The accident occurred at 7pm, making this a case of night work forbidden by the Shipbreaking Rules 2011.

On April 22, Raju (23) suffered an accident at Taher & Co Ltd. An iron plate fell on his head during dismantling operations on the vessel SALAM MEWAH (IMO 9135092), owned by a Malaysian company.

On April 24, Md. Delal (40) suffered burn injuries while cutting a pipe during the scrapping of WUYI HK (IMO 9082881), a vessel owned by a company from Hong Kong. The accident occurred at M.M. shipbreaking yard, and, according to local sources, the worker, who needed medical assistance from a hospital, only received basic treatment from a doctor at the yard.

07

On May 27, Tarikul Islam (35) lost his life while dismantling a platform rig at Motaleb Steel. [Bangladesh media](#) reported that the worker fell from the ship. Local sources claim that the real cause of the accident was the inhalation of toxic fumes when Tarikul opened a gas tank, which led to the worker's fall.

On 19 June, an explosion at S.N. Corporation took place causing the death of Ripon Chakma (26). The workers were dismantling the vessel FORMOSA EIGHT (IMO 9110640), owned by a company from Taiwan. According to local sources, another three workers were injured - Md Sohel (29), Rocket Hossain (24) and Md Mintu (41) - by iron plates that fell after the explosion. According to [Bangladesh media](#), the number of injured and deaths is much higher. The workers themselves are claiming that "the shipyard authority has hidden the bodies and injured workers". After the accident, government authorities closed the yard temporarily.

India

On June 10, an accident, which did not cause any injuries and/or deaths, took place in Alang. It occurred at Priya Blue shipbreaking yard, when one crane dangerously fell, damaging other structures nearby.



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COVID-19 UPDATE

South Asian governments have taken various steps to control the rate of infections of Covid-19, which led to different lockdowns. The Covid-19 pandemic has been devastating for South Asia healthcare systems and people's lives, especially for the poor labor class in Bangladesh, India and Pakistan. The second wave, which started in April, led to new lockdowns in the three countries, and is bringing to the surface core issues of inadequate governmental management.

India has been one of the most affected countries by the pandemic worldwide. As industrial oxygen has been diverted to hospitals for medical purposes, the industry in Alang was strongly affected. Oxygen is crucial in the shipbreaking industry as oxygen-fueled blow torches are used in the cutting process. The lack of oxygen supplies for the cutting operations, the lockdowns, and the onset of the monsoon season have drastically slowed down the shipbreaking operations in Alang. In the middle of May, around 135 ship yards were operational and 70-80 ships awaited dismantling at the yard due to a lack of oxygen causing to one-month suspension of dismantling activities in Alang. In June, cities in India have started gradually ending lockdowns as infections began decreasing.

Bangladesh was under a nationwide lockdown in April. However, industrial activity, including shipbreaking, was always allowed to operate. As hospitals came under crippling pressure in the country, oxygen supplies from the yards were diverted for medical assistance. On 28 June, Bangladesh announced yet another national lockdown for 7 days as the Delta variant cases were surging.

09

Pakistan has also suffered from regional lockdowns. The Covid-19 pandemic has heavily impacted the country and livelihoods of the people. Aslam Khan, a shipbreaking worker in Gadani, said that he has even thought about leaving everything behind and returning to his home village to start farming. In Gadani, there are around 500 shipbreaking workers' families who have "free" accommodation, but are deprived of basic facilities.

"Living here is free, but electricity and water take away all of what we earn,"
Shipbreaking worker Asmar Khan

DEVELOPMENTS IN BANGLADESH

NO CAPACITY IN BANGLADESH TO MEASURE VESSELS' TOXICITY

Earlier this year, officials from the Ministry of Industry and the Ministry of Environment, responsible for regulating shipbreaking in Bangladesh, decided to make the adoption of the Inventory of Hazardous Materials (IHM) mandatory. This is a document in which the amount, type and location of toxic substances onboard a vessel are registered. In practice, this requirement should become gradually applicable. However, the Officials recognise that it is currently impossible to assess the amount and type of toxic wastes onboard ships and to verify the IHM provided by ship owners. They admit that Bangladesh has a "lack of technical knowhow and efficiency".

The Prime Minister's International Affairs Adviser, who has recently participated in an event of the Waterkeepers Bangladesh's Anti-Pollution Advocacy Project, strongly stated that there is no excuse for "polluting the environment recklessly", and that social responsibility has to be a priority. He encouraged the enforcement of monetary punishment on polluters, and the demand of public interest litigation cases, as these play an important role in environmental protection.

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DOWNSTREAM WASTE MANAGEMENT

End-of-life vessels contain numerous hazardous materials within their structures that have to be treated and handled in a safe and environmentally sound manner. Asbestos, heavy metals, polychlorinated biphenyls (PCBs), tributyltin (TBT), waste oils, bilge water, and naturally occurring radioactive material (NORM) can be found on ships. The way these hazardous materials are managed downstream - once they leave the dismantling site, including their final disposal - is an integral part of evaluating the sustainability of ship recycling. Thus, ship recycling can only be called environmentally sound and safe if the management, storage and disposal of all hazardous materials and wastes onboard the vessel is done in a manner that does not expose workers, local communities and the environment to harm, or, as defined by the UN Basel Convention, all practicable steps are taken *"to ensure that hazardous wastes or other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes"*.

Existing laws that regulate toxic trade

International waste laws, such as the [Basel](#) and the Stockholm Conventions, regulate hazardous waste trade, and aim at protecting especially developing countries from the dumping of toxic waste. The objective is to ensure that the costs of proper waste management are borne by the polluter and not externalized to vulnerable communities and the environment. The Basel Ban Amendment, which entered into force at the international level on 5 December 2019, prohibits the export of hazardous waste from OECD to non-OECD countries. In fact, it has been recognized that the *"transboundary movements of hazardous wastes, especially to developing countries, have a high risk of not constituting an environmentally sound management of hazardous wastes as required by [the Basel] Convention"*.

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In order to reduce the negative impacts linked to current shipbreaking practices, the European Union adopted the Ship Recycling Regulation (EUSRR) in December 2013, which became applicable five years later in December 2018. The Regulation sets standards for ship recycling facilities to ensure containment of pollutants, including adequate treatment and disposal facilities for hazardous wastes generated during the ship recycling process. The Regulation also requires that all vessels calling at European ports, regardless of flag, must carry an Inventory of Hazardous Materials (IHM) certificate on board, stating the type, amount and location of the several toxic materials found within the ships' structures.

Lack of capacity to manage hazardous waste in South Asia

In Bangladesh, India and Pakistan, where 90% of the world's end-of-life tonnage is broken down, hazardous wastes are simply dumped, or managed in an unlawful way that puts both local communities and the environment at risk. There is a lack of proper infrastructure, equipment and procedures to fully contain and safely dispose of hazardous wastes.

At the yards, oil residues are mixed with seawater, causing damage by reducing light intensity beneath the water surface. Pollutants affect marine biodiversity and alter permanently the physiochemical properties of the coastal habitat. Burning of cables and release of ozone depleting substances cause air pollution. Blow-torch cutting through layers of paints that contain heavy metals and other toxics exposes workers to dangerous fumes and pollutes both the air and sediments, including the fragile intertidal zone where the primary cutting is conducted. But also when the ship parts leave the facility local communities and the environment are put at risk.



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Due to several factors, including poor governance, lack of a trained and skilled workforce and inadequate treatment facilities, hazardous wastes originating from ships are not managed in compliance with national and international health and environmental regulations.

The problem starts with the lack of proper IHMs onboard vessels when these are imported to the breaking yards. False IHMs claiming that the vessels are hazardous-free are issued to circumvent the ban on trading hazardous wastes, and without proper identification of the many hazardous materials embedded in the ships' structures, workers are unknowingly being exposed to toxics that may seriously damage their health. In the North Sea Producer case in Bangladesh, the Court found that the import of the vessel was illegal, and that the documents declaring that the vessel was hazardous-free were falsified. A joint investigation in Bangladesh by Mostafa Yousuf of The Daily Star (Bangladesh) and Margot Gibbs of Finance Uncovered (UK) shows that pre-cleaning certificates are often falsified and issued by companies based in offshore tax havens, such as Palau and St Kitts and Nevis, blacklisted by European port authorities for their poor enforcement of international laws. Of the 28 certificates obtained for the investigation, half of them were submitted by those tax havens, declaring that the vessels were clear from hazardous materials.

Even when hazardous materials are identified, the lack of capacity to deal with these wastes causes damages way beyond the ship recycling yards. In Bangladesh there is no hazardous waste treatment and storage capacity whatsoever. In India, instead, EU audits indicate that, whilst most wastes are transferred to the local Treatment Storage and Disposal Facility (TSDF) in Alang operated by GEPIL, there is no evidence that several waste streams, including e-waste, batteries, Persistent Organic Pollutants such as polychlorinated biphenyls (PCB) and dioxins, mercury and NORM, are managed in compliance with international and European standards. Of particular concern is the way ship paints, asbestos and mercury are ignored not only at the yards, but also downstream.

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Asbestos

Asbestos is one of the most hazardous materials found onboard ships. When extracted, it breaks into fine fibers, which can be suspended in the air for long periods of time. If inhaled, the fibers can lead to fatal diseases such as lung cancer, mesothelioma and asbestosis, the symptoms of which are not apparent for many years. A recent research in India shows that 4500 deaths caused by past exposure to asbestos, which counts for 15% of the current shipbreaking workforce in Alang, will be caused by 2027 due to inadequate asbestos handling at the yards in Alang.

Whilst in Bangladesh and Pakistan there is no facility available to manage asbestos originating from shipbreaking activities, and asbestos is either simply dumped or resold for further use, asbestos waste in India is in theory brought to a landfill operated by GEPIL. However, it is important to note that asbestos is not banned in India and thus asbestos containing materials are often resold in the second market rather than safely disposed of. Consequently, cases of lung cancer, mesothelioma and asbestosis as a result of exposure to asbestos contaminated ship parts are likely to also be found outside the shipbreaking workers' group.

Mercury

What is unique for oil and gas extraction and processing units is that NORM and mercury can contaminate equipment and structures. Mercury is a naturally occurring element present in virtually all oil and gas fields and considered one of the top ten chemicals of major public health concern by the World Health Organisation. Exposure to ionizing radiation poses risks to workers' health, the public and the environment.



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Concentrations are especially high in the East Asian region, where the processing of crude oil ends up contaminating the offshore units' structures, tanks and piping. Exposure to mercury, even at low levels, can cause serious health problems. Exposure to high levels can deeply harm the nervous, digestive and immune systems and organs like lungs and kidneys. After the environmental scandal in Japan, where tens of thousands of people were poisoned by mercury in the village of Minamata, the Minamata Convention on Mercury was adopted by the United Nations and only entered into force in 2017. The Convention aims to protect human health and the environment from the adverse and dangerous effects of exposure to mercury. The Convention addresses temporary storage of mercury and its disposal once it becomes waste. India and Pakistan are parties to the Minamata Convention. Bangladesh has not yet ratified it.

Local activists and international NGOs, including the Platform and its South Asian members, warned Indonesian authorities about the illegal departure of several mercury-laden tankers. Undercover recordings and discussions with several workers revealed a shocking account of the actual conditions at the beaching yard in India where the FPSO YETAGUN was dismantled in 2019. Workers were not provided with appropriate personal protective equipment and were completely unaware of the poisonous mercury contamination. The J. NAT, after been banned from entering Bangladesh and India, was recently beached in Gadani. There, workers started to take the vessel apart and to manifest symptoms related to the exposure to mercury before the authorities were alerted by local media and ordered the halting of all shipbreaking activities.

At the yard, torch-cutting of mercury contaminated steel releases extremely toxic fumes, and, similarly to ship paints, mercury laden steel plates that feed the re-rolling mills will release poisonous mercury and expose the surrounding local communities to severe health risks.

RESEARCH & READINGS

August 2021

Zheng Wan, Likun Wang, Jihong Chen, Daniel Sperling
Marine Policy. Volume 130.

The study researched 22,500 scrapped vessels between 2000-2019, and demonstrated how business in the Global North register their vessels in countries with poor labor and environmental enforcement, creating an easy way to violate the principles of environmental justice by exposing vulnerable coastal environments to hazardous materials released during demolition. The shipbreaking business in the Global South benefits financially from this, while local people and ecosystems suffer the consequences. The article also underlines that workers and local communities need global assistance to avoid being exploited, as they do not have the capacity to fight back.

[Ship scrappage records reveal disturbing environmental justice](#)

2021

Meera Gopal

Rajiv Gandhi National University of Law Student Research Review: Volume 7 Issue 2, *Reassessing the Environmental Rule of Law in India: Bridging Gaps for Survival*

The article critically analyses the ship recycling legislation in India, addressing the Ship Recycling Act (2019). The analysis focuses on the environmental and safety concerns related with the beaching method, and whether the Act is in line with national and international environmental standards.

[Beached waste and wasted beaches: A critical analysis of the new ship recycling law in India.](#)

OUR REPORTS

NGO Shipbreaking Platform

[The Toxic Tide - 2019 Data and figures \(2020\)](#)

[Study Report on Child Labour in the Shipbreaking Sector in Bangladesh \(2019\)](#)

[Recycling Outlook: Decommissioning of North Sea Floating Oil & Gas Units \(2019\)](#)

[Behind the Hypocrisy of Better Beaches \(2019\)](#)

[Contradiction in terms: European Union must align its waste ship exports with international law and green deal \(2020\)](#)



To ensure that safe and clean ship recycling becomes the norm, and not the exception, the Platform will continue to inform policy makers, financial and corporate leaders, as well as researchers and journalists. With a broad base of support both in orientation and geographically, including membership in ship owning as well as shipbreaking countries, the Platform plays an important role in promoting solutions that encompass the respect of human rights, corporate responsibility and environmental justice.

WILL YOU JOIN US?

IF YOU SHARE OUR VISION PLEASE MAKE A DONATION TO SUPPORT OUR WORK OR CONTACT US TO FIND OUT HOW WE CAN WORK TOGETHER!

**SUPPORT
OUR WORK**



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