



MARINE ENVIRONMENT PROTECTION  
COMMITTEE  
58th session  
Agenda item 3

MEPC 58/3/13  
12 August 2008  
Original: ENGLISH

## RECYCLING OF SHIPS

### Proposals to facilitate implementation of the Convention

#### Submitted by India

#### SUMMARY

<b><i>Executive summary:</i></b>	This document provides comments and is submitted in relation to document MEPC 58/3/4 on “Further development of the draft Convention”
<b><i>Strategic direction:</i></b>	7.1
<b><i>High-level action:</i></b>	7.1.2
<b><i>Planned output:</i></b>	7.1.2.1
<b><i>Action to be taken:</i></b>	Paragraph 9
<b><i>Related documents:</i></b>	MEPC 57/WP.6, MEPC 57/21 and MEPC 58/3/4

#### Introduction

1 This document is being submitted in accordance with the provisions of paragraph 4.10.5 of the Guidelines on the Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.2) in relation to document MEPC 58/3/4 on “Further development of the draft Convention”.

#### Definition of a Ship

2 As per Article 2.9 of the draft International Convention for the Safe and Environmentally Sound Recycling of Ships, the definition of ship is as follows:

*“Ship means a vessel of any type whosoever operating or having operated in marine environment and includes submersibles, floating craft, floating platforms, self elevating platforms, Floating Storage Units (FSUs) and Floating Production Storage and Offloading Units (FPSO), including a vessel stripped of equipment or being towed.”*

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

3 In our view we see no need for the words “or having operated” in the above definition. These words may be misinterpreted to apply to vessels undergoing recycling in a Ship Recycling Facility in respect of maritime liens, causing much hardship to the recycling industry, even after obtaining *bona fide* ownership of a vessel.

4 Under such conditions there is no justification to exclude such vessels from the application of the requirements of the Convention, more so, since these vessels may contain a large amount of hazardous materials such as asbestos, etc.

### **Deregistration of a ship**

5 India has been advocating deregistration of a ship by the flag State once it is delivered to a Ship Recycling Facility, in order to prevent illegal demolition, or dumping of a ship, or a ship getting deserted as a ghost ship. Though this issue has been addressed partly under Article 12.5 of the draft Convention, the deregistration process has been advocated only after the completion of recycling at the facility. However, in India’s view, the deregistration by the flag State should be completed immediately once the ship is legally delivered to the ship recycling facility, for which the Shipowner should be made accountable to apply to the flag State. On completion of deregistration the flag State should inform the Organization for making available this information to other Parties. Such requirements of deregistration and communication of information would clarify the point in time when the responsibility of the Shipowner and the flag State ceases and the responsibility of the Ship Recycling Facility owner and recycling State begin.

### **Inclusion of warships within the scope of the Convention**

6 As per Article 3, the Convention does not apply to any warships, naval auxiliary or other ships owned or operated by the Party and used for the time being only on Government non-commercial service. As far as Government ships are concerned, prior to recycling they are decommissioned and armaments are removed. These vessels are either recycled within the jurisdiction of the Party or are sold to intermediate buyers for recycling in the jurisdiction of other Parties.

7 In the cases where Government vessels are recycled within the jurisdiction of another Party, intermediate buyers obtain temporary registration from a flag State and bring them under tow to the Ship Recycling Facility of the recycling State.

8 Since the objective of the Convention is to protect the health and safety of the workers in Ship Recycling Facilities, we believe that the requirements of the Convention, like the International Certificate on Inventory of Hazardous Materials, the International Ready for Recycling Certificate, etc, should apply to naval vessels being towed under temporary registration with a flag State for recycling purposes.

### **Action requested of Committee**

9 The Committee is invited to consider the proposals contained in this document and to decide as appropriate.