



MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 3

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RECYCLING OF SHIPS

Ready for Recycling and Ship Recycling Plan

Submitted by Belgium and Turkey

SUMMARY

<i>Executive summary:</i>	This document clarifies concerns related to a proposed amendment to the current provisions of the draft Convention on ship recycling related to Ready for Recycling and the Ship Recycling Plan (SRP)
<i>Strategic direction:</i>	7.1
<i>High-level action:</i>	7.1.2
<i>Planned output:</i>	7.1.2.1
<i>Action to be taken:</i>	Paragraph 19
<i>Related documents:</i>	MEPC-ISRWG 3/2/7; MEPC 57/3/18, MEPC 57/3/21 and MEPC 57/WP.6

Introduction

1 The 3rd Intersessional Working Group on Ship Recycling (ISRWG 3), as well as the MEPC 57 Working Group on Ship Recycling, considered the proposals put forth relating to the approval of the Ship Recycling Plan by the competent authority of the Recycling State prior to the issuance of the International Ready for Recycling Certificate (IRRC).

2 The purpose of this document is to raise a number of points of fundamental nature relating to the Ready for Recycling and the Ship Recycling Plan (SRP) in a way to clarify the best approach for assuring the best share and timing of information between authorities (i.e. which authority receives what info and when).

The draft Convention and the timeline of actions

3 Once the ship owner decides to recycle a ship, he will need to follow two parallel paths: one being primarily of commercial nature and the other primarily of certification nature. The commercial path is related to the selection of the appropriate recycling facility and the certification path is related to the notification to the flag Administration of the intent to recycle the particular ship and to the issuance of the International Ready for Recycling Certificate.

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4 Now, the draft Convention on Ship Recycling has provisions that relate not only to the issuance of the International Ready for Recycling Certificate (regulation 12.11) but also to the possibility of formal objection to the recycling of the ship after documents' review (regulation 25.5). The IRRC is processed by the competent authority of the flag State, while the objection is processed by the competent authority of the recycling State.

5 The draft Convention provides (regulation 25.3) that the issuance of the IRRC is by definition done prior to the submission of the report to the competent authority of the recycling State: “ *the report (...) shall at least include a copy of the International Ready for Recycling Certificate and the Ship Recycling Plan.*”

International Ready for Recycling Certificate and the Ship Recycling Plan

6 The issuance of the International Ready for Recycling Certificate by the flag Administration certifies that (appendix 4 to the draft Convention):

- an appropriate final survey has been performed;
- an appropriate Inventory of Hazardous Materials exists;
- an appropriate Ship Recycling Plan (SRP) exists; and
- the selected ship recycling facility is appropriately authorized.

In other words the IRRC controls that there exists an up-to-date inventory and that the selected Ship Recycling Facility can handle the ship in question.

7 In order for the *flag Administration* to issue the IRRC, the flag Administration will accordingly need to have the final survey results (regulation 12.11) and a copy of the SRP (regulation 9.3). The flag Administration will also have official information on the selected Ship Recycling Facility: official information on the capabilities and authorization of the Ship Recycling Facility will be provided by the shipowner by way of the Form of the Authorization of Ship Recycling Facilities (appendix 5 to the draft Convention).

8 Similarly, the *competent authority of the recycling State* may set forth objections to the recycling of the particular ship by the particular Ship Recycling Facility based on the information provided by the Ship Recycling Facility by way of the information contained in the report – hence in the IRRC and the SRP – prior to the commencement of any recycling operation (regulation 25.3).

9 The review possibility of the report – and hence of the IRRC and of the SRP – by the competent authority of the recycling State aims at offering an additional control for the appropriate recycling of the specific ship according to the provisions of the Convention, and according to the authorization issued by this same competent authority to the Ship Recycling Facility.

10 During the above actions, the whereabouts of the ship in question are in no way determined by the requirements of the draft Convention and are solely dependent on commercial considerations between the shipowner and the Ship Recycling Facility.

Amendments and associated concerns

11 A number of proposals (MEPC-ISRWG 3/2/7, MEPC 57/3/18 and MEPC 57/3/21) that, among other things, would require the competent authority of the recycling State to receive and approve the SRP prior to the final survey, create a number of problems and consequently lead to a weaker level of control of the overall process.

12 More specifically, in the absence of a final survey, a SRP submitted to the competent authority of the recycling State for approval would contain official Part I information which may be up to five years old.

13 Given that the competent authority of the recycling State has already authorized the Ship Recycling Facility, the aim of the approval of the SRP is mostly related to the matching up of the ship specific information with the capabilities of the Ship Recycling Facility. Consequently, incomplete or inaccurate information related to the ship's inventory raises questions regarding the effectiveness of such an approval at an earlier stage.

14 At the same time the co-sponsors of this document appreciate the point raised in MEPC 57/3/21 regarding avoidance of late rejections. However, the draft Convention provides for the authorization of Ship Recycling Facilities and appropriate documentation to be available for review by *flag Administrations*. In this respect, the necessary information to confirm that the Ship Recycling Facility is authorized and indeed capable to recycle the ship in question is already available to the flag Administration (see above paragraph 6) in the form of the Authorization of Ship Recycling Facilities (appendix 5 to the draft Convention). Therefore it is not tied to the prior approval of the SRP by the competent authority of the recycling State.

15 The current draft Convention provides that the Ship Recycling Facilities are pre-authorized to receive ships for recycling by their *competent authorities*. The authorization is given irrespectively of whether there exist specific ships to be recycled at the specific Ship Recycling Facility. Consequently, it is logical to assume that States that have ratified the Convention and have authorized facilities according to the provisions of the Convention will indeed approve/accept compliant ships for recycling, as long as the requirements of the Convention are applied. In this respect one needs to consider that the competent authority of the recycling State will review ship specific information only at one point in time, namely at the time of review of the report, and hence needs to have as complete picture as possible. There is little or no value in reviewing and approving a Ship Recycling Plan that contains information on the yard management systems – which have already been reviewed, inspected and certified – but is lacking on accurate and up-to-date ship specific information. As indicated above (paragraph 12), the Ship Recycling Plan would at that time still be incomplete.

16 It is also appreciated that both the competent authority of the recycling State and the flag Administration would like to be the ones having the most relevant information available at the time of giving their certification/approval. In order to reach this target, and for all the above mentioned reasons, we have to think and regulate the issue in a way that ensures proper control while maintaining practicability.

17 In other words, in deciding which authority receives what information and at what stage in the process, we need to consider not only the information availability, but also the value arising from providing the particular information to the corresponding authority.

Recommendation

18 Consequently, it is our view that the provisions in the current version of the draft Convention appropriately address the issue and hence our recommendation is not to proceed with the proposed amendments, especially as they relate to the changes in the relative timing of the issuance of the International Ready for Recycling Certificate and the approval of the Ship Recycling Plan.

Action requested of the Committee

19 The Committee is invited to consider the points above and to take action as appropriate.

ANNEX

SKETCH OF THE READY FOR RECYCLING TIMELINE

