



MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 3

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RECYCLING OF SHIPS

Report of the seventh session of the Open-ended Working Group of the Basel Convention

Submitted by the Secretariat of the Basel Convention

SUMMARY

Executive summary: This document provides an overview of the decision on the environmentally sound dismantling of ships taken by the seventh session of the Open-ended Working Group of the Basel Convention

Strategic direction: 7.1

High-level action: 7.1.2

Planned output: 7.1.2.1

Action to be taken: Paragraphs 9 and 10

Related documents: MEPC 58/3/9 and MEPC 59/3/5

Introduction

1 At the ninth meeting of the Conference of the Parties to the Basel Convention in June 2008 (hereinafter referred to as "the COP") Parties adopted decision IX/30 on the Dismantling of ships. In this decision, the COP invited the seventh session of its Open-ended Working Group:

- a) To carry out a preliminary assessment on whether the ship recycling convention, as adopted, establishes an equivalent level of control and enforcement as that established under the Basel Convention, in their entirety, after having developed the criteria necessary for such assessment, and, in doing so, to take into account:
 - i. The special characteristics of ships and international shipping;
 - ii. The principles of the Basel Convention and the relevant decisions of the Conference of the Parties; and
 - iii. The comments submitted by Parties and other relevant stakeholders, as appropriate;

- b) To transmit the results of the assessment to the Conference of the Parties at its tenth meeting for consideration and action, as appropriate.

2 The seventh session of the Open-ended Working Group of the Basel Convention (hereinafter referred to as "the OEWG") met in Geneva, Switzerland, from 10 to 14 May 2010. A Contact Group on Ship Dismantling was convened to discuss the environmentally sound dismantling of ships, with specific focus on the mandate provided to the OEWG by the COP, referenced above. Following consideration of this item, the OEWG adopted decision VII/12 on "Environmentally sound dismantling of ships" that, *inter alia*, requests the Secretariat of the Basel Convention to transmit that decision to the International Maritime Organization for consideration by the Marine Environment Protection Committee at its sixty-first session. Decision VII/12 is contained in the report of the meeting and can be viewed via the following link: <http://www.basel.int/meetings/oewg/oewg7/docs/21e-report.pdf>.

Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships

3 The Secretariat of the Basel Convention, which has been instructed by the COP and OEWG to continue to follow developments in relation to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, in particular the development of the guidelines in that regard, and to report thereon to the COP at its tenth meeting, draws the attention of the Committee to the decision on "Environmentally sound dismantling of ships", adopted by the seventh session of the OEWG.

4 The OEWG welcomes the adoption of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships and invites the International Maritime Organization to continue to have due regard to the role, competence and expertise of the Basel Convention in matters related to ship dismantling and in particular with regard to the environmentally sound management and disposal of hazardous and other wastes.

5 In consideration of the mandate given by the COP, the OEWG at its seventh session developed the criteria necessary to carry out the preliminary assessment referred to in decision IX/30. The criteria developed fall into four broad categories, namely, (i) the scope and applicability of the Conventions; (ii) the control and; (iii) enforcement mechanisms of the two Conventions; and (iv) exchange of information/cooperation and coordination under the two Conventions. Based on one of these criteria, the group compiled comments to facilitate a preliminary assessment.

6 The OEWG also established a methodology for the continuation of this work. To this end, the OEWG decision invites Parties and other relevant stakeholders to review the work completed thus far, to identify the relevant articles, regulations and decisions of each Convention and, on this basis, to develop their own preliminary assessments. The decision invites Parties and other relevant stakeholders to make such submissions to the Secretariat by 15 April 2011, who will publish all information received on the Basel Convention website. The information received will also be submitted to the tenth meeting of the Conference of the Parties, scheduled to meet in October 2011, for consideration and action, as appropriate.

International cooperation on the environmentally sound dismantling of ships

7 Highlighting the importance of cooperation amongst entities involved in ship dismantling, in particular, the International Labour Organization, the International Maritime Organization and the Basel Convention, and the need for technical assistance activities, the OEWG in its decision also:

- .1 welcomes the development of implementation programmes relating to sustainable ship recycling and requests the Secretariat, subject to the availability of funding, to continue its work and to develop further the programmes for sustainable ship recycling in conjunction with other bodies, in particular the International Maritime Organization and the International Labour Organization, and to report thereon to the Conference of the Parties at its tenth meeting; and
- .2 calls upon all Parties and other stakeholders in a position to do so to make financial or in kind contributions to the implementation of activities under the relevant programmes relating to sustainable ship recycling.

8 With reference to the Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on Ship Scrapping, the OEWG decision requests the Secretariat to report to the COP at its tenth meeting on the outcome of the third session and to provide further information, if available, on the scheduling of further sessions of the Joint Working Group. Parties are also encouraged to be mindful of the recommendations, in particular those on interim measures, of the third session of the Joint Working Group.

Action requested of the Committee

9 The Committee is invited to take note of the decision adopted by the seventh session of the OEWG of the Basel Convention and the invitation to the International Maritime Organization to continue to have due regard to the role, competence and expertise of the Basel Convention in matters related to ship dismantling and in particular with regard to the environmentally sound management and disposal of hazardous and other wastes.

10 Furthermore, the Committee is invited to take note of the invitation of the OEWG to Parties and other relevant stakeholders to provide, based on the criteria developed by the OEWG during its seventh session, a preliminary assessment of whether the Hong Kong Convention establishes an equivalent level of control and enforcement as that established under the Basel Convention. The Committee is invited to encourage those Member States having a particular interest in ship recycling to submit their preliminary assessments to the Secretariat of the Basel Convention by 15 April 2011 and to participate in the tenth meeting of the Conference of the Parties in October 2011.