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MARINE ENVIRONMENT PROTECTION  
COMMITTEE  
56th session  
Agenda item 3

MEPC 56/3  
11 May 2007  
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## RECYCLING OF SHIPS

### Report of the Second Intersessional Meeting of the Working Group on Ship Recycling

#### General

1 The Second Intersessional Meeting of the Working Group on Ship Recycling was hosted by the Government of the United Kingdom in the Kensington Close Hotel in London from 7 to 11 May 2007 under the chairmanship of Mr. Jens Henning Koefoed (Norway).

2 The Intersessional Meeting was attended by delegates from:

ANGOLA	MARSHALL ISLANDS
BAHAMAS	MEXICO
BELGIUM	NETHERLANDS
CANADA	NIGERIA
CHINA	NORWAY
DENMARK	PANAMA
FRANCE	REPUBLIC OF KOREA
GERMANY	RUSSIAN FEDERATION
GREECE	SINGAPORE
INDIA	SYRIAN ARAB REPUBLIC
IRAN (ISLAMIC REPUBLIC OF)	SWEDEN
ITALY	TURKEY
JAPAN	UNITED KINGDOM
LIBERIA	UNITED STATES

by representatives from the United Nations and Specialized Agencies:

INTERNATIONAL LABOUR ORGANIZATION (ILO)  
UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP) (SECRETARIAT OF  
THE BASEL CONVENTION)  
WORLD BANK

by observers from the following intergovernmental organization:

EUROPEAN COMMISSION (EC)

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and by observers from the following non-governmental organizations:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)  
BIMCO  
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)  
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)  
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS  
(INTERTANKO)  
THE WORLD CONSERVATION UNION (IUCN)  
GREENPEACE INTERNATIONAL  
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS (INTERCARGO)

### **Terms of Reference**

3 MEPC 55 had agreed to hold an Intersessional Working Group, a few weeks prior to MEPC 56, to further develop the draft Convention, and to continue with the development of the draft Guidelines. The Committee had agreed to the following Terms of Reference for the Intersessional Working Group (MEPC 55/23, paragraph 3.47):

Taking into consideration the report of the Intersessional Correspondence Group on Ship Recycling and taking into account any relevant documents submitted to MEPC 56, the Intersessional Working Group on Ship Recycling is instructed to:

- .1 further develop the draft Convention;
- .2 further develop the draft guidelines necessary under the draft Convention; and
- .3 submit a written report to MEPC 56.

4 The group was invited to comment and adopt the provisional agenda as set out in document MEPC-ISRWG 2/1. There were no comments or amendments and the agenda was therefore adopted.

5 With regard to a timetable for the meeting the Chairman of the group proposed the following schedule:

- .1 the working group would first receive a presentation of the report of the correspondence group which would allow the consideration and acceptance of the report as a basis for further work by the group;
- .2 thereafter the group would concentrate its effort on the further development of the draft Convention and spend only limited time, if available, on the development of the guidelines, because if necessary the guidelines can be developed after the adoption of the Convention;
- .3 regarding the development of the text of the draft Convention it was proposed that the group would start work by discussing the six Appendices to the Convention which are part of Annex 1 of the report of the Correspondence Group (MEPC-ISRWG 2/2). The reason for prioritizing the examination of these appendices was that they had not been discussed before. It was noted in connection to Appendices 1 and 2 that the group would need to also consider document MEPC 56/3/1 by Japan;

- .4 thereafter, the group would consider the definitions contained in Article 2 of the draft Convention and in regulation 1 of its Annex. The group's work would be helped by Annex 2 of the report of the Correspondence Group and by the Coordinator of the Correspondence Group introducing each separate item which the group would then discuss;
- .5 the group would then proceed to the text of the draft Convention, Article by Article and then regulation by regulation. It was noted that Annex 3 of the report of the Correspondence Group contained a number of outstanding issues of principle which could not be addressed by the Correspondence Group and which needed to be discussed by the intersessional working group. It was proposed that the Coordinator of the Correspondence Group would raise these issues for discussion when appropriate. It was also stressed that some issues were related to matters of policy and therefore would need to be identified in the report of the group for the further consideration of the Committee;
- .6 it was noted that document MEPC-ISRWG 2/2/1, submitted by the Denmark, contained a number of suggestions which affected Articles and regulations of the draft Convention. Denmark was requested to raise each of these suggestions when the group discussed the relevant Article or regulation. A similar consideration applied to document MEPC 56/3/1 submitted by Japan, which in addition to discussing Appendices 1 and 2 of the draft Convention also discussed other issues affecting a number of regulations in the Convention; and
- .7 it was also noted that document MEPC-ISRWG 2/INF.1, submitted by the Coordinator of the correspondence group, contained comments and proposals on the draft Convention by members of the correspondence group. It was proposed to simply refer to the document during discussions as necessary.

6 The group agreed with the above proposals and the Chairman therefore invited Mr. Sveinung Oftedal, Coordinator of the Correspondence Group, to present the report of the group, contained in document MEPC-ISRWG 2/2. The summary of the report of the Correspondence Group is provided in annex 1 to this report.

7 Turkey informed the group that their comment on Article 18, as submitted to the coordinator of the correspondence group and reflected on page 49 of the annex to document MEPC-ISRWG 2/INF.1, was actually meant to be a comment to regulation 18 paragraph 1 of the Annex to the Convention.

8 The report of the Correspondence Group on Ship Recycling was accepted by the group as a basis for its further work. The group thanked Norway and expressed its appreciation to Mr. Sveinung Oftedal for his hard work in successfully coordinating the difficult work of the group and for compiling its report in a clear and concise manner. In order to facilitate its work, the group also agreed to further develop the text of the draft Convention using informal document MEPC-ISRWG 2/J3 which was tabled at the meeting by the Secretariat. This document contained the text of the latest version of the draft Convention, shown in Annex 1 of the report of the Correspondence Group, but with all changes proposed by the Correspondence Group being shown as having been accepted.

9 The group had a fruitful discussion which resulted in the further development of the text of the draft Convention as can be seen in annex 2 to this report. Key issues as discussed by the group are reported to the Committee as shown below. The outcome on issues for discussion identified in annexes 3 and 4 of the report of the correspondence group is also shown below.

### **Further development of the text of the draft Convention – Appendices**

10 In connection to the hazardous materials listed in Appendices 1 and 2 of the draft Convention, Norway proposed to consider the inclusion of the following three additional substances: Perfluoro-octane sulfonate (PFOS) and PFOS-related substances; Brominated flame retardant: HBCDD; and Trichlorobenzene (TCB). Norway also produced some supportive information which is attached as annex 3 to this report. This proposal was not further discussed due to time constraints.

11 Based on a proposal by Denmark the group agreed to include in square brackets Table A, which is shown in the annex to document ISRWG 2/2/1, as a possible replacement of the existing table in the Supplement to Appendix 5 of the draft Convention. The proposal by Denmark to also include its Table B was not supported at this time and Denmark was invited to revert with further justification on the value of that proposal.

### **Further development of the text of the draft Convention – Definitions**

12 Regarding the definition of “hazardous material” in Article 2, after a lively exchange of views the group concluded that this definition should remain short and broad. The group could not finalize the definition and removal of square brackets and therefore agreed that more discussion was needed.

13 Regarding the definition of “ship” in Article 2, after a further lively exchange of views which included some support for: using the word “marine” in place of “aquatic”; exclusion of vessels solely involved in domestic voyages; and exclusion of vessels involved solely in inland navigation, the group could not finalize this definition and therefore agreed that more discussion was needed.

14 The Russian Federation requested that the group proposes to the Committee that the definitions for “ship”, “hazardous waste”, etc. are referred to the Legal Committee for its consideration. The group however did not agree.

### **Further development of the text of the draft Convention – Articles**

15 Regarding paragraph 2 of Article 1 the Secretariat conveyed advice from IMO’s Legal Office that the reference to “more stringent measures consistent with international law” in this paragraph is unclear and may raise concerns in suggesting that a coastal State could consider imposing more stringent requirements on foreign flag ships. Since a State can always impose more stringent requirements on ships entitled to fly its own flag and on recycling facilities located in its territory it was suggested to delete this paragraph. There was mixed reaction to this proposal and numerous delegations requested more time to consider this and therefore the paragraph remains in square brackets.

16 In order to avoid dual legislation for recycling of State-owned ships Denmark had proposed in document ISRWG 2/2/1 additional text for paragraphs 2 and 3 of Article 3 (Application) to cater for government owned ships and ships smaller than 500 GT. Following an exchange of views where many delegations expressed interest in avoiding duplication of regimes

it was suggested that interested governments could opt in to the requirements of the Convention and this could be introduced either as an agreed interpretation or in the text of the Convention. No final conclusion was reached by the group.

17 In connection to paragraph 3 of Article 3 an extensive discussion took place following a proposal that provisions should be made in this paragraph and in the Convention for the recycling of ships flying the flag of a Party State in recycling facilities of a State which is not a Party, if that facility can demonstrate in an acceptable way that it is capable to recycle ships in a safe and environmentally sound manner. A number of delegations supported this proposal. However some delegations maintained that the proposal would lead to a fundamental change in the concept of the draft Convention and would affect a number of its articles and regulations. It was therefore agreed that time was needed to further consider this issue and its ramifications and that a future substantive discussion should be backed by suitable documents. It is noted that a similar discussion took place when discussing regulation 8 of the Annex, and the United States proposed text for new paragraphs 8.3 and 8.4 which were placed in square brackets. Some delegations however expressed their concerns on the effect this text will have on articles and other regulations of the draft Convention and for this reason the draft text also contains a footnote to regulation 8.3 and 8.4 of the Annex to that effect.

18 The group discussed extensively Article 8 (Inspection of Ships). Some delegations felt that the scope of the Convention limits the extent of inspections that can be carried out by port State control, both in terms of the condition of the ship and its equipment and also in terms of necessary familiarity of the master and crew with shipboard procedures relevant to the Convention. Some observers, supported by some delegations, proposed that the whole or parts of Article 8 should be deleted. The working group as a whole saw important benefit in maintaining Article 8 and in the associated guidelines. It was, however, agreed that the text needed to be further considered. On a proposal for an additional Article *8bis* on Inspection of Ship Recycling Facilities, introduced from the coordinator's report by the United Kingdom, it was agreed instead to add further language on inspection, within square brackets, to Article 6.

19 With regard to paragraphs 2 and 4 of Article 9 (Detection of violations) it was noted that the term "or is about to operate" should be deleted as such circumstances should not be considered as evidence of violations. There was some support for the proposed deletion but a number of delegations preferred that the text should be kept. It was agreed to place the text within square brackets.

20 A substantive discussion took place on whether Article *13bis* [Alternative 1] (Implementation) should be deleted, as proposed by China and supported by India and others, or kept in the text of the draft Convention. The Secretariat outlined the advice it had received from IMO's Legal Office, whereby the following potential problems were envisaged in connection with Article *13bis*: (1) the lack of precision in making a mandatory application of "the general auditing scheme developed by the Organization"; (2) the problem of maintaining the level of confidentiality called for; (3) the creation of a mandatory enforcement mechanism over State-Parties with no clear consequence for failure to comply; and (4) the awkward relationship that might develop between the Organization and its members if it is empowered to compel Parties to undergo a periodic audit. A substantial number of delegations argued that the reliance of Article *13bis* on the voluntary audit scheme of IMO was a wrong concept on which to base the Convention's mandatory provisions for uniform implementation. Furthermore, the provisions in this article were considered as being contrary to the sovereign rights of Parties. Other delegations however saw the voluntary audit scheme as a useful concept for this Convention, although it was recognized by many delegations that voluntary provisions may not be well placed in an article of a treaty. The group could not agree to delete Article *13bis* and

therefore it was kept within square brackets. Delegations were invited to submit written proposals to the Committee.

21 The United Kingdom proposed that Article 13*bis* is not deleted, at least for the time being, and furthermore that the group could consider the additional proposal made by the United Kingdom for an Article 13*ter*. Some delegations supported the principle contained in the proposed Article 13*ter* but considered more detail was needed. The United Kingdom offered to produce a short document for MEPC 56.

22 Regarding Article 15 (Relationships with international law and other international agreements) Greece proposed that the group should adopt the same wording as used in the draft Wreck Removal Convention as that wording is more comprehensive covering the whole spectrum of international law of the sea whether conventional or customary. It was agreed to await the outcome of the Diplomatic Conference for the adoption of that Convention before considering the same text here.

### **Further development of the text of the draft Convention – Annex – regulations**

23 It was suggested to the group that paragraph 1 of regulation 4 (Controls of ships' hazardous materials) was superfluous because the draft Convention now defines all prohibited and controlled hazardous materials in Appendices 1 and 2 and therefore it does not have to rely on lists contained in other IMO Conventions. Some delegations felt uncertain about deleting this paragraph as for example this could have some use in the period prior to the Convention's entry into force. It was agreed to keep this paragraph in square brackets for the time being.

24 In connection with a proposal by the United States to allow existing ships in regulation 5 (Inventory of Hazardous Materials) to comply with the requirements for the inventory of hazardous materials at any time between five years after the Convention's entry into force and the time the ship goes for recycling, the group decided against this proposal as this would delay compliance for large parts of the world fleet for quite a few years. Regarding a proposal by Japan to allow newer existing ships to delay compliance with the requirements for the inventory until a ship is up to ten years old, again the group decided in favour of the earlier compliance.

25 In connection with the wording "clarify that the ship complies with regulation 4" contained in paragraph 1.2 of regulation 5, it was agreed that better wording is needed to increase clarity of requirements for ships and it was suggested that perhaps reference should be made in paragraph 1.2 that the inventory shall "specify compliance with regulation 4".

26 China had serious reservations about the use of the term "shall" in paragraph 2 of regulation 8 which specified that "prior removal of hazardous materials as identified in the Inventory shall not be required if the recycling facility chosen is fully authorized ....". The group, following some discussions, agreed on the following proposal by Germany which was agreed by China: "If the recycling facility is authorized to handle the hazardous materials identified in the Inventory prior removal shall not be required unless the recycling facility decides otherwise when preparing the Ship Recycling Plan." Greece expressed its concerns over the potential contractual difficulties that may result by the timing of a possible refusal by a recycling facility.

27 The following text was proposed by the European Commission as regulation 10 (Ready for Recycling):

- 1 The Administration shall issue an International Ready for Recycling Certificate after verifying that, in accordance with the Convention:
  - .1 the ship has undergone a final survey;
  - .2 the ship has a valid Inventory of Hazardous Materials;
  - .3 a Ship Recycling Plan has been developed;
  - .4 the ship recycling facility is capable of recycling the ship in a safe and environmentally sound way; and
  - .5 arrangements have been made for the removal and safe recovery or disposal of hazardous materials prior to the final voyage, where required, as well as for gas-freeing to the extent possible.
- 2 The International Ready for Recycling Certificate shall be valid for 3 months.

28 The group had numerous reservations about the proposed text in the above paragraph, as it was felt, *inter alia*, that the text contained much duplication with text in other regulations. The issue of Ready for Recycling was viewed as particularly important but the group considered that the regulations under Part C (Survey and certification) should be first further developed, then the need for text for Ready for Recycling should be analyzed and at that stage it should be decided whether this regulation was needed. ICS drew the attention of the group to a relevant document on this issue which it had submitted to MEPC 56.

29 Denmark proposed to include that the recycling facilities subject to the Convention have to meet the requirements of the Convention to get an authorisation in regulation 17 paragraph 1. Other delegations found that the text was superfluous as it was already covered by the Convention e.g. Article 4.

30 Having discussed the text in regulation 11.1.2 the group considered that the issue of periodic survey would require further consideration and that this paragraph should therefore be kept in square brackets. ICS observed that any agreement on regulation 11.1.2 could have consequential effects on regulation 12 and that this should be borne in mind during future work on the subject.

31 Following a discussion the group considered the need for a clarification on the meaning of “ships falling within the scope of the Convention” used in regulation 18.2.1 (“ship recycling facilities authorized by a Party shall, for ships falling within the scope of this Convention, only accept ships that comply with the Convention.”). France underlined the need for clarification about ships and recycling yards which fall outside the scope of the Convention.

32 It was the understanding of the group however that Article 3.4 allows recycling facilities located in States that are Parties to the Convention to recycle non-Party ships, provided that no more favourable treatment is given to such ships. Furthermore it was noted that the concept of issuing Statements of Compliance to non-Party ships could be addressed by a Conference resolution.

33 Denmark requested that the report reflects its concerns over the general lack of requirements in the draft Convention on prevention of emissions to the environment and on safe working environment in recycling facilities in regulations 20 and 21. In the opinion of some delegations this was covered by regulation 21.

34 There was a long and interesting debate regarding the reporting requirements contained in regulation 25 (Initial notification and reporting requirements). Denmark proposed in document MEPC-ISRWG 2/2/1 additional reporting steps between the shipowner and the recycling State. Delegations stated that reporting requirements must serve a necessary control purpose and add value to the process. The proposal by Denmark did not obtain the support of the group. The group however was urged to consider the necessary reporting requirements.

35 The United States had submitted a proposal for an amendment of regulation 25.3 which regulates reporting requirements after the arrival of a ship at the area of the recycling facility. It was suggested instead that recycling States may declare to the Depositary of the Convention (with a new paragraph 6 to Article 16) whether they require a review period. There was general support for considering this proposal further and the proposed text was retained in square brackets. It was suggested by Norway that some improvement in the proposed text of Article 16.6 may be required. The United States noted that it would welcome suitable suggestions.

### **Guidelines for ship recycling facilities**

36 Due to lack of time the group did not manage to further develop the guidelines. The group had agreed that the priority was for the development of the Convention and of its Annex, which in fact define the need for guidelines.

37 The group agreed to propose to the Committee that documents MEPC-ISRWG 2/2 and MEPC-ISRWG 2/3/1 submitted to the intersessional working group and containing written proposals for guidelines should be available to the working group at MEPC 56.

### **Other matters discussed by the group**

38 India had requested that the group discuss its concerns on five issues which it had first raised in document MEPC 55/3/12 and which had been discussed and reported in Appendix 4 of the correspondence group's report. The group discussed these issues and agreed as follows:

- .1 Contract covering the sale and purchase of a ship for recycling: The group agreed that the contract is a purely commercial issue and should not be included as part of the Convention's requirements. Therefore there was no support for this proposal;
- .2 Gas-free for hot works certification: India proposed that this matter should be addressed in the Convention and not only in the guidelines whose application after all is not mandatory. The group agreed that this was an important issue and that relevant regulations would have to reflect these requirements;
- .3 Ready for Recycling: India proposed that both the scenarios of the "ship going to recycling yard on its final voyage under its own power" and "ship proceeding on tow" should be addressed. The group agreed that the definition of "ship" now covers this requirement, albeit in square brackets;
- .4 Final voyage to the recycling yard: India had suggested that criteria for 'Ready for the Final Voyage' to the recycling yard should also be developed. It was pointed out that the final voyage and planning for the final voyage was already covered in the Ship Recycling Plan and that the issue of gas-free was now covered in regulation 9; and



- .5 Deregistration: India suggested that deregistration should be included under 'Definitions' in regulation 1 and that a simple reporting system should also be included under "Chapter 4 – Reporting requirements" of Annex 1 to the Convention. The group noted that the requirement for providing a copy of the Statement of Completion to the Administration in regulation 26 now partly addressed this problem, albeit this requirement is in square brackets. However, India stated that Deregistration of a ship is different from the Statement of Completion. Deregistration takes place during the handing over of the ship for recycling, whereas the Statement of Completion follows after the recycling of a ship is completed.

39 India, referring to its submission to the correspondence group, raised the question of whether the whole or parts of Chapter 3 (Requirements for ship recycling facilities) should be deleted. It was *inter alia* pointed out that the Assembly, with resolution A.981(24), had tasked the Committee to develop a mandatory instrument covering both, ships and recycling facilities. India received no support for their proposal.

40 Greece, supported by industry and some delegations advocated the need for simplicity in the inventory of hazardous substances in order to reduce the burden in the compilation of the inventory and also in order to assist its users in recycling yards. It was pointed out that since the guidelines for the inventory had not been discussed, it would be premature to judge the complexity of what was being proposed for the inventory.

41 The United States mentioned that there was a need for a discussion at some future stage during the development of this Convention on how to recycle abandoned ships and force-majeure cases.

42 Due to lack of time the group did not discuss regulations 21.2 to 24 and regulation 26. Consequently the group did not have a general debate on Chapter 4 which therefore remains within square brackets in its totality.

#### **Action requested of the Committee**

43 The Committee is invited to approve the report in general and, in particular, to:

- .1 note the information contained in annex 1 (summary of the report of the correspondence group) and in annex 2 (information from Norway on Proposal on hazardous substances);
- .2 note the further development of the text of the articles of the draft Convention on ship recycling (paragraphs 12 to 22 and annex 2);
- .3 note the further development of the regulations and appendices to the draft Convention on ship recycling and that due to lack of time the text of the regulations had not been fully reviewed (paragraphs 10 to 11 and 23 to 35 and annex 2);
- .4 agree with the request of the working group to continue to work on documents submitted to the intersessional working group, i.e. documents MEPC-ISRWG 2/2\* and MEPC-ISRWG 2/3/1\* (paragraphs 36 and 37);

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\* Delegations are kindly requested to bring their copies of these documents to MEPC 56.

- .5 note the other matters discussed by the group (paragraphs 38 to 42); and
- .6 re-establish the Working Group on Ship Recycling and task it to finalize the review of the text of the Annex, to review the guidelines for recycling facilities and if time permits to start a second review of the Convention and its Annex.

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## ANNEX 1

# FURTHER DEVELOPMENT OF THE DRAFT CONVENTION AND OF THE DRAFT GUIDELINES

## Report of the correspondence group

### Submitted by Norway as co-ordinator of the correspondence group

#### SUMMARY

**Executive summary:** This document is the report of the Correspondence Group on Ship Recycling. The main task of the group has been to further develop the draft International Convention for the Safe and Environmentally Sound recycling of Ships and the necessary guidelines. The revised draft of the Convention is contained in annex 1 to the report.

**Action to be taken:** Paragraph 16

**Related documents:** MEPC 55/3, MEPC 55/WP.5, MEPC 55/23 and MEPC-ISRWG 2/INF.1

#### Introduction

1 In order to progress the development of the draft International Convention for the Safe and Environmentally Sound recycling of Ships, MEPC 55 decided to establish a Correspondence Group with terms of reference as follows:

*“The Correspondence Group on Ship Recycling is instructed to:*

- .1 further develop the draft Convention;*
- .2 further develop the draft guidelines necessary under the draft Convention; and*
- .3 submit a written report to the Intersessional Working Group on Ship Recycling for consideration.”*

2 The Correspondence Group had 42 members consisting of the following:

- .1 Member States:** Belgium, Brazil, Canada, China, Denmark, Finland, France, Germany, Greece, India, Iran, Italy, Jamaica, Japan, Liberia, Malta, Marshall Islands, the Netherlands, Norway, Panama, Portugal, the Republic of Korea, the Russian Federation, Singapore, Spain, Sweden, Turkey, the United Kingdom, and the United States;
- .2 United Nations Specialized Agencies:** ILO, UN (Division of Ocean Affairs and the Law of the Seas), UNEP (Secretariat of the Basel Convention);

- .3 **Intergovernmental Organizations:** European Commission (EC); and
- .4 **IMO Observer Organizations:** ICS, ICFTU, BIMCO, IACS, CESA, INTERTANKO, IUCN, GREENPEACE INTERNATIONAL and INTERCARGO.

### **Method of work and activity in the group**

3 The Group conducted its work in accordance with the *Guidelines on the Organization and Method of Work of the Maritime Safety Committee and the Marine Environment Protection Committee and their Subsidiary Bodies*. A work plan was developed and subsequently revised. Four rounds of comments in addition to the circulation of the draft report of the Correspondence Group were undertaken.

4 After establishing the Correspondence Group and circulating the draft Convention and a proposal for a work plan in round one, a base document addressing terminology and definitions were circulated in round two. Round three focused on the forms and certificates (the appendices of the Convention) and any other comments to the draft Convention. Round four focused on the guidelines to the Convention. Furthermore, a fifth round was introduced for the consideration of document MEPC 55/3/12 by India. Finally the report of the Correspondence Group was circulated and commented upon before the final report was submitted to the IMO.

5 The Group was very active in submitting comments. The responses received from members of the correspondence group varied between 25 and 13 sets of comments in each round.

6 This report contains the following annexes:

Annex 1	Revised draft of the Convention
Annex 2	Consideration of terminology and definitions
Annex 3	Comments on the Convention
Annex 4	Consideration of Comments by India in document MEPC 55/3/12
Annex 5	Guidelines to the draft Convention – base document
Annex 6	Guidelines to the draft Convention

### **The coordinator's general comment on the outcome**

7 The group has been fruitful with high activity, and correspondence group members have put great efforts in their inputs. The group therefore has been able to respond to the tasks it was given. The working arrangements of a correspondence group are suitable for specific tasks where all correspondence group members are invited to respond to the same issue. On the other hand, the more general the task is, the more challenging it is to identify an outcome. Evidently, the task of commenting on the Convention in general was challenging to coordinate. It should be noted that not all outcome of the correspondence group is conclusive; some of it is subject to further consideration by MEPC-ISRWG 2.

## **Renumbering the regulations of the draft Convention**

8 In the first round of comments the draft Convention was circulated with a renumbering of regulations in the Annex. This was done in order to bring the draft Convention in line with the format used in other modern conventions. The group concurred with this proposal as can be seen in the revised draft of the Convention in annex 1 to this document.

## **Terms and definitions**

9 As identified in document MEPC 55/3 a consideration of the terms to be defined had not been thoroughly considered in the process of developing the draft Convention. Therefore a base document containing proposals, considerations and an open request for terms to be defined in Article 2 and regulation 1 of the Convention were circulated. Twenty-five members of the correspondence group responded to this document. The outcome of the correspondence on this subject is included in the revised draft Convention. However, in considering Article 2 and regulation 1, the MEPC-ISRWG should be assisted by the full consideration by the correspondence group as reflected in annex 2 to this document.

## **Forms for certificates, etc**

10 The forms for certificates, authorization, statement of completion and reporting were the focus in the third round, where also general comments were provided to the draft Convention. Drafts of the forms were circulated and the outcome can be seen in annex 1 to this document. It should be noted that some members of the correspondence group refrained from commenting on the forms since relevant regulatory text of the Convention was under discussion. Due to time constraints the reporting form required in regulation 25 of the draft Convention was not developed.

## **Other comments on the draft convention**

11 Regarding the comments to the draft Convention input was received from ten Member States and two UN Specialized Agencies. Most comments were not on the same subject. On the basis of this observation on the received comments, the group proceeded as follows:

- .1 editorial comments and proposals for restructuring are included in the revised Convention which would make the agreed draft at MEPC 55 clearer;
- .2 comments of substantive nature are in general not included in the revised draft Convention (annex 1 to this document) due to the non-existing correspondence on such proposals; and
- .3 issues of substantial nature raised by more than one correspondence group member, and new issues raised by one or more correspondence group members can be found in a short discussion document in annex 3 to this report.

The submitted comments to the draft Convention can be found in document MEPC-ISRWG/INF.1.

12 The ILO has several comments to the draft Convention. It is more appropriate to consider the comment by the ILO at the MEPC-ISRWG, and hence MEPC-ISRWG 2/INF.1 should be studied by delegates. In the view of the ILO, there is a need to address the inter-institutional and international legal challenges posed by the drafting of the IMO Convention without a prior mutually-agreed direction, via a joint ILO-IMO working group or the like.

### **Consideration of proposals contained in MEPC 55/3/12**

13 In order to respond to the request by India as reflected in paragraph 3.38 of the report of MEPC 55 (MEPC 55/23), a document containing proposals by India was circulated within the correspondence group. From the issues raised by India the correspondence within the group may lead to further discussion on the following issues:

- .1 *“The need to address the role for a legally acceptable Demolition Contract”*  
Most correspondence group members considered this to be a commercial issue, however some members were interested in further exploring the need for the contract within the draft Convention.
- .2 *“Developing Criteria for Ready for Recycling and criteria for Ready for the Final Voyage”*  
The group did not identify a clear need for such criteria other than what is already included in the Convention. However, while disagreeing to the need to develop criteria for Ready for the Final Voyage, some held the view that text may be developed for regulation 10 of the draft Convention (on Ready for Recycling) which currently contains no text.
- .3 *“The issue of deregistration”*  
Some correspondence group members held the view that this issue was adequately addressed within Article 12. On the other hand, some held the view that the issue should be further considered, and it might be an element which would close loopholes if such were identified.

Further aspects of this correspondence can be found in annex 4 to this document. India reiterated that a full IMO discussion on the issues raised in their document is of great importance.

### **The guidelines to the Convention**

14 In discussing the guidelines, a base document was circulated, and the consideration by the group can be found in annex 5 to this document. On the basis of the consideration by the group, the status of the guidelines is as follows:

1. Guidelines for Communication of Information  
Status: The group concluded that these guidelines are not needed. An MEPC circular may be sufficient to ensure uniform reporting of information required by Article 12.
2. Guidelines for the Inventory of Hazardous Materials  
Status: A first draft was submitted by Germany and Japan to MEPC 55. A revised draft will be submitted to MEPC-ISRWG 2 and MEPC 56. USA submitted their approach to this issue to the correspondence group and informed that an updated version would be submitted; this can be found in MEPC-ISRWG 2/INF.1.

3. Guidelines for the submission of a proposal to control Hazardous Materials  
Status: The group concluded that these guidelines are not needed.
4. Guidelines for Survey and Certification  
Status: Japan volunteered to develop a first draft of these guidelines, and will submit a draft to MEPC-ISRWG 2 and MEPC 56.
5. Guidelines for Inspection of Ships  
Status: A basic approach for such guidelines were developed by the group, and can be found in Annex 6 to this report.
6. Guidelines for the Establishment of Gas-free-for-hot-work Conditions  
Status: The group concurred with the view that the elements to be addressed in these guidelines will be included in the Guidelines for Safe and Environmentally Sound Ship Recycling.
7. Guidelines for the Authorization of Ship Recycling Facilities  
Status: A first draft was circulated and commented upon by the group. The draft can be found in annex 6 to this report.
8. Guidelines for the Safe and Environmentally Sound Ship Recycling  
Status: Japan volunteered to develop a first draft of these guidelines, and will submit a draft to MEPC-ISRWG 2 and MEPC 56. An outline of the Japanese approach was circulated to the group for information, as were also draft guidelines developed by Denmark. Denmark informed the group that a revised document commenting on the Japanese draft could be expected to be submitted to MEPC-ISRWG 2 and MEPC 56.
9. Guidelines for the Development of the Ship Recycling Plan  
Status: A first draft was circulated and commented upon by the group. The draft can be found in annex 6 to this report.

### **Other input to the Correspondence Group**

15 India submitted a comment to the draft Convention which can be found in MEPC-ISRWG 2/INF.1. This comment contains aspects which are not directly related to the terms of reference for the group, but still are of such an important nature, that the comment should be studied by delegates. The comment is on the role of the IMO and the involvement of States with different competences and interests in the subjects the Convention addresses.

### **Action requested of the Intersessional Ship Recycling Working Group**

16 The Intersessional Ship Recycling Working Group is invited to consider the report of the Correspondence Group and decide as appropriate.

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**ANNEX 2****DRAFT INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS****THE PARTIES TO THIS CONVENTION,**

**NOTING** the growing concerns about environmental, safety, health and welfare matters in the ship recycling industry,

**RECOGNIZING** that recycling of ships contributes to sustainable development and, as such, is the best option for ships that have reached the end of their operating life,

**RECALLING** resolution A.962(23) by which the International Maritime Organization adopted the IMO Guidelines on Ship Recycling; the amendments to the Guidelines adopted by resolution A.980(24); Decision VI/24 of the Sixth Meeting of the Conference of the Parties to the Basel Convention which adopted the Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships; and the 289th session of the Governing Body of the International Labour Office which approved Safety and Health in Shipbreaking: Guidelines for Asian countries and Turkey,

**RECALLING ALSO** resolution A.981(24) by which the Assembly of the International Maritime Organization requested the Organization's Marine Environment Protection Committee to develop a new legally-binding instrument on ship recycling,

**MINDFUL** of the precautionary approach set out in Principle 15 of the Rio Declaration on Environment and Development and referred to in resolution MEPC.67(37), adopted by the Organization's Marine Environment Protection Committee on 15 September 1995,

**MINDFUL ALSO** of the need to promote the substitution of harmful materials in the construction and maintenance of ships by less harmful or preferably harmless materials, without compromising the ships' safety and operational efficiency,

**RESOLVED** to effectively address in a legally-binding instrument the environmental, occupational health and safety risks related to ship recycling, taking into account the particular characteristics of world maritime transport and the need to secure the smooth withdrawal of ships that have reached the end of their operating lives,

**CONSIDERING** that these objectives may best be achieved by the conclusion of an International Convention for the Safe and Environmentally Sound Recycling of Ships,

**HAVE AGREED** as follows:

## **ARTICLE 1**

### **General obligations**

1 Each Party to this Convention undertakes to give full and complete effect to its provisions in order to reduce, minimize and to the extent practicable eliminate adverse effects on human health and the environment caused by ship recycling[, and enhance ship safety, protection of human health and the environment throughout a ship's operating life].

[2 No provision of this Convention shall be interpreted as preventing a State from taking, individually or jointly, more stringent measures consistent with international law with respect to safe and environmentally sound recycling of ships in order to reduce or minimize the adverse effects on human health and the environment,.]

3 Parties shall endeavour to co-operate for the purpose of effective implementation, compliance and enforcement of this Convention.

4 The Parties undertake to encourage the continued development of technologies and practices which will contribute to safe and environmentally sound ship recycling.

## **ARTICLE 2**

### **Definitions**

For the purposes of this Convention, unless expressly provided otherwise:

[1 "Administration" means the Government of the State whose flag the ship is entitled to fly.]

[2 "Annex" means the annex to the Convention.]

3 "Committee" means the Marine Environment Protection Committee of the Organization.

[4 "Competent Authority(ies)" means a governmental authority or authorities designated by a Party as responsible, within specified geographical area(s) or area(s) of expertise, for duties related to ship recycling facilities as identified in this Convention.]

5 "Convention" means the International Convention for Safe and Environmentally Sound Recycling of Ships.

[6 "Gross tonnage" means the gross tonnage (GT) calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969 or any successor Convention.]

[7 "Hazardous Material" means any material or substance which is liable to create hazards to human health and the environment, [to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea,][ and includes any material subject to control by the present Convention.]]

8 "Organization" means the International Maritime Organization.

9 “Secretary-General” means the Secretary-General of the Organization.

[10 “Ship” means a vessel of any type whatsoever operating or having operated in [an international voyage in] the [aquatic] [marine] environment [and includes submersibles, floating craft, floating platforms, Floating Storage Units (FSUs) and Floating Production Storage and Offloading Units (FPSOs)][including a vessel stripped of equipment or being towed].

11 “Ship Recycling” means the activity of complete or partial dismantling of a ship at a ship recycling facility in order to recover components and materials for reprocessing and re-use, taking care of hazardous and other materials, and includes associated operations such as storage and treatment of components and materials on site, but not their further processing or disposal in separate facilities.

12 “Ship Recycling Facility” means a defined area that is a site, yard or facility used for the recycling of ships. [which is subject to authorization for this purpose by the [competent authority] [government] of the State where the site, yard or facility is located and operated under the jurisdiction of that Party.]

### **ARTICLE 3**

#### **Application**

1 Unless otherwise specified in this Convention, this Convention shall apply to:

- .1 ships entitled to fly the flag of a Party;
- .2 ship recycling facilities operating under the jurisdiction of a Party.

2 This Convention shall not apply to any warships, naval auxiliary, or other ships owned or operated by a Party and used, for the time being, only on government non-commercial service. However, each Party shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, so far as is reasonable and practicable, with this Convention.

3 This Convention shall not apply to any ships less than 500 GT [and ships engaged solely in domestic voyages]. However, each Party shall ensure, by the adoption of appropriate measures, that such ships act in a manner consistent with this Convention, so far as is reasonable and practicable.

4 With respect to the ships of non-Parties to this Convention, Parties shall apply the requirements of this Convention as may be necessary to ensure that no more favourable treatment is given to such ships.

### **ARTICLE 4**

#### **Controls related to ship recycling**

1 Each Party shall require that ships entitled to fly its flag or operating under its authority comply with the requirements set forth in the Convention, including the applicable requirements in the Annex, and shall take effective measures to ensure that such ships comply with those requirements.

2 Each Party shall require that ship recycling facilities under its jurisdiction comply with the requirements set forth in the Convention, including the applicable requirements in the Annex, and shall take effective measures to ensure that such recycling facilities comply with those requirements.

3 The Annex forms an integral part of this Convention. Unless expressly provided for otherwise, a reference to this Convention constitutes at the same time a reference to its Annex.

## **ARTICLE 5**

### **Survey and certification of ships**

Each Party shall ensure that ships flying its flag or operating under its authority and subject to survey and certification are surveyed and certified in accordance with the regulations in the Annex.

## **ARTICLE 6**

### **Authorization of ship recycling facilities**

Each Party shall ensure that ship recycling facilities that operate under its jurisdiction [and are subject to the Convention] are authorized [and inspected by the competent Authority(ies)] in accordance with the regulations in the Annex.

## **ARTICLE 7**

### **Exchange of information**

For the ship recycling facilities authorized by a Party, such Party shall provide to the Organization if requested and those Parties which request it, relevant information, in regard to this Convention, on which its decision for authorisation was based. The information shall be exchanged in a swift and timely manner. [No information shall be provided that is protected by its law.]

## **ARTICLE 8**

### **Inspection of ships**

[1 A ship to which this Convention applies may, in any port or offshore terminal of another Party, be subject to inspection by officers duly authorized by that Party for the purpose of determining whether the ship is in compliance with this Convention. Except as provided in paragraph 2 of this Article, any such inspection is limited to verifying that there is onboard a valid International Certificate on Inventory of Hazardous Materials, which, if valid shall be accepted.

2 Where a ship does not carry a valid Certificate or there are clear grounds for believing that:

- .1 the condition of the ship or its equipment does not correspond substantially with the particulars of the Certificate, and/or the Inventory of Hazardous Materials Part I;
- [.2 the master or the crew are not familiar with shipboard procedures for compliance with this Convention;]

- [.3 the master or the members of the crew who are responsible for the maintenance and repair of the ship are not familiar with the maintenance of the inventory of Hazardous materials Part I.]

a detailed inspection may be carried out taking into account guidelines developed by the Organization.]

## **ARTICLE 9**

### **Detection of violations**

1 Parties shall co-operate in the detection of violations and the enforcement of the provisions of this Convention.

2 When there is sufficient evidence that a ship is operating, has operated [or is about to operate] in violation of a provision in this Convention a Party holding the evidence may request an investigation of a ship when it enters the ports or offshore terminals under the jurisdiction of another Party. The report of such an investigation shall be sent to the Party requesting it and to the Administration of the ship concerned so that appropriate action may be taken.

3 If the ship is detected to be in violation of this Convention, the Party carrying out the inspection may take steps to warn, detain, dismiss, or exclude the ship from its ports. A Party taking such action against a ship for the reason that the ship does not comply with this Convention shall immediately inform the Administration of the ship concerned and the Organization.

4 If a request for an investigation is received from any Party, together with sufficient evidence that a ship recycling facility is operating, has operated [or is about to operate] in violation of any provision of this Convention, a Party should inspect a ship recycling facility operating under its jurisdiction and make a report. The report of any such investigation shall be sent to the Party requesting it including information on the appropriate action taken or to be taken if any.

## **ARTICLE 10**

### **Violations**

1 Any violation of the requirements of this Convention shall be prohibited by national laws and;

- .1 in the case of a ship concerned, sanctions shall be established under the law of the Administration, wherever the violation occurs. If the Administration is informed of such a violation, by a Party, it shall investigate the matter and may request the reporting Party to furnish additional evidence of the alleged violation. If the Administration is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law. The Administration shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken. If the Administration has not taken any action within [1] year after receiving the information, it shall so inform the Party which reported the alleged violation, as well as the Organization, of the reason why no action has been taken;

- .2 in the case of a ship recycling facility concerned, sanctions shall be established under the law of the Party having jurisdiction over the ship recycling facility. If the Party is informed of such a violation by another Party, it shall investigate the matter and may request the reporting Party to furnish additional evidence of the alleged violation. If the Party is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law. The Party shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken. If the Party has not taken any action within [1] year after receiving the information, it shall inform the Party which reported the alleged violation of the reasons, as well as the Organization, why no action has been taken.

2 Any violation of the requirements of this Convention within the jurisdiction of any Party shall be prohibited and sanctions shall be established under the law of that Party. Whenever such a violation occurs, that Party shall either:

- .1 cause proceedings to be taken in accordance with its law; or
- .2 furnish to the Administration of the ship such information and evidence as may be in its possession that a violation has occurred.

3 The sanctions provided for by the laws of a Party pursuant to this Article shall be adequate in severity to discourage violations of this Convention wherever they occur.

## **ARTICLE 11**

### **Undue delay of ships**

1 All possible efforts shall be made to avoid a ship being unduly detained or delayed under Article [8, 9 or 10] of this Convention.

2 When a ship is unduly detained or delayed under Article [8, 9 or 10] of this Convention, it shall be entitled to compensation for any loss or damage suffered.

## **ARTICLE 12**

### **Communication of information**

Each Party shall report to the Organization and the Organization shall make available to other Parties the following information:

- .1 a list of ship recycling facilities authorized in accordance with this Convention and operating under the jurisdiction of that Party;
- .2 contact details for the competent authority(ies) responsible for ship recycling facilities operating within the jurisdiction of that Party;
- .3 a list of the recognized organizations and nominated surveyors which are authorized to act on behalf of that Party in the administration of matters relating to the control of ship recycling in accordance with the Convention, and the specific responsibilities and conditions of the authority delegated to the recognized organizations;

- .4 an annual list of ships recycled within the jurisdiction of that Party;
- .5 an annual list of ships deregistered in order to be recycled and the recycling company name and location of the ship recycling facility where the recycling was undertaken and completed;
- .6 information concerning alleged violations of this Convention; and
- .7 actions taken towards ships and ship recycling facilities under its jurisdiction.

### **ARTICLE 13**

#### **Technical assistance and co-operation**

1 Parties shall undertake, directly or through the Organization and other international bodies, as appropriate, in respect of the safe and environmentally sound recycling of ships, to provide support for those Parties which request technical assistance:

- .1 to train personnel;
- .2 to ensure the availability of relevant technology, equipment and facilities;
- .3 to initiate joint research and development programmes; and
- .4 to undertake other actions aimed at the effective implementation of this Convention and of guidelines developed by the Organization related thereto.

2 Parties undertake to co-operate actively, subject to their national laws, regulations and policies, in the transfer of management systems and technology in respect of the safe and environmentally sound recycling of ships.

### **ARTICLE 13bis**

#### **Implementation**

#### **[Alternative 1]**

[1 In order to ensure full implementation of the Convention, an auditing scheme shall be established by the Organization. The auditing scheme shall be based upon the general auditing scheme developed by the Organization. The audits shall examine whether the Parties have met the obligations established by the Convention and in particular observe and assess whether:

- .1 the Party has enacted the appropriate legislation for the implementation of the Convention;
- .2 there is an enforcement system in place and how it is applied;
- .3 the mechanism and controls are in place for the delegation of authority by a Party to a recognized organization; and
- .4 the survey, certification and authorization system of a Party or its recognized organization(s) is in place.

2 The audits shall be conducted in a fair manner by an international auditing team established by the Organization. The Parties shall cooperate with the audit and provide the information required. However, the full reports shall be confidential and available only to the audited Party, the audit team and the Secretary-General. An audited Party may make available to other Parties details of the findings and its own subsequent actions. An audit summary report shall be circulated to all Parties after consultation with the audited Party.

3 In considering the outcome of the audit, and taking into account the purpose of the audit, to ensure the full implementation of the Convention, the audited Party shall consider and initiate the follow-up action needed if any.

4 Audits shall be conducted on a regular basis to be decided on by the Organization. Unless a Party volunteers for auditing the first audit shall take place not earlier than [3] years after the entry into force of the instrument or [3] years after the Party deposited an instrument of ratification, acceptance, approval or accession in respect of this Convention, whichever is later, but in any case prior to [8] years after these dates.

#### **[Alternative 2]**

The Organization shall, as soon as practicable, develop and approve procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for the treatment of Parties found to be in non-compliance.]

### **ARTICLE 14**

#### **Dispute settlement**

1 Parties shall settle any dispute between them concerning the interpretation or application of this Convention by negotiation or any other peaceful means agreed upon, which may include enquiry, mediation, conciliation, arbitration, judicial settlement, or resort to regional agencies or arrangements.

2 [Failing an agreement through the procedure set forth in paragraph 1, either Party may submit the dispute either for binding resolution through an internationally recognised dispute resolution process or alternatively to the International Tribunal of the Law of the Sea.]

### **ARTICLE 15**

#### **Relationship with international law and other international agreements**

[Nothing in this Convention shall prejudice the rights and obligations of any State under customary international law [as reflected/and] in the United Nations Convention on the Law of the Sea [and other relevant international conventions].]

### **ARTICLE 16**

#### **Signature, ratification, acceptance, approval and accession**

1 This Convention shall be open for signature by any State at the Headquarters of the Organization from [date 20xx to date 20xx] and shall thereafter remain open for accession by any State.



- 2 States may become Parties to the Convention by:
  - .1 signature not subject to ratification, acceptance, or approval; or
  - .2 signature subject to ratification, acceptance, or approval, followed by ratification, acceptance or approval; or
  - .3 accession.
- 3 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.
- 4 If a State comprises two or more territorial units in which different systems of law are applicable in relation to matters dealt with in this Convention, it may at the time of signature, ratification, acceptance, approval, or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.
- 5 Any such declaration shall be notified to the Depositary in writing and shall state expressly the territorial unit or units to which this Convention applies.
- [6 A State at the time it expresses its consent to be bound by this Convention, or thereafter by notification to the Depositary, may declare that a ship may not be recycled in its territory unless its competent authority has received notification of the intent to recycle such ship, and that competent authority, after a review period not exceeding [14] days following the date of the registered reception of such notification, has not objected to such recycling.]

## **ARTICLE 17**

### **Entry into force**

[To be developed]

## **ARTICLE 18**

### **Amendments**

- 1 This Convention may be amended by either of the procedures specified in the following paragraphs.
- 2 Amendments after consideration within the Organization:
  - .1 Any Party may propose an amendment to this Convention. A proposed amendment shall be submitted to the Secretary-General, who shall then circulate it to the Parties and Members of the Organization at least six months prior to its consideration.
  - .2 An amendment proposed and circulated as above shall be referred to the Committee for consideration. Parties, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Committee for consideration and adoption of the amendment.

- .3 Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Committee, on condition that at least one-third of the Parties shall be present at the time of voting.
- .4 Amendments adopted in accordance with subparagraph 3 shall be communicated by the Secretary-General to the Parties for acceptance.
- .5 An amendment shall be deemed to have been accepted in the following circumstances:
  - .5.1 An amendment to an article of this Convention shall be deemed to have been accepted on the date on which two-thirds of the Parties have notified the Secretary-General of their acceptance of it.
  - .5.2 An amendment to the Annex shall be deemed to have been accepted at the end of a period to be determined by the Committee at the time of its adoption, which period shall not be less than ten months after the date of adoption. However, if by that date more than one-third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.
- .6 An amendment shall enter into force under the following conditions:
  - .6.1 An amendment to an article of this Convention shall enter into force for those Parties that have declared that they have accepted it six months after the date on which it is deemed to have been accepted in accordance with subparagraph .5.1.
  - .6.2 An amendment to the Annex shall enter into force with respect to all Parties six months after the date on which it is deemed to have been accepted, except for any Party that has:
    - .6.2.1 notified its objection to the amendment in accordance with subparagraph .5.2 and that has not withdrawn such objection; or
    - .6.2.2 notified the Secretary-General, prior to the entry into force of such amendment, that the amendment shall enter into force for it only after a subsequent notification of its acceptance.
  - .7.1 A Party that has notified an objection under subparagraph .6.2.1 may subsequently notify the Secretary-General that it accepts the amendment. Such amendment shall enter into force for such Party six months after the date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.
  - .7.2 If a Party that has made a notification referred to in subparagraph .6.2.2 notifies the Secretary-General of its acceptance with respect to an amendment, such amendment shall enter into force for such Party six months after the date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.

3 Amendment by a Conference:

- .1 Upon the request of a Party concurred in by at least one-third of the Parties, the Organization shall convene a Conference of Parties to consider amendments to this Convention.
- .2 An amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General to all Parties for acceptance.
- .3 Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraphs 2.5 and 2.6 respectively.

4 Any Party that has declined to accept an amendment to the Annex shall be treated as a non-Party only for the purpose of application of that amendment.

5 Any notification under this Article shall be made in writing to the Secretary-General.

6 The Secretary-General shall inform the Parties and Members of the Organization of:

- .1 any amendment that enters into force and the date of its entry into force generally and for each Party; and
- .2 any notification made under this Article.

### **ARTICLE 19**

#### **Denunciation**

1 This Convention may be denounced by any Party at any time after the expiry of two years from the date on which this Convention enters into force for that Party.

2 Denunciation shall be effected by written notification to the Depositary, to take effect one year after receipt or such longer period as may be specified in that notification.

### **ARTICLE 20**

#### **Depositary**

1 This Convention shall be deposited with the Secretary-General, who shall transmit certified copies of this Convention to all States which have signed this Convention or acceded thereto.

2 In addition to the functions specified elsewhere in this Convention, the Secretary-General shall:

- .1 inform all States that have signed this Convention, or acceded thereto, of:
  - .1.1 each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

- .1.2 the date of entry into force of this Convention; and
- .1.3 the deposit of any instrument of denunciation from the Convention, together with the date on which it was received and the date on which the denunciation takes effect; and
- .2 as soon as this Convention enters into force, transmit the text thereof to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

## **ARTICLE 21**

### **Languages**

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

DONE AT LONDON this [DD/MM/YYYY]

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Convention.

ANNEX

**REGULATIONS FOR SAFE AND ENVIRONMENTALLY SOUND  
RECYCLING OF SHIPS**

**CHAPTER 1 – GENERAL PROVISIONS**

**Regulation 1 – Definitions**

For the purposes of this Annex:

1 “Competent person” means a person with suitable qualifications, training, and sufficient knowledge, experience and skill, for the performance of the specific work, in good safety conditions. Specifically, a competent person may be a trained worker or a managerial employee capable of recognizing and evaluating occupational hazards, risks, and employee exposure to potentially hazardous materials or unsafe conditions in a Ship Recycling Facility, and who is capable of specifying the necessary protection and precautions to be taken to eliminate or reduce those hazards, risks, or exposures. The competent authority may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them.

2 “Employer” means a natural or legal person that employs one or more workers engaged in ship recycling.

3 “Existing ship” means a ship which is not a new ship.

4 “Gas-free-for-hot-works condition” means a safe including non explosive condition for work requiring the use of electric arc or gas welding equipment, cutting burning equipment or other forms of naked flame, as well as heating or spark generating tools.

5 “New ship” means a ship:

- .1 for which the building contract is placed on or after the entry into force of the Convention; or
- .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after [six] months after the entry into force of this Convention; or
- .3 the delivery of which is on or after [30][12] months after the entry into force of this Convention.

6 “Ready for Recycling” [to be developed as appropriate]

7 “Recycling Company” means the owner of the ship recycling facility or any other organization or person such as the manager who has assumed the responsibility for operation of the ship recycling activity from the owner of the facility and who on assuming such responsibility has agreed to take over all duties and responsibilities imposed by this Convention.

8 “Shipowner” means the person or persons or company registered as the owner of the ship or, in the absence of registration, the person or persons or company owning the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship. However, in the case of a ship owned by a State and operated by a company which in that State is registered as the ship’s operator, “owner” shall mean such company. This term also includes those who have ownership of the ship for a limited period pending its sale or handling over of a ship to a recycling facility.

9 “Site inspection” means an inspection of the recycling facility confirming the condition described by the verified documentation.

10 “Statement of Completion” means a confirmatory statement issued by the recycling facility that the ship has been fully dismantled in accordance with this Convention and has ceased to exist.

11 “Worker” means any person who performs work, either regularly or temporarily, in the context of an employment relationship.

## **Regulation 2 – General Applicability**

Except where expressly provided otherwise, the design, construction, operation and recycling of ships shall be conducted in accordance with the provisions of this Annex.

## **Regulation 3 – Exceptions**

The regulations of this Annex, unless expressly provided otherwise, do not apply to wooden boats of primitive build.

## **CHAPTER 2 – REQUIREMENTS FOR SHIPS**

### **Part A – Design, construction, operation and maintenance of ships**

#### **Regulation 4 – Controls of ships' hazardous materials**

[1 Each Party shall ensure as applicable that the control measures for the installation and use of hazardous materials in other Conventions under the auspices of the IMO are complied with for new ships as defined in this Convention, and for existing ships as required in those Conventions.]

[2 In accordance with the requirements specified in Appendix 1 to this Convention each Party,

- .1 shall prohibit and/or restrict on its ships the installation or use of hazardous materials listed in Appendix 1; and
- .2 shall prohibit and/or restrict the installation or use of such materials on ships, whilst in its ports, shipyards, ship repair yards, or offshore terminals,

and shall take effective measures to ensure that such ships comply with those requirements.

#### **Regulation 5 – Inventory of Hazardous Materials**

1 Each new ship shall have onboard an Inventory of Hazardous Materials. The inventory shall be verified either by the Administration or by any person or organization authorized by it taking into account guidelines developed by the Organization. The Inventory of Hazardous Materials shall be specific to each ship and shall at least:

- .1 identify as Part I, hazardous materials listed in Appendices 1 and 2 to the Convention and contained in ship's structure and equipment, their location and approximate quantities; and
- .2 clarify that the ship complies with regulation 4.

2 Existing ships shall comply with paragraph 1 as far as practicable not later than 5 years after the entry into force of the Convention, or before going for recycling if this is earlier, taking into account the guidelines by the Organization. In this case, the hazardous materials listed in Appendix 1, at least, shall be identified when the Inventory is developed.

3 Part I of the Inventory of Hazardous Materials shall be properly maintained and updated throughout the operational life of the ship, reflecting relevant changes in ship structure and equipment, in accordance with the guidelines developed by the Organization.

4 Prior to recycling the Inventory shall, in addition to the latest Part I, incorporate Part II for operationally generated wastes, and Part III for stores and be verified either by the Administration or by any person or organization authorized by it, taking into account the guidelines developed by the Organization.

## **Regulation 6 – Procedure for proposing amendments to Appendices 1 and 2**

1 Any Party may propose an amendment to Appendix 1 and/or Appendix 2 in accordance with this regulation.

2 A proposal shall be submitted to the Organization in accordance with its rules and procedures. When the Organization receives a proposal, it shall bring the proposal to the attention of the Parties, Members of the Organization, the United Nations and its Specialized Agencies, intergovernmental organizations having agreements with the Organization and non-governmental organizations in consultative status with the Organization and shall make it available to them.

3 The Committee shall establish a technical group in accordance with regulation 7 to review proposals submitted in accordance with paragraph 2 of this regulation.

4 The technical group shall review the proposal along with any additional data, including decisions adopted by other international bodies regarding their lists of materials or hazardous substances, submitted by any interested entity and shall evaluate and report to the Committee whether the hazardous material in question [is likely, in the context of this Convention, to lead to significant adverse effects] [may pose an unacceptable risk, in the context of this Convention, for adverse effects] on human health or the environment such that the amendment of Appendix 1 or Appendix 2 is warranted. In this regard:

- .1 The technical group's review shall include:
  - .1.1 an evaluation of the association between the hazardous material in question and the [likelihood, in the context of this Convention, to lead to significant adverse effects on human health or the environment] [unacceptable risk, in the context of this Convention, of adverse effects on human health or the environment] based on the submitted data or other relevant data brought to the attention of the group;
  - .1.2 an evaluation of the potential risk reduction attributable to the proposed control measures and any other control measures that may be considered by the technical group;
  - .1.3 consideration of available information on the technical feasibility of control measures;
  - .1.4 consideration of available information on other effects from the introduction of such control measures relating to:
    - the environment;
    - human health and safety including that of seafarers and workers;
    - the cost to international shipping and other relevant sectors; and
  - .1.5 consideration of the availability of suitable alternatives to the hazardous material to be controlled, including a consideration of the potential risks of alternatives; and



- .1.6 consideration of the risks posed by the hazardous material during the recycling process.
- .2 If the technical group finds that the hazardous material in question is likely, in the context of this Convention, to lead to significant adverse effects on human health or the environment, lack of full scientific certainty shall not be used as a reason to prevent the group from proceeding with an evaluation of the proposal.
- .3 The technical group's report shall be in writing and shall take into account each of the evaluations and considerations referred to in subparagraph.1, except that the technical group may decide not to proceed with the evaluations and considerations described in subparagraph.1.2 through .1.6 if it determines after the evaluation in subparagraph .1.1 that the proposal does not warrant further consideration.
- .4 The technical group's report shall include, *inter alia*, a recommendation on whether international controls pursuant to this Convention are warranted on the hazardous material in question, on the suitability of the specific control measures suggested in the comprehensive proposal, or on other control measures which it believes to be more suitable.

5 The Committee shall decide whether to approve any proposal to amend Appendix 1 or Appendix 2, and any modifications thereto, if appropriate, taking into account the technical group's report. Any proposed amendmend shall specify the application of the amendment for ships certified in accordance with this Convention before the entry into force of the amendment. If the report finds that the hazardous material in question is likely, in the context of this Convention, to lead to significant adverse effects on human health or the environment,lack of full scientific certainty shall not be used as a reason to prevent a decision from being taken to list a hazardous material in Appendix 1 or Appendix 2. The proposed amendments to Appendix 1 or Appendix 2, if approved by the Committee, shall be circulated in accordance with article 18.2.1 and enter into force in accordance with the procedures pertaining to the Annex contained in Article 18.2 of the Convention. A decision not to approve the proposal shall not preclude future submission of a new proposal with respect to a particular hazardous material if new information comes to light.

6 Only Parties may participate in decisions taken by the Committee described in paragraphs 3 and 5.

## **Regulation 7 – Technical Groups**

1 The Committee may establish one or more technical groups pursuant to regulation 6 as needed. The technical group may comprize representatives of the Parties, Members of the Organization, the United Nations and its Specialized Agencies, intergovernmental organizations having agreements with the Organization, and non-governmental organizations in consultative status with the Organization, which should preferably include representatives of institutions and laboratories that engage in environmental fate and effects, toxicological effets, marine biology, human health, economic analysis, risk management, international shipping, occupational health and safety or other fields of expertise necessary to objectively review the technical merits of a proposal.

2 The Committee shall decide on the terms of reference, organization, participation and operation of the technical groups. Such terms shall provide for protection of any confidential information that may be submitted. Technical groups may hold such meetings as required, but shall endeavour to conduct their work through written or electronic correspondence or other media as appropriate.

3 Only the representatives of Parties may participate in formulating any recommendation to the Committee pursuant to regulation 6. A technical group shall endeavour to achieve unanimity among the representatives of the Parties. If unanimity is not possible, the technical group shall communicate any minority views of such representatives.

## **Part B – Preparation for ship recycling**

### **Regulation 8 – General requirements**

1 Ships destined to be recycled shall:

- .1 only be recycled at recycling facilities that are authorised in accordance with this Convention;
- .2 conduct operations in the period prior to entering the recycling facility in order to minimize the amount of cargo residues, remaining fuel oil, and wastes remaining on board;
- .3 provide to the recycling facility all available information relating to the ship for the development of the ship recycling plan required by regulation 9;
- .4 complete the Inventory required by regulation 5;
- .5 be certified as ready for recycling by the Administration(s) or organizations recognized by it, prior to any recycling activity taking place.

2 If the recycling facility is authorized to handle the hazardous materials identified in the Inventory prior removal shall not be required unless the recycling facility decides otherwise when preparing the Ship Recycling Plan.

[3 Notwithstanding the provisions of paragraph 1.1 Parties may enter into bilateral, multilateral, or regional agreements or arrangements regarding the recycling of ships with Parties or non-Parties provided that such agreements or arrangements do not derogate from the safe and environmentally sound recycling of ships as required by this Convention. These agreements or arrangements shall stipulate provisions which are not less protective of human health and the environment than are those provided by the Convention, in particular taking into account the interests of developing countries.

4 Parties shall notify the Secretariat of any agreements or arrangements referred to in paragraph 3 and those which they have entered into prior to the entry into force of this Convention for them, for the purpose of ensuring the safe and environmentally sound recycling of ships. The provisions of this Convention shall not affect recycling of ships pursuant to such agreements or arrangements, provided that such agreements or arrangements are compatible with the safe and environmentally sound recycling of ships as required by this Convention.]<sup>1</sup>

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<sup>1</sup> The text in regulation 8, paragraphs 3 and 4 has been added based on the support of some delegates. Some delegations however expressed their concerns on the effect this text will have on articles and other regulations. The United States was invited to provide a supporting document to this proposal for the Committee.

## **Regulation 9 – Ship Recycling Plan**

A ship specific ship recycling plan shall be developed by the recycling facility prior to any recycling of a ship can take place, taking into account the guidelines developed by the Organization. The Ship Recycling Plan shall:

- .1 be developed in consultation with the shipowner;
- .2 be developed in the language accepted by the Party authorizing the ship recycling facility, and if the language used is neither English, French nor Spanish, the Recycling Plan shall be translated into one of these languages, except where the Administration is satisfied that this is not necessary; and
- .3 be available for inspection by officers of the Administration responsible for surveying the ship, or the entrusted surveyors, or to organizations recognized by the Administration.
- .4 include information concerning *inter alia* prior material removal, including gas-free-for-hot-work for cargo tanks, where required in accordance with the capability of the recycling facility to manage the type or amount of materials.

## **Regulation 10 – Ready for Recycling**

[To be developed if needed]

## **Part C – Surveys and certification**

### **Regulation 11 – Surveys**

- 1 Ships to which this Convention applies shall be subject to the surveys specified below:
  - .1 An initial survey before the ship is put in service, or before the International Certificate on Inventory of Hazardous Materials is issued. This survey shall verify that the Inventory required by regulation 5, except Part II and Part III of the inventory, is in accordance with the requirements of this Convention.
  - [.2 A periodical survey at intervals specified by the Administration, but not exceeding five years. This survey shall verify that Part I of the Inventory of Hazardous Materials required by regulation 5, complies with the requirements of this Convention. An additional survey, either general or partial, according to the circumstances, may be made at the request of the shipowner after a change, replacement, or significant repair of the structure, equipment, systems, fittings, arrangements and material. The survey shall be such as to ensure that any such change, replacement, or significant repair has been made in the way that the ship continues complying with the requirements of this Convention, and that Part I of the Inventory is amended as necessary.]

- .3 A final survey prior to the ship being taken out of service and before the recycling of the ship has started. This survey shall verify that the Inventory of Hazardous Materials required by regulation 5 is in accordance with the requirements of this Convention taking into account the guidelines developed by the Organization, and that the Recycling Plan developed by the authorized ship recycling facility is finalized and complies with the requirements of this Convention.
- 2 The Administration shall establish appropriate measures for ships that are not subject to the provisions of paragraph 1 in order to ensure that the applicable provisions of this Convention are complied with.
- 3 Surveys of ships for the purpose of enforcement of the provisions of this Convention shall be carried out by officers of the Administration, taking into account the guidelines developed by the Organization. The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it.
- 4 An Administration nominating surveyors or recognizing organizations to conduct surveys, as described in paragraph 3 shall, as a minimum, empower such nominated surveyors or recognized organizations to:
  - .1 require a ship that they survey to comply with the provisions of this Convention; and
  - .2 carry out surveys and inspections if requested by the appropriate authorities of a port State that is a Party.
- 5 The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties for the information of their officers.
- 6 In every case, the Administration concerned shall be responsible to ensure the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.
- [7 The condition of the ship and its equipment, systems and processes shall be maintained to conform with the provisions of this Convention.]

## **Regulation 12 – Issuance and endorsement of certificates**

- 1 An International Certificate on Inventory of Hazardous Materials shall be issued either by the Administration or by any person or organization authorized by it after successful completion of an initial survey conducted in accordance with regulation 11, to any ships to which regulation 11 applies except existing ships which are conducting both an initial survey and a final survey at the same time, taking into account the guidelines developed by the Organization.
- 2 The International Certificate on Inventory of Hazardous Materials issued under paragraph 1 shall be endorsed either by the Administration or by any person or organization authorized by it after successful completion of a periodical survey and an additional survey conducted in accordance with regulation 11. The next periodical survey date to be taken shall be specified after successful completion of the periodical survey.

3 Notwithstanding the requirements of paragraph 2, when the periodical survey is completed within three months before the specified date of periodical survey on the Certificate, the next periodical survey date shall be specified, but not exceeding five years from the ex-specified date of periodical survey on the Certificate.

4 When the periodical survey is completed after the specified date of periodical survey on the Certificate, the next periodical survey date shall be specified, but not exceeding five years from the ex-specified date of periodical survey on the Certificate.

5 When the periodical survey is completed more than three months before the specified date of periodical survey on the Certificate, the next periodical survey date shall be specified, but not exceeding five years from the date of completion of the periodical survey.

6 If a ship at the time when the specified date of periodical survey comes is not in a port in which it is to be surveyed, the Administration may extend the specified date of periodical survey on the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. The Administration shall not extend the specified date of periodical survey on the Certificate for a period longer than three months, and a ship to which such extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new endorsement on the Certificate. When the periodical survey is completed, the next periodical survey date shall be specified, but not exceeding five years from the ex-specified date of periodical survey on the Certificate before the extension was granted.

7 An International Certificate on Inventory of Hazardous Materials issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the specified date of periodical survey on the Certificate. When the periodical survey is completed, the next periodical survey date shall be specified but not exceeding five years from the ex-specified date of periodical survey on the Certificate before the extension was granted.

8 In special circumstances, as determined by the Administration, the next periodical survey date need not be specified as required by paragraphs 4, 6 or 7 of this regulation. In these special circumstances, the next periodical survey date shall be specified but not exceeding five years from the date of completion of the periodical survey.

9 An International Ready for Recycling Certificate shall be issued either by the Administration or by any person or organization authorized by it, after a final survey in accordance with the provisions of regulation 11, to any ships to which regulation 11 applies, taking into account the guidelines developed by the Organization.

10 A Certificate issued under the authority of a Party shall be accepted by the other Parties and regarded for all purposes covered by this Convention as having the same validity as a Certificate issued by them. Certificates shall be issued or endorsed either by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the Certificate.

### **Regulation 13 – Issuance or endorsement of a certificate by another Party**

1 At the request of the Administration, another Party may cause a ship to be surveyed and, if satisfied that the provisions of this Convention are complied with, shall issue or authorize the issuance of (a) Certificate(s) to the ship, and where appropriate, endorse or authorize the endorsement of that Certificate(s) on the ship, in accordance with this Annex.

2 A copy of the Certificate(s) and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

3 A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as a Certificate issued by the Administration.

[4 No Certificate shall be issued to a ship entitled to fly the flag of a State which is not a Party.]

### **Regulation 14 – Form of the certificates**

The Certificates shall be drawn up in the official language of the issuing Party, in the form set forth in Appendices 3 and 4. If the language used is neither English, French nor Spanish, the text shall include a translation into one of these languages. [The Administration may, however, issue the International Certificate on Inventory of Hazardous Materials drawn up in only official language of the issuing Party to ships not engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and the International Ready for Recycling Certificate drawn up in only official language of the issuing Party to ships recycled in ship recycling facilities under the jurisdiction of the issuing Party.]

### **Regulation 15 – Duration and validity of the certificates**

1 An International Certificate on Inventory of Hazardous Materials issued under regulation 12 or 13 shall cease to be valid in any of the following cases:

- .1 if there is a clear ground for believing that the condition of the ship does not correspond substantially with the particulars of any of the certificate, including the case that Part I of the Inventory of Hazardous Materials is not properly maintained and updated, reflecting changes in ship structure and equipment, in accordance with the Guidelines developed by the Organization;
- .2 upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Party issuing the new Certificate is fully satisfied that the ship is in compliance with the requirements of regulation 11. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the Certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports;
- .3 if the relevant surveys are not completed within the periods specified under regulation 11.1;

- .4 if the Certificate is not endorsed in accordance with regulation 12; or
- .5 if an International Ready for Recycling Certificate is issued after successful completion of a final survey conducted in accordance with regulation 11.

2 An International Ready for Recycling Certificate shall be issued for a period specified by the Administration that shall not exceed [three months].

3 An International Ready for Recycling Certificate issued under regulation 12 or 13 shall cease to be valid if [there is a clear ground for believing that] the condition of the ship does not correspond substantially with the particulars of any of the certificate.

## **CHAPTER 3 – REQUIREMENTS FOR SHIP RECYCLING FACILITIES**

### **Regulation 16 – Controls on ship recycling facilities**

- 1 Each Party shall establish legislation, regulations, and standards that are necessary to ensure that ship recycling facilities are [designed, constructed, and] operated in a safe and environmentally sound manner in accordance with the regulations of this Convention.
- 2 Each Party shall establish a mechanism for authorizing ship recycling facilities [including the issue of a permit with appropriate conditions] to ensure that such facilities [are required to] meet the requirements of this Convention.
- 3 Each Party shall establish a mechanism for ensuring that ship recycling facilities comply with the requirements of this chapter including establishment and effective use of inspection, monitoring and enforcement provisions, including powers of entry and sampling.
- 4 Each Party shall designate one or more competent authorities and a contact point to be used by the Organization and Parties to this Convention, for matters related to the status of ship recycling facilities within their jurisdiction.

### **Regulation 17 – Authorization of ship recycling facilities**

- 1 Ship Recycling Facilities which recycle ships that fall within the scope of this Convention shall be authorized by a Party taking into account the guidelines developed by the Organization.
- 2 The authorization shall include verification of documentation required by this Convention, a site inspection and be carried out by the competent authority(ies). The competent authority(ies) may however, entrust the authorization of recycling facilities to organizations recognized by it.
- 3 The Party shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the recognized organizations, for circulation to Parties. In every case, the competent authority(ies) retains full responsibility for the authorization issued.
- 4 The authorization shall be drawn up in the form set forth in Appendix 5. If the language used is neither English, French nor Spanish, the text shall include a translation into one of these languages.
- 5 The authorization shall be valid for a period specified by the Party [but not exceed x years]. The Party shall identify the terms for which the authorization will be withdrawn, and communicate these terms to the facilities. If a ship recycling facility objects to any inspection by the competent authority(ies) or the recognized organization operating on its/their behalf to, the authorization [may][shall] be withdrawn.
- 6 If incidents or actions taken at the ship recycling facility have the effect that the conditions for the authorization are no longer fulfilled, the facility shall inform the competent authority(ies). The competent authority(ies) may accordingly decide to withdraw the authorization, or require corrective actions by the facility.



## **Regulation 18 – General Requirements**

[1 Ship recycling facilities authorized by a Party shall establish management systems, procedures and techniques which do not pose health risk to the workers concerned or to the population in the vicinity of the facility and which will reduce, minimize and eliminate to the extent practicable adverse effects on the environment caused by ship recycling taking into account guidelines developed by the Organization.]

2 Ship recycling facilities authorized by a Party shall:

- .1 [for ships falling within the scope of this Convention,] only accept ships that comply with the Convention;
- .2 only accept ships which it is authorized to recycle;
- .3 have the documentation of its authorization available if such a documentation is requested by a shipowner considering to, having decided to, or having [established an agreement for recycling] [entered into a contract to recycle] a ship at that facility; and
- .4 [within xx days] issue a statement of completion of the recycling of each ship to its competent authority(ies) when the ship has been finally dismantled.

## **Regulation 19 – Recycling Facility Management Plan**

Ship recycling facilities authorized by a Party shall prepare a Recycling Facility Management Plan. The Plan shall be adopted by the board or the appropriate governing body of the recycling company, and shall include:

- .1 a policy ensuring appropriate, workers safety and the protection of human health and the environment, including the establishment of objectives that lead to the minimization and elimination to the extent practicable of the adverse effects on human health and the environment caused by ship recycling;
- .2 a system for ensuring implementation of the requirements set out in this Convention, the achievement of the goals set out in the policy of the recycling company, and the continuous improvement of the procedures and standards used in the ship recycling operations;
- .3 identification of roles and responsibilities for employers and workers when conducting ship recycling operations;
- .4 a programme for providing appropriate information and training of workers for the safe and environmentally sound operation of the ship recycling facilities;
- .5 an emergency preparedness and response plan;
- .6 a system for monitoring of the performance of the ship recycling operations; and

- .7 a system for record keeping on how the ship recycling operation is performed, including reporting discharges, emissions and accidents causing damage, or with the potential of causing damage, to workers safety, human health and the environment,

taking into account guidelines developed by the Organization.

#### **Regulation 20 – Prevention of accidents**

Ship recycling facilities authorized by a Party shall establish and utilize procedures to:

- .1 prevent explosions by establishing procedures for ensuring “gas-free-for-hot-work” conditions throughout the ship recycling process;
- .2 prevent other accidents causing or with the potential to cause damage to human health; and
- .3 prevent spills of cargo residues and other materials on the ships which may cause harm to human health and/or the environment,

taking into account guidelines developed by the Organization.

#### **Regulation 21 – Safe and environmentally sound removal and management of hazardous materials**

1 Ship recycling facilities authorized by a Party shall ensure safe and environmentally sound removal of any hazardous material contained in a ship certified in accordance with regulation 12. The person(s) in charge of the recycling operations and the workers shall be familiar with the requirements of this Convention relevant to their tasks and in particular actively use the Inventory of Hazardous Materials and the Ship Recycling Plan, prior to and during the removal of hazardous materials.

2 Ship recycling facilities shall ensure that all hazardous liquids, materials and sediments detailed in the inventory are labelled, packaged and removed by properly trained and equipped workers taking into account the guidelines developed by the Organization, and in particular ensure that;

- .1 all hazardous liquids, residues and sediments are identified and removed to the maximum extent possible prior to cutting;
- .2 substances or objects containing heavy metals such as lead, mercury, cadmium and hexavalent chromium, are identified, labelled and removed to the maximum extent possible prior to cutting;
- .3 paints and coatings that are highly flammable and/or leads to toxic releases during cutting are identified, labelled and removed to the maximum extent possible prior to cutting;
- .4 any asbestos is identified, labelled and removed to the maximum extent possible prior to cutting by workers that are specially trained and equipped to do so;

- .5 PCB and materials containing PCBs materials are identified, labelled and removed to the maximum extent possible prior to cutting by workers that are specially trained and equipped to do so, and that heat inducing equipment is avoided during such operations;
- .6 CFCs and halons are identified, labelled and removed by workers that are specially trained to do so; and that
- .7 other wastes and hazardous materials not listed above and that are not a part of the ship structure, are identified labelled and removed to the maximum extent possible prior to cutting.

3 Ship recycling facilities authorized by a Party shall provide for and ensure safe and environmentally sound management of all hazardous materials and wastes removed from the ship recycled at that facility. Waste management and disposal sites shall be identified, and materials disposed shall be labelled to provide for the further safe and environmentally sound handling of these materials.

4 All wastes generated from the recycling activity shall be kept separate from recyclable materials and equipment, stored in appropriate conditions and only transferred to a waste management facility authorised to deal with their proper treatment and disposal. Wastes of different categories shall not be mixed.

## **Regulation 22 – Emergency preparedness and response**

Ship recycling facilities authorized by a Party shall establish and maintain an emergency preparedness and response plan. The plan shall be made having regard to the location and environment of the ship recycling facility, and take into account the size and nature of activities associated with each ship recycling operation. The plan shall furthermore:

- .1 ensure that the necessary equipment and procedures to be followed in the case of an emergency are in place, and that drills are being held on a regular basis;
- .2 ensure that the necessary information, internal communication and co-ordination are provided to protect all people in the event of an emergency at the facility;
- .3 provide information to, and communication with, the relevant competent authority(ies), and the neighbourhood and emergency response services;
- .4 provide for first-aid and medical assistance, fire-fighting and evacuation of all people at the facility, pollution prevention; and
- .5 provide for relevant information and training to all workers of the ship recycling facility, at all levels and according to their competence, including regular exercises in emergency prevention, preparedness and response procedures.

**Regulation 23 – Worker safety and training**

- 1 Ship recycling facilities authorized by a Party shall provide for worker safety by:
  - .1 ensuring the availability, maintenance and use of personal protective equipment and clothing needed for all ship recycling operations,
  - .2 provide for training programmes enabling workers to safely undertake all operations the worker is tasked to do, and
  - .3 ensuring that any worker at the facility has been provided with appropriate training prior to performing any ship recycling operation.
- 2 The ship recycling facility shall specifically ensure, [and the workers shall specifically be able to request,] the use of the following personal protective equipment for the operations requiring such use:
  - .1 head protection,
  - .2 face and eye protection,
  - .3 hand and foot protection,
  - .4 respiratory protective equipment,
  - .5 hearing protection,
  - .6 protectors against radioactive contamination,
  - .7 protection from falls, and
  - .8 appropriate clothing.
- 3 Ship recycling facilities authorized by a Party may co-operate in providing for training of workers. Taking into account the guidelines developed by the Organization, the training programmes set forth in paragraph 1.2 of this regulation shall:
  - .1 cover all workers and members of the ship recycling facility;
  - .2 be conducted by competent persons;
  - .3 provide for initial and refresher training at appropriate intervals;
  - .4 include participants' evaluation of their comprehension and retention of the training;
  - .5 be reviewed periodically, and modified as necessary; and
  - .6 be documented.

## **Regulation 24 – Reporting on incidents and chronic effects**

1 Ship recycling facilities authorized by a Party shall report to the competent authority(ies) any incident or chronic effects causing and with the potential of causing risks to workers safety, human health and the environment. Such incidents or effects may include but are not limited to injuries, diseases, ill health, discharges and emissions to the environment.

2 Reporting of incidents shall contain a description of the incident or chronical effect, the cause of the incident or effect, the response action taken, consequences and corrective actions to be taken.

## **[CHAPTER 4 – REPORTING REQUIREMENTS]**

## **Regulation 25 – Initial notification and reporting requirements**

1 A shipowner shall notify the Administration of his intention to recycle a ship [in due time][*period to be decided*] and in writing in order to enable the Administration to prepare the survey and certification required by this Convention.

2 A recycling facility preparing to receive a ship for recycling shall [in due time] [*period to be decided*] and in writing notify its competent authority(ies) of the intent. The notification shall include at least the following ship details:

- .1 the name of the State whose flag the ship is entitled to fly;
- .2 the date on which the ship was registered with that State;
- .3 the ship's identification number (IMO number);
- .4 hull number on new-building delivery;
- .5 the name and type of the ship;
- .6 the port at which the ship is registered;
- .7 the name of the shipowner and its address;
- .8 the name of all classification society(ies) with which the ship is classed; and
- .9 the ship's main particulars (Length overall (LOA), Breadth (Moulded), Depth (Moulded), Lightweight, Cargo carrying capacity, Gross and Net tonnage, and engine type).

3 When the ship destined to be recycled has acquired the International Ready for Recycling Certificate, the ship recycling facility shall report to its competent authority(ies) on the planned start of the ship recycling. The report shall be in accordance with the reporting format in Appendix 7, and shall at least include a copy of the International Ready for Recycling Certificate and the Ship Recycling Plan.

4 Following submission of the report in accordance with paragraph 3, recycling of the ship may start.

5 Notwithstanding paragraph 4, if the recycling State has notified the Depositary in accordance with Article 16.6 that it requires a review period, recycling of the ship may start only if the competent authority(ies) of the recycling State has/have set forth no written objections to the report within [14] days of its registered reception, or following the resolution or withdrawal of any such written objection.

#### **Regulation 26 – Reporting upon completion**

When the recycling of a ship is completed in accordance with the requirements of this Convention a statement of completion shall be issued by the recycling facility and reported to its competent authority(ies). The statement shall be issued when all the materials of the ship are safely managed, and shall include a report on incidents damaging human health and/or the environment if any. [The Statement of Completion of the ship recycling shall be copied to the Administration which issued the International Ready for Recycling Certificate for the ship in question] [The competent authority(ies) shall submit the Statement of Completion of the ship recycling to the Administration which issued the International Ready for Recycling Certificate for the ship in question]. ]

\* \* \*

## APPENDIX 1

### CONTROLS OF HAZARDOUS MATERIALS

Hazardous Material	Definitions	Control measures
Asbestos	Materials containing asbestos	<p>For all ships, new installation of materials which contain asbestos shall be prohibited except for:</p> <p>.1 vanes used in rotary vane compressors and rotary vane vacuum pumps;</p> <p>.2 watertight joints and linings used for the circulation of fluid when, at high temperature (in excess of 350°) or pressure (in excess of <math>7 \times 10^6</math> Pa), there is a risk of fire, corrosion of toxicity; and</p> <p>.3 supply and flexible thermal insulation assemblies used for temperatures above 1000°.</p>
Ozone-depleting substances	<p>Ozone-depleting substances means controlled substances defined in paragraph 4 of article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer, 1987, listed in Annexes A,B,C or E to the said Protocol in force at the time of application or interpretation of this Annex.</p> <p>Ozone-depleting substances that may be found on board ship include, but are not limited to:</p> <p>Halon 1211 Bromochlorodifluoromethane Halon 1301 Bromotrifluoromethane Halon 2402 1,2-Dibromo-1,1,2,2-tetrafluoroethane (also known as Halon 114B2) CFC-11 Trichlorofluoromethane CFC-12 Dichlorodifluoromethane CFC-113 1,1,2-Trichloro-1,2,2-trifluoroethane CFC-114 1,2-Dichloro-1,1,2,2-tetrafluoroethane CFC-115 Chloropentafluoroethane</p>	<p>New installations which contain ozone-depletion substances shall be prohibited on all ships, except that new installations containing hydrochlorofluorocarbons (HCFCs) are permitted until 1 January 2020.</p>
Polychlorinated biphenyls (PCB)	<p>“Polychlorinated biphenyls” means aromatic compounds formed in such a manner that the hydrogen atoms on the biphenyl molecule (two benzene rings bonded together by a single carbon-carbon bond) may be replaced by up to ten chlorine atoms</p>	<p>New installations which contain polychlorinated biphenyls greater than 0.005 percent shall be prohibited on all ships.</p>

<p>Organotin compounds (Tributyl Tin (TBT), Triphenyl Tin (TPT), Tributyl Tin Oxide (TBTO))</p>	<p>Organotin compounds which act as biocides in anti-fouling systems</p>	<p>All ships shall not apply or re-apply such compounds.</p> <p>All ships (except fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2003 and that have not been in dry-dock on or after 1 January 2003):</p> <p>(1) shall not bear such compounds on their hulls or external parts or surface or</p> <p>(2) shall bear a coating that forms a barrier to such compounds leaching from the underlying non-compliant anti-fouling systems.</p>
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## APPENDIX 2

### MINIMUM LIST OF ITEMS FOR THE INVENTORY OF HAZARDOUS MATERIALS [(FOR NEW SHIPS AND NEW INSTALLATIONS)]

Any controlled hazardous materials as defined in Appendix 1
Cadmium and Cadmium Compounds
Hexavalent Chromium and Hexavalent Chromium Compounds
Lead and Lead Compounds
Mercury and Mercury Compounds
Polybrominated Biphenyl (PBBs)
Polybrominated Diphenyl Ethers (PBDEs)
Polychloronaphthalenes (more than 3 chlorine atoms)
Radioactive Substances
Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro)

\* \* \*

### APPENDIX 3

## FORM OF THE INTERNATIONAL CERTIFICATE ON INVENTORY OF HAZARDOUS MATERIALS

### INTERNATIONAL CERTIFICATE ON INVENTORY OF HAZARDOUS MATERIALS

(Note: This Certificate shall be supplemented by Part I of the Inventory of Hazardous Materials)

*(Official seal)*

*(State)*

Issued under the provisions of the International Convention for the Safe and Environmentally Sound Recycling of Ships (hereinafter referred to as the Convention) under the authority of the Government of

.....  
*(full designation of the country)*

by.....  
*(full designation of the competent person or organization authorized under the provisions of the Convention)*

#### ***Particulars of the Ship***

Name of Ship	
Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number <sup>†</sup>	
Name and address of shipowner	
Date of Construction	

#### THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with regulation [11] of the Convention; and
2. That the survey shows that Part I of the Inventory of Hazardous Materials fully complies with the applicable requirements of the Convention.

This certificate is valid subject to periodical survey(s) at intervals of:  
..... in accordance with regulation [11] of the Convention.  
*(Period of time)*

Issued at.....  
(Place of issue of certificate)

.....  
(Date of issue)

.....  
(Signature of duly authorized official issuing  
the certificate)

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT FOR PERIODICAL SURVEYS\*\***

THIS IS TO CERTIFY that at a periodical survey required by regulation [11] of the Convention, the ship was found to comply with the relevant provisions of the Convention.

This ship should take the next periodical survey by .....

(Date)

Signed.....  
(Signature of duly authorized official)

Place.....

Date.....

*(Seal or stamp of the authority, as appropriate)*

\*\*This page of the endorsement at survey shall be reproduced and added to the Certificate as considered necessary by the Administration.

**ENDORSEMENT TO EXTEND THE DATE OF THE NEXT PERIODICAL  
SURVEY UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF  
GRACE WHERE REGULATION 12.6 OR 12.7 APPLIES\*\***

The next periodical survey date of the ship shall, in accordance with regulation 12.6/12.7\* of the Convention, be accepted to be extended until .....

(Date)

Signed.....  
(Signature of duly authorized official)

Place.....

Date.....

(Seal or stamp of the authority, as appropriate)

\*\*This page of the endorsement at survey shall be reproduced and added to the Certificate as considered necessary by the Administration.

**ENDORSEMENT FOR ADDITIONAL SURVEY\*\***

THIS IS TO CERTIFY that at an additional survey based on regulation 11 of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed.....  
*(Signature of duly authorized official)*

Place.....

Date.....

*(Seal or stamp of the authority, as appropriate)*

\*\*This page of the endorsement at survey shall be reproduced and added to the Certificate as considered necessary by the Administration.

**SUPPLEMENT TO:  
INTERNATIONAL CERTIFICATE ON INVENTORY OF HAZARDOUS MATERIALS**

*Notes:*

- 1 This supplement shall be permanently attached to the International Certificate on Inventory of Hazardous Materials. The Certificate shall be available on board the ship at all times.
- 2 If the language of the original supplement is not English, French or Spanish, the text shall include a translation into one of these languages. The Administration may, however, issue the supplement drawn up in only official language of the issuing Party to ships not engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention.
- 3 Unless otherwise stated, regulations mentioned in the following refer to regulations of the International Convention for the Safe and Environmentally Sound Recycling of Ships. References in the following made to guidelines refers to Guidelines for the Development of the Inventory of Hazardous Materials accompanying the Convention.

**1 Particulars of the ship**

1.1	Name of ship	
1.2	IMO Number	
1.3	Distinctive number or letters	

**2 Inventory of Hazardous Materials**

Attached inventory of hazardous materials identification/verification number: .....

Note: The inventory of hazardous materials should be compiled on the basis of the standard format shown in the attachment to this supplement.

THIS IS TO CERTIFY that this supplement was correct in all respects at the date of issue

Issued at.....

(Place of issue of certificate)

.....

(Date of issue)

.....

(Signature of duly authorized official issuing  
the certificate)

(Seal or stamp of the authority, as appropriate)

\* \* \*

## APPENDIX 4

### FORM OF THE INTERNATIONAL READY FOR RECYCLING CERTIFICATE

#### INTERNATIONAL READY FOR RECYCLING CERTIFICATE

(Note: This Certificate shall be supplemented by the Inventory of Hazardous Materials and the Ship Recycle Plan)

(Official seal)

(State)

Issued under the provisions of the International Convention for the Safe and Environmentally Sound Recycling of Ships (hereinafter referred to as the Convention) under the authority of the Government of

.....

*(full designation of the country)*

by.....

*(full designation of the competent person or organization authorized under the provisions of the Convention)*

#### ***Particulars of the Ship***

Name of Ship	
Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number*	
Name and address of shipowner	
Date of Construction	

#### ***Particulars of the Ship Recycling Facility***

Name of Ship Recycling Facility	
Distinctive recycling company identity number*	
Full address	
Number of DASR	
Date of DASR	

\* This number is based on the Document of Authorization to conduct Ship Recycling (DASR).



THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation [11] of the Convention.
- 2 That the ship has a valid Inventory of Hazardous Materials as in accordance with regulation [7] of the Convention.
- 3 That a Ship Recycling Plan has been developed in accordance with the provisions of regulation [9] of the Convention.
- 4 That the Ship Recycling Facility where this ship is to be recycled holds a valid authorization in accordance to the Convention.

This certificate is valid until .....  
(Date)

Issued at.....  
(Place of issue of certificate)

.....  
(Date of issue)

.....  
(Signature of duly authorized official issuing  
the certificate)

(Seal or stamp of the authority, as appropriate)

**SUPPLEMENT TO:  
INTERNATIONAL READY FOR RECYCLING CERTIFICATE**

Notes:

- 1 This supplement shall be permanently attached to the International Ready for Recycling Certificate. The Certificate shall be available on board the ship at all times.
- 2 If the language of the original supplement is not English, French or Spanish, the text shall include a translation into one of these languages. The Administration may, however, issue the supplement drawn up in only official language of the issuing Party to ships recycled in ship recycling facilities under the jurisdiction of the issuing Party.
- 3 Unless otherwise stated, regulations mentioned in the following refer to regulations of the International Convention for the Safe and Environmentally Sound Recycling of Ships. References in the following made to guidelines refers to Guidelines for the Development of the Inventory of Hazardous Materials accompanying the Convention.

**1 Particulars of the ship**

1.1	Name of ship	
1.2	IMO Number	
1.3	Distinctive number or letters	

**2 Inventory of Hazardous Materials**

Attached inventory of hazardous materials identification/verification number: .....

Note: The inventory of hazardous materials should be compiled on the basis of the standard format shown in the attachment to this supplement.

**3 Particulars of the Ship Recycling Plan**

- 3.1 Ship Recycle Plan identification/verification number.....
- 3.2 Ship Recycle Plan verification date .....
- 3.3 The Ship Recycling Plan, as required by regulation 9 of the Convention, is an essential part of the International Ready for Recycling Certificate and must always accompany with the International Ready for Recycling Certificate.

THIS IS TO CERTIFY that this supplement is correct in all respects

Issued at.....

*(Place of issue of certificate)*

.....  
*(Date of issue)*

.....  
*(Signature of duly authorized official issuing the certificate)*

*(Seal or stamp of the authority, as appropriate)*

\* \* \*

## APPENDIX 5

### FORM OF THE AUTHORIZATION OF RECYCLING FACILITIES

**Document of Authorization to conduct Ship Recycling (DASR) in accordance with the requirement of the International Convention for the Safe and Environmentally Sound Recycling of Ships**

(Note: This Document of Authorization to conduct Ship Recycling (DASR) shall include a supplement)

*(Official seal)*

*(State)*

Issued under the provision of the International Convention for the Safe and Environmentally Sound Recycling of Ships under the authority of the Government of:

.....  
*(full designation of the country)*

By.....

*(full designation of the competent person or organisation authorized under the provisions of the Convention)*

Name of Ship Recycling Facility	Distinctive recycling company identity no.	Full address	Working language (s)

This confirms that the above named Ship Recycling Facility has implemented management systems, procedures and techniques necessary for the conduct of ship recycling in a safe and environmentally sound manner, in accordance with the Convention, and is, therefore, authorised to receive ships for recycling.

This authorization is valid until .....  
(date)

subject to periodic renewal in accordance with Regulation xx and to any limitations as identified in supplement A.

Issued at.....  
(place of issue of the authorization)

.....  
(Date of issue)

.....  
(Signature of duly authorized official issuing the authorization)

(Seal or stamp of the authority, as appropriate)

**SUPPLEMENT TO:**  
***DOCUMENT OF AUTHORIZATION TO UNDERTAKE SHIP RECYCLING (DASR) IN  
ACCORDANCE WITH THE INTERNATIONAL CONVENTION FOR SAFE AND  
ENVIRONMENTALLY SOUND RECYCLING OF SHIPS***

Notes:

- 1 This record shall be permanently attached to the DASR. The DASR shall be available at the ship recycling facility at all times.
- 2 All procedures, plans and other documents produced by the ship recycling facility and required under the terms to which the DASR has been issued shall be available in the working language of the facility and in either English, French or Spanish.
- 3 The authorization is subject to the limitations defined by this supplement.

## **1 GENERAL TERMS**

### **1.1 Recycling Facility Management Plan**

The ship recycling facility have established and implemented operational management procedures and plans contained in the following document:

Recycling Facility Management Plan for: .....  
(developed in accordance to guidelines to be developed by the Organization).

### **1.2 Recycling Facility Management capability**

The ship recycling facility management has demonstrated knowledge of the use of the Inventory of Hazardous Materials and Ship Recycling Plan by:

.....

### **1.3 Acceptance of ships**

For ships falling under the scope of this convention, the ship recycling facility can only accept a ship for recycling when the ship is certified by the Administration or organizations recognized by it as ready for recycling verified by a valid International Ready for Recycling Certificate (IRRC);

## **2 CAPABILITY OF SHIP RECYCLING FACILITY**

### **2.1 Number of slots and their capacity**

Number of slots operated by the facility: .....

The ship recycling facility can only accept a ship for recycling in the following size category/categories:

**Slot No. 1**

Maximum size		
Length	Breadth	[Lightweight]

**Slot No. 2**

Maximum size		
Length	Breadth	[Lightweight]

**Slot No. 3**

Maximum size		
Length	Breadth	[Lightweight]

Additional slots if any:

**Slot No. ...**

Maximum size		
Length	Breadth	[Lightweight]

## 2.2 Ship type limitations

The ship recycling facility [can only][cannot] accept a ship for recycling in the following size category/categories:

	Dry cargo	Wet cargo	Passenger	[other]
<b>Slot No. 1</b>				
<b>Slot No. 2</b>				
<b>Slot No. 3</b>				
<b>Slot No. ..</b>				

The facility is [designed, constructed and] operated in order to recycle the following ship types in addition to those above:

Additional ship types: .....

## 2.3 Removal, storage and disposal of hazardous materials and waste

[The ship recycling facility is designed, constructed and operated for the safe and environmental sound removal of the following substances:

	Asbestos	PCB	Heavy metals	Other	Ships waste	
					Wet	Dry
<b>Hazardous Materials/ Waste Category</b>						

]

[The facility has on-site storage capability for the following hazardous materials/waste categories:

	Hazardous liquids	Heavy metals	Paint and coatings that are highly flammable and/or lead to toxic releases during cutting	Asbestos	PCB	CFC and Halons	Other waste	Ships waste	
								Wet	Dry
Site storage									
Capacity (by volume or weight)									

]

The facility has the capacity to store the following hazardous materials/waste categories on-site in a safe and environmentally sound manner:

	Asbestos	PCB	Heavy metals	Other	Ships waste	
					Wet	Dry
Site storage						
Capacity (by volume or weight)						

The ship recycling facility has either;

- 1 established sites for final disposal for the following hazardous materials/waste categories in a safe and environmentally sound manner:

	Asbestos	PCB	Heavy metals	Other	Ships waste	
					Wet	Dry
Disposal						

- 2 established procedures for the final disposal for the following hazardous materials/waste categories in a safe and environmentally sound manner by sub-contracting as follows:

	Asbestos	PCB	Heavy metals	Other	Ships waste	
					Wet	Dry
Contractor						

The ship recycling facility shall make every effort to ensure that all disposals of wastes deriving from the ship recycling activity shall be safe and environmentally sound and in compliance with the Convention and all relevant local or national regulations/ requirements.

### **3 SAFETY**

The ship recycling facility has implemented appropriate precautions in order to avoid any accidents with focus on safeguarding human health and the environment.

#### **3.1 Ship Recycling Plan**

No recycling work can be started until:

- the ship recycling facility can demonstrate compliance between the capability of the ship recycling facility and the associated characteristics of the vessel; and
- a ship specific Ship Recycling Plan:
  - has been developed in (the) language(s) required by the DASR;
  - is available for inspection by officers of the Administration or organizations recognised by the Administration;

Procedures for establishing capability compliance and Ship Recycling Plans are contained in the attachment to the Recycling Facility Management Plan in document:

.....

#### **3.2 Safe for hot work**

The facility is capable to establish and maintain “gas-free-for-hot-work” throughout the ship recycling process. Procedures for ensuring gas free atmospheres safe for workers presence and hot work operations are contained in attachment to the Recycling Facility Management Plan in document:

.....

#### **3.3 Accident prevention measures**

Procedures for safe ship recycling have been established and are contained in the attachment to the Recycling facility Management Plan in document;

.....

The procedures cover:

<b>Theme</b>	<b>Included</b>
Workers’ training	
Spillage prevention	
Incident reporting	



### 3.4 Emergency preparedness and response

The ship recycling facility has established plans for emergency, preparedness and response covering the emergency capacity and taken into account the relevant guidelines developed by the Organization. This is contained as an attachment to the Recycling Facility Management Plan in document:

.....

This authorization is subject to periodic emergency drills – every 6 months. The emergency preparedness and response plan contain instructions for such drills. For the period of which this authorisation is valid, the following drills are to take place:

Drill 1: .....  
Drill 2: .....  
Drill 3: .....  
Drill 4: .....  
Drill 5: .....  
Drill 6: .....

### 3.5 Workers safety and training

Plan for training of workers incorporating all operational procedures and integrating all safety aspects are attached to the Recycling Facility Management Plan in document.

.....

Personal protective equipment is provided for all workers engaged in the ship recycling operation inclusive as follows;

Personal protective equipment	Included
Head protection	
Face and eye protection	
Hand and foot protection	
Respiratory protective equipment	
Hearing protection	
Protectors against radioactive contamination	
Appropriate clothing	
Protective measures against falls	

## 4 STATEMENT OF COMPLETION AND REPORTING

It is the responsibility of the ship recycling facility to issue a Statement of Completion (SOC) following the finalisation of the recycling process. The facility has developed a standard format for issuing such statements. This is attached to the Recycling Facility Management Plan in document:

.....

\* \* \*

## APPENDIX 6

### FORM OF THE STATEMENT OF COMPLETION OF SHIP RECYCLING

#### STATEMENT OF COMPLETION OF SHIP RECYCLING

This document is a statement of completion of ship recycling for

.....  
(name of the ship when it was received for recycling/at the point of deregistration)

#### *Particulars of the Ship as received for recycling*

Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number <sup>†</sup>	
Name and address of shipowner	
Date of Construction	

THIS CONFIRMS THAT:

3. The ship has been recycled in accordance with the International Convention for the Safe and Environmentally Sound recycling of Ships at

.....  
(name and location of the authorized ship recycling facility)

4. and the recycling of the ship as required by the Convention was completed on:

.....(date of completion)

Issued at.....  
(Place of issue of the Statement of Completion)

.....  
(Date of issue)

.....  
(Signature of the owner of the recycling facility or a representative acting on behalf of the owner)

\* \* \*

**APPENDIX 7**  
**REPORTING FORMS**

[To be developed]

\*\*\*



## ANNEX 3

### INFORMATION FROM NORWAY Proposal on hazardous substances

#### **Perfluoro-octane sulfonat (PFOS) and PFOS-related substances, C<sub>8</sub>F<sub>17</sub>SO<sub>2</sub>X (X = OH, metalsalts, halogenids, amids and other derivates including polymers)**

PFOS-related substances have been used in a variety of industrial applications and consumer products since the 1950s, mainly due to their capability to create particular surface properties. Applications range from textile- and paper treatment and a variety of other areas within the coating industries, to chromium plating, hydraulic fluids (for aviation) and fire fighting foam; the latter in which it enables film formation.

#### **Effects:**

In studies of mammals, the substance has been shown to be chronically toxic and injurious to reproduction. PFOS is also suspected to be carcinogenic. Studies have also shown that PFOS is toxic for aquatic organisms. PFOS does not break down in nature and monitoring data show that PFOS is widely distributed in the environment in Nordic Countries including Norway (TemaNord 2004, Annex 3 and SFT 2005, Annex 4). The substance has been found in relatively high levels in human blood and in animals, including in the Arctic. It is being proposed that PFOS is classified as toxic (T; R48/25), possible danger of cancer (Carc. Cat. 3; R40) and injurious to reproduction (Repr. Cat. 2; R61).

EUs Scientific Committee on Health and Environmental Risks (SCHER) concluded that PFOS is very persistent, very bioaccumulative and toxic. PFOS has a potential for long range environmental transport and has the potential to produce adverse effects and therefore fulfil the criteria for being considered as persistent organic pollutants (POPs) under the Stockholm Convention.

#### **Regulation:**

The EU has adopted a directive, which bans the use of PFOS in products. This directive enters into force at the latest 27 June 2008. Due to its properties PFOS is a candidate for Annex XIV (substances subject to authorisation) of the REACH regulation. The substance is included in the Norwegian national priority list and OSPAR priority list.

#### **Application in ships:**

The main application on board ships of relevance for the Inventory is considered to be fire fighting foams of the type AFFF (Aqueous Film Forming Foams). Although the use of PFOS in new AFFF has been phased out by the major manufacturers in recent years, stockpiles of foams containing PFOS still exist and may be used. Old stock of PFOS-containing AFFF may also be mixed with new PFOS-free AFFF. PFOS-containing AFFF could in principle be applied board a range of ship types, but the larger volumes are usually installed on vessels carrying inflammable fluids, and on vessels with helicopter deck. Volumes normally range from some 100 litres to 10,000 litres, depending on the type and size of the vessel. The foam is typically stored in one tank serving a main system, potentially with additional smaller and separate devices (for example 20 litres), usually in the machinery room(s). Concentration of PFOS normally lay within 0.017-0.037 kg/litre foam.

### **Brominated Flame Retardant: HBCDD (CAS 25637-99-4)**

The main application of HBCD is as a flame retardant in expanded polystyrene (EPS) and extruded polystyrene (XPS), which are commonly used insulation materials in the building and construction industry.

#### **Effects:**

HBCDD is very toxic to aquatic organisms, persistent and may cause long-term adverse effects in the aquatic environment. HBCDD is concluded to be a PBT substance and has potential for long-range transport. The persistence of HBCDD is documented by the fact that it can be found in remote areas (Arctic) and accumulates in top predators. HBCDD is classified and labelled as dangerous for the environment with N; R 50-53, but health classification is pending.

#### **Regulation:**

Due to the PBT properties HBCDD is a candidate for Annex XIV (substances subject to authorisation) of the REACH regulation. The substance is included in the Norwegian national priority list and OSPAR priority list.

#### **Application in ships:**

The main application involving HBCDD on board ships is considered to be expanded polystyrene (EPS) used for cryogenic insulation, such as for liquefied gas tanks (LGT), but also for refrigerator areas and similar. On larger LGT carriers for example, volumes of EPS insulation could potentially range up to several thousand cubic metres, depending on type and size of the vessel.

### **Trichlorobenzene (TCB) (Selected substance: CAS No. 120-82-1)**

TCB has traditionally been used as a solvent within the textile colouring industry, in anticorrosive agents and as a dielectric fluid in high voltage transformers and large capacitors; commonly as an additive to polychlorinated biphenyls (PCB) to reduce the viscosity of such fluids.

#### **Effects:**

TCB is very toxic to aquatic organisms, bioaccumulating and persistent. Furthermore TCB is concluded to be a PBT substance and has potential for long-range transport. The substance is classified and labelled as dangerous for the environment with N; R 50-53, harmful if swallowed Xn, R22 and irritating to skin Xi, R 38.

#### **Regulation:**

The substance is included in the Norwegian national priority list and OSPAR priority list.

### **Application in ships:**

The main potential relevant applications on board ships are considered to be PCB-containing dielectric fluids in high voltage transformers and large capacitors; however, these are not considered common onboard ships in general. Era of manufacturing is relevant as for PCB; components produced before the mid 1980s is more likely to contain TCB. High voltage *transformers* with a dielectric fluid could typically be found on ships where transforming from voltage >1000 V to lower voltage (for example onboard most cruise vessels and many offshore supply ships) and in some cases from lower voltage to higher voltage. Large *capacitors* may have been used on board ships in connection with larger electrically driven equipment; most likely electrically driven cranes and winches. The volume of potential TCB containing dielectric fluid could characteristically range from some decilitres (in capacitors) to several litres (larger transformers); containing TCB at a concentration of about 10% by volume.

---