



THIRD ITEM ON THE AGENDA

**Effect to be given to the
recommendations of sectoral
and technical meetings****Joint ILO/IMO/Basel Convention Working
Group on Ship Scrapping (Third Session),
29–31 October 2008**

1. At its 301st Session (March 2008), the Governing Body authorized the holding of the Third Session of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping, with a composition of ten ILO (five Employer and five Worker) representatives, five Basel Convention (BC) representatives and five IMO representatives. The ILO hosted the Third Session of the Joint Working Group (JWG) in Geneva from 29 to 31 October 2008. Copies of the full report¹ of the Third Session of the JWG are available upon request. The report will be submitted to the 59th Session of the IMO Marine Environment Protection Committee and to the Seventh Session of the Open-ended Working Group of the Conference of the Parties to the Basel Convention.
2. The JWG continued to consider the current work programmes of the pertinent bodies of the respective organizations on the issue of ship scrapping. Issues dealt with included joint technical cooperation projects and interim measures to be taken prior to the entry into force of the draft IMO Convention on ship recycling discussed below.
3. The JWG discussed a joint proposal for a Global Programme for Sustainable Ship Recycling and agreed to support the general approach, inviting members and observers to assist in further developing the Programme and calling on the three secretariats to report to their respective governing bodies on progress made.
4. Another item discussed extensively by the JWG was the issue of interim measures. The JWG recognized a number of principles and practical measures that it adopted as recommendations.

¹ Joint ILO/IMO/BC Working Group on Ship Scrapping, Third Session, agenda item 6, Final report, ILO/IMO/BC WG 3/6, 31 Oct. 2008, also available at www.ilo.org/public/english/dialogue/sector/techmeet/iloimobc08/item6.pdf.

5. There was a consensus that the work of the JWG had proved beneficial in terms of inter-agency cooperation and would probably continue to be so in the future. The timing of further meetings of the JWG would be determined by actual needs.
6. At its 297th, 298th and 300th Sessions,² the Governing Body considered developments in relation to the decision by the IMO to develop a new, legally binding instrument on ship recycling.³ The proposed instrument, known as the draft International Convention for the Safe and Environmentally Sound Recycling of Ships (“draft Convention”), addresses in particular flag State and shipowners’ responsibilities relating to the recycling of their ships, and the responsibilities of governments in regulating the operation of ship recycling facilities. The draft provisions include requirements relating to the safety and health of workers involved in shore-based activities in ship recycling yards.
7. The ILO has sought to ensure that the provisions of the IMO Convention complement and do not supplant ILO standards, in particular in relation to occupational safety and health.
8. It is also important to ensure that the guidelines being developed under the IMO Convention would recognize and operate consistently with ILO standards and with voluntary ILO guidelines, especially those endorsed by the Governing Body in the publication *Safety and health in shipbreaking: Guidelines for Asian countries and Turkey*.⁴ The IMO and the Conference of Parties to the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal (Basel Convention) have also each adopted voluntary guidelines related to shipbreaking.⁵
9. At its 297th, 298th and 300th Sessions, the Governing Body reviewed the efforts undertaken by the Office to ensure that ILO concerns were taken into account in the drafting of the IMO Convention. The Governing Body encouraged the Office to continue participating in IMO work to develop the draft Convention, emphasized the importance of complementarity and effective coordination between different organizations, and instructed the Office to report on relevant developments. In line with these decisions, the Office participated in the IMO Inter-sessional Ship Recycling Working Group meetings (May 2007, January 2008, September–October 2008) and the Marine Environment Protection Committee (MEPC) 56 (July 2007), 57 (April 2008) and 58 (October 2008).
10. The Office efforts have secured a better understanding and awareness of the relevance of ILO standards and guidelines to the issues to be addressed by the draft Convention. The proposed wording of the Convention clarifies that “Nothing in this Convention shall

² For November 2006, see GB.297/19/3, GB.297/19/3(Add.) and GB.297/PV, paras 261–265; for March 2007, see GB.298/STM/7/1, GB.298/12(Rev.) and GB.298/PV, para. 263; for November 2007, see GB.300/20/2 and GB.300/PV, paras 341–344.

³ See IMO Assembly resolution A.981(24) (Dec. 2005). A diplomatic conference has been convened in Hong Kong, China, in May 2009 to adopt the draft Convention.

⁴ See GB.289/205, para. 52 (Mar. 2004).

⁵ See *Technical guidelines for the environmentally sound management of the full and partial dismantling of ships*, adopted by the Sixth Meeting of the Conference of Parties to the Basel Convention on 13 December 2002 by Decision VI/24, and the IMO *Guidelines on ship recycling* (2003), resolution A.962(23), as amended by resolution A.980(24).

prejudice the rights and responsibilities of Parties under other relevant and applicable international agreements”.⁶

11. The draft Convention was finalized by MEPC 58 in October 2008, and is being submitted for adoption to an IMO International Conference on the Safe and Environmentally Sound Recycling of Ships, to be held in Hong Kong, China, 11–15 May 2009.
12. It would appear useful for the ILO to continue coordination with the IMO in order to ensure that legal instruments, when developed, are complementary. It would also be helpful for ILO Members to take steps to ensure that their national delegations participating in the IMO International Conference in Hong Kong, China, are made aware of the relevant ILO instruments with a view to a coherent and complementary approach to occupational safety and health in the context of ship recycling activities.
13. The MEPC 58 of the IMO established a Correspondence Group on Ship Recycling to develop two guidelines under the Convention: Guidelines for the development of the inventory of hazardous materials and the Guidelines for safe and environmentally sound ship recycling. The task of the Correspondence Group is to develop and, if possible, finalize the two Guidelines for the MEPC 59 to take place in July 2009.⁷
14. ***Bearing in mind the information provided above, the Committee may wish to invite the Governing Body to:***
 - (a) ***take note of the report of the Third Session of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping; and***
 - (b) ***express its views in relation to continued participation by the ILO in the development of the IMO draft Convention and the accompanying guidelines.***

Geneva, 12 January 2009.

Point for decision: Paragraph 14.

⁶ See Consideration of the draft international Convention for the Safe and Environmentally Sound Recycling of Ships, International Conference on the Safe and Environmentally Sound Recycling of Ships, agenda item 6, SR/CONF/2, 3 November 2008.

⁷ See MEPC 58/WP.4, Annex 2.