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JOINT ILO/IMO/BC WORKING GROUP ON  
SHIP SCRAPPING  
3rd session  
Agenda item 2

ILO/IMO/BC WG 3/2/2  
1 September 2008  
ENGLISH ONLY

## OUTCOME OF THE 2<sup>ND</sup> SESSION OF THE JOINT WORKING GROUP

### Work programme of the Basel Convention on ship recycling

#### Note by the Secretariat of the Basel Convention

#### SUMMARY

<i>Executive summary:</i>	This document provides information on the work programme of the Basel Convention on the issue of ship recycling.
<i>Action to be taken:</i>	Paragraph 11
<i>Related documents:</i>	ILO/IMO/BC WG 3/3/1 (Global Programme for Sustainable Ship Recycling), ILO/IMO/BC WG 3/2/4 (Cooperation of the three Secretariats)

### The work programme of the Basel Convention since the 2nd session of the JWG on Ship Scrapping

1 Prior to the second session of the Joint Working Group of the ILO, IMO and Basel Convention on Ship Scrapping (JWG2), the IMO Assembly adopted a resolution requesting the Marine Environment Protection Committee (MEPC) of the IMO develop a new legally binding instrument on ship recycling (“the ship recycling convention”). Since this time, the work programme of the Basel Convention has focused on the negotiations underway in IMO’s MEPC and short-medium term measures to improve the conditions experienced in ship recycling countries, prior to the entry-into-force of the ship recycling convention.

### Ninth meeting of the Conference of the Parties to the Basel Convention

2 The Conference of the Parties, the primary organ of the Convention, held its ninth meeting in Bali, Indonesia, from 23 to 27 June 2008 (COP9). A Contact Group on Ship Dismantling was convened during the meeting to continue discussions on the environmentally sound management of ship dismantling, with specific reference to the Draft International Convention on the Safe and Environmentally Sound Recycling of Ships and international cooperation and technical assistance activities in this area, including the activities of the Joint Working Group of the International Labour Organisation, the International Maritime Organisation and the Basel Convention on Ship Scrapping.

3 In its decision, COP9 welcomed the progress made in the development of the ship recycling convention by the International Maritime Organization. In this regard, it:

.1 Invited the International Maritime Organization to continue to have due regard to the role, competence and expertise of the Basel Convention in matters related to ship dismantling and in particular with respect to the environmentally sound management and disposal of hazardous wastes and other wastes;

.2 Invited the International Maritime Organization to continue to incorporate clear responsibilities of all stakeholders in ship recycling, including ship owners, ship recycling facilities, flag States and ship recycling States, with a view to achieving the safe and environmentally sound management of ship recycling, also taking into account their current capacity and the common but differentiated responsibilities and sovereign rights of the Parties;

4 In the same decision, COP9 established a process by which it may assess whether the ship recycling convention establishes an equivalent level of control as that established under the Basel Convention, whilst noting that the duplication of regulatory instruments that have the same objective should be avoided. This recalled the decision adopted by the eighth meeting of the Conference of the Parties, which also called for an equivalent level of control as that established under the Basel Convention. COP9 thus invited the next session of the Open-ended Working Group, a subsidiary body of the COP:

.1 To carry out a preliminary assessment on whether the ship recycling convention, as adopted, establishes an equivalent level of control and enforcement as that established under the Basel Convention, in their entirety, after having developed the criteria necessary for such assessment, and, in doing so, to take into account:

- i. The special characteristics of ships and international shipping;
- ii. The principles of the Basel Convention and the relevant decisions of the Conference of the Parties; and,
- iii. The comments submitted by Parties and other relevant stakeholders, as appropriate;

.2 To transmit the results of the assessment to the Conference of the Parties at its tenth meeting for consideration and actions, as appropriate.

5 Recognising the need to establish criteria by which the equivalency of the ship recycling convention may be assessed, COP9 also invited Parties to provide comments to the Secretariat of the Basel Convention on appropriate criteria to be used by 31 January 2009. It is anticipated that the seventh session of the Open-ended Working Group which will consider this matter will be convened in 2010, and will report to the tenth meeting of the Conference of the Parties in 2011.

6 Highlighting the importance of cooperation amongst entities involved in ship dismantling, in particular, the International Labour Organisation, the International Maritime Organisation and the Basel Convention, and the need for technical assistance activities, COP 9 also:

.1 Invited Parties and others to continue to transmit to the Secretariat relevant information that may assist stakeholders in developing measures to address, in the short and medium term, the potentially harmful consequences of ship dismantling on human health and the environment and requested the Secretariat to continue to make information received available on the Basel Convention website;

.2 Welcomed the development of implementation programmes relating to sustainable ship recycling and requested the Secretariat, subject to the availability of funding, to continue its work and to develop further the programmes for sustainable ship recycling<sup>1</sup> in conjunction with other bodies, in particular, the International Maritime Organisation and the International Labour Organization, and to report thereon to the Open-ended Working Group at its seventh session for its consideration and for the Open-ended Working Group to report thereon to the Conference of the Parties at its tenth meeting;

.3 Requested Parties and other stakeholders in a position to do so to make financial or in-kind contributions to the implementation of activities under the relevant programmes.

### **Action taken by the Secretariat of the Basel Convention on technical assistance**

7 In 2006, as a result of generous contributions from the United Kingdom and the Netherlands, the Secretariat commenced a work programme to improve the implementation of the Basel Convention Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships. Under this programme, the Guidelines were translated into the languages of the main ship recycling nations and made available on the Basel Convention website (<http://www.basel.int/ships/techguid.html>).

8 A feasibility study was completed by an independent consultant in November 2006, outlining potential actions for the Secretariat to undertake to improve the implementation of the Technical Guidelines. One of the suggested actions was to conduct training programmes in the main ship recycling countries on the content of the Guidelines. The Secretariat informally consulted a variety of stakeholders on this proposal in August 2007, when it became apparent that a more holistic approach would be required to improve both the implementation of the Guidelines, and the conditions experienced at ship recycling facilities in these countries.

9 The Secretariat therefore developed, with the Secretariats of the IMO and ILO, the Global Programme for Sustainable Ship Recycling, a collaborative effort aimed at improving the occupational safety and health and environmental conditions in ship recycling countries by promoting the implementation of the three organisations' guidelines and the International Convention on the Safe and Environmentally Sound Recycling of Ships, being developed under the auspices of the IMO. Further details of the Programme's core objectives and its development can be found in document ILO/IMO/BC WG 3/3/1 entitled "Global Programme for Sustainable Ship Recycling".

10 The Secretariat held initial consultations on the Global Programme proposal in Dhaka, Bangladesh in January 2008. The report of these consultations is available on the Basel Convention website at <http://www.basel.int/ships/gpssr/index.html>. The three Secretariats continue to revise the proposal in consideration of feedback from key stakeholders, and in accordance with the proposed structure outlined in document ILO/IMO/BC WG 3/3/1.

### **Action requested of the Joint Working Group**

11 The Joint Working Group is invited to take into account the information provided in its deliberations and, in particular, to encourage relevant Parties to provide comments on appropriate criteria by which the equivalency of the ship recycling convention may be assessed to the Secretariat of the Basel Convention by 31 January 2009.

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<sup>1</sup> Referred to as the 'Global Programme for Sustainable Ship Recycling' by the Secretariats of the International Maritime Organisation, International Labour Organisation and the Basel Convention.