

Joint BAN and Greenpeace Statement on Illegal Traffic in Ships-As-Waste

7 July 2005, delivered at the 4th Session of the Basel Open Ended Working Group

Greenpeace and BAN would like to ask for your attention for the illegal traffic of End-of-life-ships that become waste under the convention.

While we debate legal competencies, and what is ESM, and how to implement guidelines, it is estimated that there occurs one death per day in this brutal business, be it by explosions or by the slow and even more horrible death from cancer.

Imagine for a moment if we were to have to bear witness to the funerals and caskets and the faces of the families in this ongoing tragedy for the vast number that have died since we have been debated this issue since 1998.

Greenpeace and BAN calls upon the Parties to match their willingness to debate this matter and request comments from one another, with actions in their power and to fulfill their obligations presently under the Convention to begin to halt what is really an international capital crime.

To be very specific Greenpeace and BAN calls upon the Parties to start systematic monitoring and enforcement programmes to stop illegal traffic in ships as waste where it occurs and where applicable. We specially call upon ship dismantling states to enforce the notification and consent provisions of the Basel Convention for all incoming ships that either have no inventory or are known to contain hazardous materials in their construction.

Abandoned ships are waste as they are simply disposed of as a whole. Government owned ships become waste as soon as the intent to dispose has been made public. Single-hulled tankers become waste by law as soon the requirement to leave the oil market by the provisions of national law resulted in a decision to dispose the tanker.

These are clear cut cases and all of those ships sent to be dismantled result in illegal traffic when sent to the scrap yards without notification, without consent, on the basis of falsified documents or that result in deliberate disposal of hazardous wastes in contravention of this convention.

It is generally known this is also the case for the rest of the commercial fleet of end-of-life ships but sometimes it may be difficult to prove and difficult to enforce because of the non-transparency of the shipping industry that is backed by flag state administrations.

But for abandoned ships, for government owned ships and for single hulled tankers that are phased out and are going for dismantling it is crystal clear that these ships are waste.

The shipping industry is the generator of the waste, and it is clear that the exporting state according to the Convention can be the flag state, or the state with jurisdiction over the owner, exporter or one in possession of the ship at any point in time. There are in fact far too many enforcement obligations that are not being fulfilled in accordance with existing law and which must be fulfilled in order to save lives.

Distinguished delegates, while we talk, real people die. It is the job of all of us to reflect deeply on this and do all we can now to enforce the Basel Convention for the widespread illegal trafficking in end-of-life ships.

END