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India / Shipbreaking Ruling

Human Rights and Environmental Groups Condemn India for Callous Disregard for its Poorest Labourers and the Law after Shipbreaking Ruling

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Description :

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The NGO Platform on Shipbreaking, a global coalition of environmental, labour and human rights organisations, today condemned the Indian Supreme Court's September 11th decision to allow the demolition of the asbestos laden ocean liner SS Blue Lady (formerly SS France, SS Norway).

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The NGO Platform on Shipbreaking, a global coalition of environmental, labour and human rights organisations, today condemned the Indian Supreme Court's September 11th decision to allow the demolition of the asbestos laden ocean liner SS Blue Lady (formerly SS France, SS Norway).

Since June of last year the Platform has provided indisputable evidence to the Indian Supreme court that the SS Blue Lady contains large amounts of hazardous materials that can not be dealt with in a safe and environmentally sound manner on the beaches of Alang, India. The Platform has also unfailingly notified the Court that allowing the dismantling of this toxics laden cruise liner is in breach with India's own laws and commitments to international labour rights and environmental Conventions. Despite this, the vessel was allowed to be beached on 17 August 2006 and will now be dismantled in Alang at the inevitable cost of workers' lives and environmental contamination. Just days previous, on September 6th, the Supreme Court passed a judgement calling for all ships coming into India destined for breaking to be emptied of all hazardous materials before export to India. Bangladesh already refused to dismantle the SS Blue Lady in February 2006 due to the large amounts of hazardous wastes on board.

"The Blue Lady ruling yesterday makes a mockery of the Indian judicial system and shows it has no respect for their own rulings, and international law, but likewise has officially condemned the shipbreaking workers to death by accident or from occupational disease such as asbestosis and cancer," said Ingvild Jenssen, Platform coordinator. "This ruling sends an unmistakable signal that India does not care about the welfare of its poorest most desperate workers."

After the EU's legal judgement to have the ex-aircraft carrier Clemenceau returned in compliance with the international Basel Convention in 2006, the Alang industry and their associates in government have been desperate to give India's internationally condemned shipbreaking industry a boost. According to the Platform, the Blue Lady was illegally beached to achieve this objective and will now be illegally broken.

No full inventory of the hazardous materials onboard the vessel was provided to the Indian Government before the vessel entered Indian territorial waters, as is required by the UN Basel Convention and under Indian law. The permission to beach the vessel was based on a flawed visual inspection of the vessel by a Technical Committee established for this purpose and formed as well as chaired by the same agencies that stand accused of violating the law in shipbreaking matters. No samplings of polychlorinated biphenyls (PCBs) were made which typically exist in large amounts in ships of this vintage; the Committee failed to note the presence of 5,500 fire detection points containing radioactive substances; and the well over 1,000 tons of asbestos contaminated materials known to be on board were said to be of no concern. This was stated despite the admission that 16% of the workers in Alang were found to have beginning signs of asbestosis, a respiratory disease which can lead to cancer and then to death.

The Platform has made the court fully aware that India lacks the capacity to properly destroy PCBs in accordance with the UN Stockholm Convention; that there is no capacity for managing the large number of radioactive materials discovered; and as India still refuses to ban all forms of asbestos use, and actually allows the recycling of this globally condemned substance, it will be allowed to continue to kill unsuspecting workers and buyers of asbestos containing materials.

The Court has consistently chosen to ignore the Platform's submissions to the SS Blue Lady case; they have also paid no attention to the concerns of 30.000 villagers living in the surrounding areas of the Alang yards. These have in a petition to the Court in March 2007 asserted that asbestos dust is regularly contaminating the vicinity of the yards, including their living quarters, and that oil spills cause a serious threat to their livelihood as fisherman.

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"The shipbreaking industry as operating today in India is an aberration against all norms of decency and humanity. By continuing to protect it, rather than reform it, India will soon find itself as a pariah among nations, and ironically their dirty business will be denied by the rest of the global community and hence fade out" said Gopal Krishna, Platform representative in India. "Its time for India to wake up."

The Platform is now considering its next legal steps and intends to challenge the ruling in national and global arenas.