



Extrait du Worldwide Movement for Human Rights

<https://www.fidh.org/en/issues/globalisation-human-rights/The-NGO-Shipbreaking-Platform>

**The NGO Shipbreaking
Platform calls on the Prime
Minister of Bangladesh to take
action against the dumping of
end-of-life ships to stop
continuing exploitation of
Bangladeshi labourers and
degradation of coastal**

environment

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Ms Sheikh Hasina
The Honourable Prime Minister of Bangladesh
Prime Minister's Offices
Old Sangsad Bhaban Tejgaon,
Dhaka-1215
Bangladesh

Brussels, 13th December 2010

Dear Madam,

With this letter, the NGO Platform on Shipbreaking and all its member organizations as well as other undersigned persons and organizations, wish to express our great appreciation for your government's commitment and leadership to protect the environment and the precious natural resources of Bangladesh and to reinforce labour rights. Such a commitment toward sustainability and respect of human rights in Bangladesh improves our fragile planet's hope for a sustainable future worldwide.

With this letter we seek your judicious and appropriate intervention against the dumping of hazardous end-of-life ships primarily by western, foreign owners, which results in the continuing exploitation of Bangladeshi labourers and coastal environment. It is unacceptable that the European countries protect their own beaches and labourers and refuse to take the responsibility for dismantling or pre-cleaning their own ships in their own facilities. Yet due to the higher costs involved in the safe and sound pre-cleaning and dismantling of ships in proper facilities, the shipping industry continues to use countries like Bangladesh as a dumping ground for obsolete vessels laden with deadly hazardous waste materials found on board such ships including asbestos, PCBs, toxic paints, biocides, fuel residues and other hazardous substances.

These unscrupulous shipping companies and countries that represent them are organizing themselves against any attempt by national governments to put a halt to such unsustainable and exploitive exportation. Meanwhile, ship breaking on Bangladeshi beaches has continued to expand at an ever-increasing rate with a commensurate increase in death and accidents (which do not even begin to reflect the numbers of workers impacted from toxic heavy metals, PCBs and asbestos) with occupational diseases such as asbestosis and cancer.

So too have the losses of coastal fishery and forests, preceded at an alarming rate due to this unregulated industry. It is worth noting that no developed country from which these ships are managed during their useful lives would ever allow the management of hazardous waste ships on their coastal beaches.

The export of obsolete ships from wealthy shipping companies and nations to the beaches of Bangladesh and other South Asian countries for scrapping is the type of scandalous exploitation that the United Nations Basel Convention - the only international Convention currently in force that applies to toxic end-of-life vessels - was designed to arrest. Decision VII/26 of the Basel Convention requires all countries to actively implement the Basel Convention for ships as a form of 'hazardous waste.' The Basel Convention requires inter alia for states to avoid the transboundary movements of wastes, and to never allow such wastes to ever go to facilities or countries that cannot operate in an environmentally sound manner (e.g. in accordance with the Basel Convention Guidelines on Ship Dismantling). Further, the Basel Convention passed Decision III/1 that forbids the export of hazardous wastes from Annex VII countries (OECD/EU and Liechtenstein) to all other countries for any reason.

It is clear that the export of ships by developed countries to Bangladesh for breaking purposes without first pre-cleaning them by the owner in an Annex VII country and outside the territory of Bangladesh is a violation of the

letter and spirit of the Basel Convention and its Decision III/1. Further they can only be received by facilities that are defined as environmentally sound in accordance with the definition of the Basel Convention. That definition calls for taking all practicable steps to ensure the protection of human life and the environment. Such is far from the case in Bangladesh. All these years these legal requirements have tactically been avoided by the owners/exporters and thus the environment of Bangladesh continues to receive irreparable harm to its ecosystem and people. This has been done in the name of economics, but the economic costs of the long-term damage to human health and the environment far exceeds the alleged benefits. And yet such externalized costs to Bangladesh are conveniently unaccounted for by those reaping short-term gain.

Continuing to allow deadly and dirty shipbreaking in the developing countries without prescribing responsibility to the shipping industry to at least first clean their ships of all hazardous waste and second move this industry off of the beaches to the docks of Chittagong, shall only mean perpetuating a human and environmental disaster which is far out of proportion to the welfare the industry provides the country and the global environment.

Now we note that the Supreme Court of Bangladesh has finally come forward to address the anarchies and hypocrisies surrounding this ship breaking industry and last year rendered a landmark and correct judgement to regulate the ship breaking industry by requiring compliance with international and national law. The directions of the Supreme Court are in accord with the international legal obligations of the exporting countries, as they require all ships entering the territory of Bangladesh to be decontaminated prior to importation. Further the Court requires compliance with all environmental regulations of Bangladesh. This is the only legal means by which ships can continue to be imported into the territory of Bangladesh - by first pre-cleaning them in an Annex VII country prior to export.

Despite this progressive step forward however, the business pressure from the shipping and shipbreaking industry is now growing high on all of the actors in Bangladesh seeking to do what is just and right for the national interest because if Bangladesh begins to comply with its international environmental commitments, it will be very difficult for any other country to not do likewise and the industry would finally have to reform and clean up its behaviour for lack of global dumping grounds.

With our confidence in your righteous thinking and humanitarian leadership, we humbly urge your full support in demanding compliance with all international and national legal requirements by the owners/sellers of ships and by shipbreaking yards. We urge your support for ensuring implementation of the Supreme Court ruling in this regard. Your committed and prudent leadership gives us the confidence that Bangladesh shall resist the undue pressure from the global and local actors of the industry. If Bangladesh manages to ensure compliance with international law it will be regarded as a global leader in defending its own territorial interest against the undue pressure from the exploitive practices of some wealthy developed nations. Moreover such a step will lead to the creation of the true global solution - pre-cleaning of vessels and green ship recycling facilities that are off our world's precious beaches.

Finally, we wish to call your attention to the efforts of the ship breakers to criminalize and threaten the public interest organizations that have challenged their deadly and damaging activities to the workers and the environment of Bangladesh. While we condemn such activities of the ship breakers. we hope you will take into consideration our concerns voiced as they are from all around the world, and with your kind intervention and guidance protect and support our members in Bangladesh in their struggle to prevent Bangladesh from being used as a global dumping ground at the expense of its environment and labour force.

We are grateful for your kind and careful consideration of our collective concern with regards to this grave problem and look forward to your righteous response to it.

Yours sincerely,

The undersigned persons and organizations appeal to the Prime Minister of Bangladesh to support the Bangladesh Supreme Court Decision to end the unsustainable and illegal shipbreaking operations on the beaches of Bangladesh and to also support and protect those individuals that seek reform of this dangerous and illegal industry:

Souhayr Belhassen, President of FIDH -

Grazia CIOCI, Acting Director, NGO Platform on Shipbreaking, Belgium -

Jim PUCKETT, Director, Basel Action Network, USA -

Marietta HARJONO, Greenpeace, Netherlands -

Eelco LEEMANS, Acting Director, The North Sea Foundation, Netherlands -

Ritwick DUTTA, Executive Director, Legal Initiative for Forest and Environment, India -

Erdem VARDAR, Director, Yuva Society, Turkey -

Nityanand JAYARAMAN, Independent Researcher and Journalist, Chennai, India-

Madhumita DUTTA, The Other Media, Chennai, India -

Gopal KRISHNA, Convener, ToxicsWatch Alliance, India -

Eivind HOFF, Bellona Europa, Belgium -

Chris CARROLL, Seas at Risk, Belgium -

Knud ANDERSEN, Chairman, The Danish Society for a Living Sea, Denmark -

Genon JENSEN, Director, Health and Environment Alliance (HEAL), Belgium -

Jyoti MHAPSEKAR, President, Stree Mukti Sanghtana, Mumbai, India -

Rico EURIPIDOU, GroundWork - Friends of the Earth SA, South Africa -

Geoffrey N. KAMESE, National Association of Professional Environmentalists (NAPE), Uganda -

S.M. Mohamed IDRIS, President, Consumers' Association of Penang, Sahabat Alam (Friends of the Earth), Malaysia -

Sanjeev KUMAR, WWF European Policy Office, Belgium -

Sasanka DEV, President, Society for Direct Initiative for Social and Health Action (DISHA), Kolkata, India -

Juliette WILLIAMS, Director, Environmental Justice Foundation (EJF), UK -

Helen MUSCAT, Chairperson, The Action for Breast Cancer Foundation, Malta -

Donald L. HASSIG, Director, Cancer Action NY, Cancer Action Network, USA -

Marie-Lou ROUX, Executive Officer, Habitat Council, South Africa -

Rey K. PALACIO, Non-Com POPs IEC Project, EcoWaste Coalition, Philippines -

Federico DEMARIA, Researcher, Autonomous University of Barcelona, Spain -

M M Mahbub HASAN, Chief Regional Officer, Coastal Development Partnership (CDP), Bangladesh -

Tracy FRISCH, President, Greenwich Citizens Committee, New York, U.S.A. -

Alan MULLER, Executive Director, Green Delaware, USA -

Madhuresh KUMAR, National Alliance of People's Movements, India -

Subash Chandra Biswas, Chairperson, Association for Sustainable - Development, Bangladesh -

Zuleica NYCZ, APROMAC - Environmental Protection Association and

TOXISPHERA - Health Environmental Association, Brazil -

Natasha HARTY, East Cork for a Safe Environment, Ireland -

Ram Charitra Sah, Executive Director, Center for Public Health and Environmental Development (CEPHED), Nepal -

Leo Saldanha, Bhargavi Rao, Mallesh K. R. and Sruthi Subbanna, Environment Support Group, India -

Yuyun ISMAWATI, BALIFOKUS Foundation, Indonesia -

Mwadhini O. MYANZA, Executive Director, Irrigation, Training and Economic Empowerment Organisation (IRTECO), Tanzania -

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