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

ILO/IMO/BC WG 3/2/1
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OUTCOME OF THE 2ND SESSION OF THE JOINT WORKING GROUP

Work programme of the Marine Environment Protection Committee on the issue of ship recycling

Note by the IMO Secretariat

SUMMARY

Executive summary: This document provides information on the work programme of the Marine Environment Protection Committee of IMO on the issue of ship recycling

Action to be taken: Paragraph 23

Related documents: MEPC 54/3, MEPC 54/21, MEPC 55/3/2, MEPC 55/23, MEPC 56/3, MEPC-ISRWG 2/2, MEPC 56/23, MEPC 57/3, MEPC 57/21, MEPC 58/3/3, TC 58/13 and Circular letter No.2703

The work programme of MEPC since the 2nd session of the JWG on Ship Scrapping

1 A few days prior to the holding of the 2nd session of the Joint ILO/IMO/BC Working Group on Ship Scrapping (hereinafter referred to as “Joint Working Group”), the IMO Assembly had adopted resolution A.981(24) on a New Legally Binding Instrument on Ship Recycling. In accordance with the above-mentioned Assembly resolution, MEPC was requested to develop a new legally binding instrument on ship recycling that would provide regulations for:

- .1 the design, construction, operation and preparation of ships so as to facilitate safe and environmentally sound recycling, without compromising the safety and operational efficiency of ships;
- .2 the operation of ship recycling facilities in a safe and environmentally sound manner; and
- .3 the establishment of an appropriate enforcement mechanism for ship recycling (certification/reporting requirements).

2 Norway submitted document MEPC 54/3 for consideration by the MEPC proposing a first draft of the text for the new legally-binding instrument for the safe and environmentally sound recycling of ships. Norway noted that this was a first draft, which had been developed

taking into account the outcome of MEPC 53, as well as relevant Basel Convention and ILO guidelines. MEPC 54, which was held from 20 to 24 March 2006, agreed to use the text proposed by Norway as a basis for the development of the draft legally-binding instrument and established a Working Group on Ship Recycling which commenced work on the draft text.

3 Regarding the need for further co-operation between IMO, ILO and the Basel Convention, and as requested by Assembly resolution A.981(24), MEPC 54 recognized the need and value of continued co-operation with ILO and the Basel Convention on the subject of ship recycling.

4 MEPC 54 also established an intersessional Correspondence Group on Ship Recycling which further developed the draft legally-binding instrument and also developed a provisional list of guidelines necessary under the draft legally-binding instrument.

5 MEPC 55 met from 9 to 13 October 2006. The Committee noted that, during the deliberations of the Correspondence Group (reported in MEPC 55/3/2), some members held the view that, instead of guidelines, a code for ship scrapping facilities should be developed to assist the regulations. The Committee by a clear majority supported the development of guidelines instead of a code.

6 MEPC 55 established a Working Group on Ship Recycling and taking into consideration submissions by Members and comments made in Plenary, it further developed the text of the draft convention and the draft guidelines for ship recycling facilities and for the development of the Inventory of Hazardous Materials.

7 MEPC 55 also established an intersessional Correspondence Group which was instructed to further develop the draft convention and to further develop the draft guidelines necessary under the draft convention. The Committee also agreed to holding the Second Intersessional Working Group a few weeks prior to MEPC 56 to further develop the draft convention and to continue with the development of the draft guidelines.

8 The Second Intersessional Working Group on Ship Recycling (reported in document MEPC 56/3) was hosted by the Government of the United Kingdom in London from 7 to 11 May 2007. The group used the report of the correspondence group (MEPC-ISRWG 2/2) as base document and the text of the draft convention was further developed following detailed discussions on the appendices to the convention, on the Articles and on the regulations, although due to lack of time, the group could not address the guidelines.

9 MEPC 56 was held from 9 to 13 July 2007. The Committee established a Working Group on Ship Recycling and taking into consideration submissions by Members and comments made in Plenary, it further developed the text of the draft convention and because of time restrictions only considered the draft Guidelines for Safe and Environmentally Sound Ship Recycling. The Committee agreed that priority should be given to the development of the convention as the guidelines could always be developed after the adoption of the convention. MEPC 56 also agreed to the holding of the Third Intersessional Working Group to further develop the draft convention.

10 The Third Intersessional Working Group on Ship Recycling (reported in document MEPC 57/3) was hosted by the Government of France in Nantes from 21 to 25 January 2008. The group made further progress in developing the text of the draft convention.

11 MEPC 57 was held from 31 March to 4 April 2008. The Committee established a Working Group on Ship Recycling and taking into consideration submissions by Members and the discussion held in Plenary, it further developed the text of the draft convention. MEPC 57

also established an Intersessional Correspondence Group on Ship Recycling and instructed it to prepare a draft resolution for the diplomatic conference addressing the circumstances in which sufficient recycling capacity may not be available both before and following entry into force of the convention. MEPC 57 also agreed to the holding of the Fourth Intersessional Working Group the week prior to MEPC 58 in order to consider and resolve any outstanding issues and corresponding text of the draft convention and to prepare a final version of the draft convention for an Article-by-Article and regulation-by-regulation review by MEPC 58.

12 The IMO Council at its 100th session, held between 16 and 20 June 2008, endorsed the holding of the diplomatic conference to adopt the International Convention for the Safe and Environmentally Sound Recycling of Ships from 11 to 15 May 2009. The diplomatic conference will be hosted by the Government of Hong Kong, China.

13 The Intersessional Correspondence Group on Ship Recycling reported on its work on addressing the sufficiency of recycling capacity in document MEPC 58/3/3. The group concluded that the problem can be addressed through a suitable entry into force condition and it provided the Committee with three different options.

The future work programme of MEPC on Ship Scrapping

14 The Fourth Intersessional Working Group on Ship Recycling will be held between 30 September and 3 October 2008 and will prepare a final version of the draft convention.

15 MEPC 58 is due to be held between 6 and 10 October 2008. The Plenary of MEPC 58 will review the draft convention Article-by Article and regulation-by-regulation. A Drafting Group on Ship Recycling will finalize the text of the draft convention. Following MEPC 58, the text of the draft convention will be circulated to IMO Members in preparation for the diplomatic conference.

16 The diplomatic conference to adopt the International Convention for the Safe and Environmentally Sound Recycling of Ships is due to be held between 11 and 15 May 2009 in Hong Kong, China.

17 It is intended that MEPC 59, provisionally scheduled for July 2009, should finalize the development of the draft Guidelines for Safe and Environmentally Sound Ship Recycling because of the strong link between these guidelines and the mandatory requirements of the convention for recycling facilities, and also because the early finalization of the guidelines would facilitate the voluntary implementation of the convention in the interim period between its adoption and its entry into force. The Committee will also continue with the development of the remaining guidelines. Currently the following list comprises the guidelines that are intended to be developed to assist the regulations in the convention:

- .1 Guidelines for the Inventory of Hazardous Materials.
- .2 Guidelines for Survey and Certification
- .3 Guidelines for Inspection of Ships
- .4 Guidelines for the Authorization of Ship Recycling Facilities
- .5 Guidelines for the Safe and Environmentally Sound Ship Recycling
- .6 Guidelines for the Development of the Ship Recycling Plan

Technical Co-operation Programme of IMO

18 MEPC 57 endorsed the request of the Third Intersessional Working Group on Ship Recycling for the Technical Co-operation Committee (TCC) to provide its views to MEPC on

mechanisms which could be developed through the Technical Co-operation Programme of the Organization to facilitate implementation of the standards contained in the convention in recycling yards in developing countries. In this respect, MEPC had invited TCC to work on capacity building at national level. MEPC had also invited TCC to identify potential sources of funding for the mechanisms which could be developed to facilitate implementation of the standards contained in the convention.

19 TC 58 (10 to 12 June 2008) agreed to provide its views to MEPC on mechanisms which could be developed through the Organization's Technical Co-operation Programme. Several delegations suggested that TCC, in collaboration with MEPC, should work towards the development of a programme of training and capacity building of maritime administrations that would assist Member States to understand and implement the new convention.

International Ship Recycling Trust Fund and proposed pilot project

20 The Council, at its ninety-fourth session, held between 20 and 24 June 2005, endorsed the proposal by MEPC and TCC for the establishment of the International Ship Recycling Trust (ISRT) Fund as a dedicated source of financial support for technical co-operation activities on ship recycling and, in particular, for encouraging developing nations towards safe and environmentally sound management of ship recycling. Pursuant to the above, the Secretary-General established the ISRT Fund with effect from 1 May 2006 as a multi-donor trust fund, to be maintained separately from all other funds established by the Organization, and it is envisaged that its resources will include: (i) contributions from IMO Member States, Non IMO Member States, organizations, institutions, companies and individuals; and (ii) any income arising from investments of the ISRT Fund.

21 It is envisaged that the resources of the ISRT Fund will be used for the development and implementation of technical co-operation activities directly related to the enhancement of safe and environmentally sound ship recycling capacity in developing countries, thereby providing a financial mechanism to support national initiatives with respect to legal, administrative and operational matters aimed at strengthening their capacity for safe and environmentally sound ship recycling.

22 The Organization has noted with appreciation the donation of the sums of: US\$505 by a private donor, US\$5,000 by the Ship Recyclers' Association of Turkey and US\$10,000 by the Bangladesh Ship Breakers' Association.

Action requested of the Joint Working Group

23 The Joint Working Group is invited to take into account in its deliberations the information provided.
