

INDECO

Independent Correspondents
& Maritime and Transport Services S.L.

Travessera de Gracia, 71 3º 1ª
E-08006 Barcelona (Spain)
Tel: +34 93 2373217
Fax: +34 93 4156652
E-mail: claims@indecospain.com
www.indecospain.com

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THE NEW HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS

The Maritime International Organization (OMI) has recently adopted the full draft of the **International Conference on the Safe and Environmentally Sound Recycling of Ships**. This legal body has been created to address the emerging issue of the nearly 600 ships that are dismantled each year, causing a deeply negative impact on environment –use of large extents of sea exposed to highly contaminating materials such as asbestos, heavy metals, hydrocarbons, ozone-depleting substances-, as well as on working conditions –low wages, long working schedules, exposure to hazardous materials without proper protection or tools, diseases and death-, and will also affect the shipyards dealing with fabrication of vessels over 500 GT. Thus, this new convention is aimed at ensuring that ships, when being recycled, after reaching the end of their operational lives, do not pose any unnecessary risk to human health and safety to the environment.

This new Convention will cover 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, the operation of ship recycling facilities and the establishment of an appropriate enforcement mechanism for ship recycling, incorporating certification and reporting requirements.

According to Article 12 of this Convention, each Party shall report to the Organization and the Organization shall disseminate, as appropriate, the following information:

1. A list of Ship Recycling Facilities authorized in accordance with this Convention and operating under the jurisdiction of that Party ;
2. Contact details for the Competent Authority(ies), including a single contact point, for that Party ;
3. A list of the recognized organizations and nominated surveyors which are authorized to act on behalf of that Party in the administration of matters relating to the control of Ship Recycling, in accordance with this Convention, and the specific responsibilities and conditions of the authority delegated to the recognized organizations or nominated surveyors ;
4. An annual list of ships flying the flag of that Party to which an International Ready for Recycling Certificate has been issued, including the name of the Recycling Company and location of the Ship Recycling Facility as shown on the certificate ;
5. An annual list of ships recycled within the jurisdiction of that Party ;
6. Information concerning violations of this Convention and
7. Actions taken towards ships and Ship Recycling Facilities under the jurisdiction of that Party.

Also, Ships to be sent for recycling will be required to carry an inventory of hazardous materials, which will be specific to each ship. An appendix to the convention will provide a list of hazardous materials, the installation or use of which is prohibited or restricted in shipyards, ship repair yards, and ships of Parties to the convention. Ships will be required to have an initial survey to verify the inventory of hazardous materials, additional surveys during the life of the ship and a final survey prior to recycling.

In regards to ship recycling yards, these will be required to provide a "Ship Recycling Plan", to specify the manner in which each ship will be recycled, depending on its particulars and its inventory. Parties will be required to take effective measures to ensure that ship recycling facilities under their jurisdiction comply with the convention.

The Convention shall be opened for signature by any State at the Headquarters of the Organization from 1 September 2009 to 31 August 2010 and shall remain open for accession by any State. The **entry-into force** criteria for this Convention will be of 24 months after being signed, without reservation as to ratification, acceptance or approval, by at least 15 countries representing 40% of the world's gross merchant shipping tonnage (GT).

Should ship owners or operators have any queries in respect of any of the subject informed, they should not hesitate to contact us.

Further information can be obtained from INDECO
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