



**COUNCIL OF
THE EUROPEAN UNION**



Council Conclusions on an EU Strategy for better ship dismantling

*2968th ENVIRONMENT Council meeting
Luxembourg, 21 October 2009*

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION:

1. RECALLS that the safe and environmentally sound management of ship recycling, here understood as in the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, is a priority for the European Union; STRESSES the need to reduce significantly environmental, occupational health and safety risk related to ship recycling worldwide.
2. STRESSES that the EU should play a major role in the field, with 25% of the world merchant ships flying the flags of EU Member States and about 40% owned by European companies.
3. ACKNOWLEDGES that accelerated phasing out of single hull oil tankers and the current economic crisis may increase the need for appropriate action in the near future.
4. WELCOMES the Commission communication "An EU strategy for better ship dismantling", STRESSES that the general objective is that all ships, including ships linked to the EU, are recycled in safe and environmentally sound facilities worldwide; and TAKES NOTE OF the broad range of tools identified and proposed to reach this general objective.

P R E S S

5. ENDORSES the outcome of the International Maritime Organisation Conference on Ship Recycling in May 2009 and the adoption of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships (“Hong Kong Convention”); UNDERLINES that the Hong Kong Convention, which represents a major achievement for the international community, provides a comprehensive system of control and enforcement from “cradle to grave”, and an important step towards phasing out unsafe and environmentally harmful working methods, including in relation to unsafe aspects of the current practise of so called beaching of end of life ships.
6. CONSIDERS that the Hong Kong Convention contains a flexible regulatory regime adapted to the specificities of the maritime world, where its effectiveness and Parties’ obligations can evolve through review of its regulations by the IMO Marine Environment Protection Committee.
7. NOTES WITH APPRECIATION the progress made by the IMO Marine Environment Protection Committee (MEPC) at its 59th session in July 2009, in particular with regard to the adoption of the Guidelines for the development of the inventory of hazardous materials, and UNDERLINES the urgent need to develop additional guidelines within the framework of IMO which are crucial for the global, uniform and effective implementation and enforcement of the Hong Kong Convention and; CALLS FOR early voluntary actions by all stakeholders including the shipping industry.
8. RECOGNIZES the continuing importance of cooperation between the International Maritime Organization, the International Labour Organisation (ILO) and the Basel Convention, including through joint meetings, in addressing matters related to ship recycling.
9. ENCOURAGES strongly EU Member States to ratify the Hong Kong Convention as a matter of priority so as to facilitate its entry into force as early as possible and to generate a real and effective change on the ground.
10. ACKNOWLEDGES that the level of control and enforcement established by the Hong Kong Convention will depend on economic factors and regulatory and enforcement actions by Parties, and that legal obligations of the Convention could require significant capacity building to be successfully implemented by all Parties; UNDERLINES therefore the need to actively support through technical and other cooperation, the implementation and enforcement of the Convention by other Parties, in particular those developing countries which have or intend to create recycling facilities.
11. RECOGNIZES the importance of appropriate EU measures and/or provisions on ship recycling to implement the Hong Kong Convention; and INVITES the Commission to consider various options to that end also taking into account the need to promote the timely implementation of the Convention.
12. TAKES NOTE OF the additional measures identified in the Strategy to make quick progress towards improving worldwide practices of ship recycling; and INVITES the Commission to further explore and assess all appropriate measures at EU level.
13. CALLS on the Commission to ensure that all legislative proposals are fully assessed in relation to their economic, social and environmental costs and benefits taking into account, *inter alia*, impacts of the global economic recession and the competitiveness of the EU fleet and other EU maritime related activities.

14. INVITES the Commission to encourage voluntary actions by maritime stakeholders, such as an EU wide public awareness campaign, an award for best practices, promotion of the use of inventories for hazardous materials and of certificates foreseen in the Hong Kong Convention, as well as the greening of existing recycling facilities, while taking fully into account the provisions in the Hong Kong Convention and its guidelines.
15. ENCOURAGES Member States to develop and implement, as appropriate, comprehensive national strategies to ensure environmentally sound recycling of ships consistent with national sustainable development strategies and relevant international commitments and obligations.
16. SUPPORTS increased cooperation between relevant international organizations, recycling countries and other stakeholders with joint projects to upgrade facilities and to support national implementation of the Hong Kong Convention and its guidelines.
17. SUPPORTS the ongoing assessment of the level of control and enforcement established by the Basel Convention and the Hong Kong Convention following Decision IX/30 and other relevant decisions of the Conference of the Parties to the Basel Convention.
18. REITERATES that when ships are waste they fall under the EU Waste Shipment Regulation as well as the Basel Convention; UNDERLINES the importance of ensuring complementarity and coherence between different legal provisions related to ship recycling; and in this context INVITES the Commission to assess the link between the Hong Kong Convention, the Basel Convention and the EU Regulation on shipments of waste, and report back to the Council by 2010, followed by, if appropriate, legislative proposals in line with relevant decisions by the Conference of the Parties to the Basel Convention and the Hong Kong Convention.
19. CONSIDERS that the EU has a potential to increase its ship recycling capacities, including where ship recycling is performed in ship yards as an additional service, and that this could contribute to improving occupational safety and health and to reducing environmental impacts of ship recycling as well as generating green business opportunities and employment within the EU, thereby also contributing positively to an eco-efficient economy, e.g. within the framework of a new Lisbon Strategy post 2010.
20. HIGHLIGHTS that future initiative and measures based on the Strategy should be designed to facilitate the regime established by the Hong Kong Convention and avoid negative effects on the competitiveness of the European shipping industry.
21. ACKNOWLEDGES that Member States, industry and other relevant actors, including, ship owners and operators, as well as operators of ship recycling facilities and civil society, play a key role in the further development and implementation of the Strategy.
22. CONSIDERS that in the context of the EU bilateral agreements and dialogues with third countries, in particular with key recycling states, the issue of ship recycling conditions should be raised at the appropriate political level."