

Who Needs the Hong Kong Convention?



Leela Yard in Alang, India. Credit: ECSA

By [Wendy Laursen](#) 2016-07-21 00:55:26

The European Community Shipowners' Associations (ECSA) reported back from their visit to Alang, India, earlier this year citing an unquestionable willingness for yards to be transparent about the state of play as they move towards healthy, safe and environmentally sound ship recycling. NGO Shipbreaking Platform has now accused ECSA of turning a blind eye to the realities of the business.

The Hong Kong Convention lies at the center of the debate. The convention, adopted in 2009, will enter into force 24 months after ratification by 15 States. So far, just four states are on board: Belgium, Norway, France and Congo. In its absence, the concept of Hong Kong Convention-compliant recycling yards has emerged.

Hazardous Materials Handling

Hong Kong Convention-compliant yards are expected to have an Inventory of Hazardous Materials for each ship that arrives for recycling. Based on the information within this inventory, they develop safe waste removal procedures using advanced waste handling facilities (for example negative pressure asbestos handling units), as well as employing a trained workforce for handling specific wastes. Furthermore, the Convention requires that

all hazardous wastes must be transferred to a waste management facility that is authorized to deal with their treatment and disposal in a safe and environmentally sound manner.

ECSA documented evidence of responsible waste disposal during their visit but conceded that the waste handling management of asbestos containing materials needed to be clarified.

NGO Shipbreaking Platform is critical. "Even though the association knows that Indian law allows for the resale of asbestos-containing material and that there is no incinerator for PCBs in India, ECSA simply trusts that the yard owners will ensure environmentally sound waste management on a voluntary basis, even if this creates higher costs for the yards."

Medical Services

The industry suffers a high casualty rate amongst workers, a key concern for the Platform. The ECSA report documents that the existing hospital in Alang can accommodate about 20 patients and is equipped with rudimentary facilities including a medical analysis laboratory, surgery room and radiology room. Two ambulances are available. The closest more advanced hospital is located in Bhavnagar which is at about an hour's drive from Alang.

NGO Shipbreaking Platform is dissatisfied with situation. "Though ECSA found that there is only a rudimentary first aid centre in Alang and no functional hospital in the close vicinity, the shipowners' association does not demand an immediate remedy to the unacceptable situation." The accident statistics shared with ECSA in Indai show that between May 2015 and January 2016 at least five workers were killed in the yards. During this period the local steel market was very weak and many Alang yards were forced to close. The workforce was at that time reported to have been reduced to less than 5,000 workers. "The accident rate is thus alarmingly high," says the Platform.

Compliance Concerns

There are concerns about the compliance process raised by both ECSA and the Platform. ECSA's report highlights a potential difference in compliance certification. ClassNK has certified four yards in Alang and RINA has certified one. Whilst the entire ClassNK process takes up to 18 months, the RINA process took around four months and cost a lot less. "The reason for such a difference can be found in the fact that RINA certified the first yard for the area located in the secondary cutting zone and waste disposal facilities. The entire procedure including the dismantling of the ship itself could not be performed because no 'sample' ship was available at the yard at the time of the certification," says ECSA.

NGO Shipbreaking Platform complains that statements of compliance only look at procedures and not the actual performance of the yards, although both classification societies intend to limit the amount of yard certifications (eight for ClassNK and 10 for RINA) with the aim at monitoring how those yards perform over time.

Beaching Concerns

The ECSA report states that according to normal practice in the most progressive yards, blocks cut from the ship are dropped into the hull which serves as a containment system. For blocks cannot be laid down in the ship's hull (because of the ship structure or for the bow/stern part of the ship), current practice is to clean these blocks before being grounded on the beach. Each block is then immediately safely pulled onto the secondary (impermeable) cutting area using winches and cranes.

However, NGO Shipbreaking Platform points out that whilst some yards in Alang have cemented the areas where they conduct secondary cutting, all yards in Alang conduct the primary cutting of the ship in the intertidal zone. "ECSA argues that pollution in the intertidal zone can be controlled by only letting clean blocks fall into the sea or onto the beach. ECSA cannot, however, explain how blocks are actually cleaned and where the chemicals necessary in this process end up. The contamination by toxic anti-fouling paints that are accumulated in the sediments is completely ignored by ECSA, as are the difficulties of preventing and remediating oil spills in the intertidal zone."

However, Nikos Mikelis, Non Executive Director, at cash buyer GMS, says ensuring safe and environmentally responsible recycling is all a matter of management rather than location. "In the past the ship recycling industry in South Asia was characterised by poor safety and environmental protection standards. This, alongside persistent but not technically focused lobbying by NGO activists, have led to beaching being widely associated with poor ship recycling standards. However, the fact is that it is just as possible to have a clean, safe and sustainable recycling process on a beach, as it is to create an unsafe and polluting environment by recycling alongside a pier."

Making a Difference

Despite the issues, is Convention compliance is making a difference in a process which, like adoption of the Convention itself, is not expected to happen overnight? According to Mikelis, it is.

"With five yards in Alang achieving Hong Kong Convention compliance certification and twenty further yards currently going through Hong Kong Convention Statements of Compliance process, the progressive change in the ship recycling market is clear to see. As the shipping industry becomes aware of its responsibility to improve its sustainability,

this progress will only continue.

“Currently, the demand for green recycling is filling the Hong Kong Convention-compliant yards in India. This in turn is driving improvement throughout the region, creating increased competition and a virtuous cycle. At the same time, the yards themselves are realising that previous practices are no longer socially or environmentally acceptable, or economically prudent, and that the market will hold them accountable for such practices.”

Patrizia Heidegger, Executive Director of the NGO Shipbreaking Platform, however, is sceptical. For her, the ECSA report does not document a fact-finding mission. Rather it is a promotion brochure for the Indian beaching yards. “The true intent is to gain support for the most convenient solution for shipowners: the continuation of the low-cost method of beaching that allows for maximum profit for shipping lines”.

ECSA remains optimistic about ratification of the Hong Kong Convention, and the ECSA report points out that some yards are willing to accept the financial cost of compliance – something it says could be mitigated by the steady flow of end of life ships. “Responsible involvement of both shipowners and cash buyers must therefore be part of the solution.”

The ECSA report is available [here](#).

A review of the ECSA visit by Dr Anand M. Hiremath, a specialist on Indian ship recycling based in Bhavnagar, India, is available [here](#).

The opinions expressed herein are the author's and not necessarily those of The Maritime Executive.

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