

## **IX/30: Dismantling of ships**

*The Conference of the Parties,*

*Recalling* its decision VIII/11 on environmentally sound ship dismantling,

*Recalling also* its invitation at its eighth meeting to the International Maritime Organization to ensure that the international convention on safe and environmentally sound recycling of ships to be adopted by it establishes an equivalent level of control as that established under the Basel Convention, noting that the duplication of regulatory instruments that have the same objective should be avoided,

*Further recalling* the principles of the Basel Convention, in particular to minimize the generation and transboundary movement of hazardous wastes, to ensure the environmentally sound management of such wastes and to prevent the export of hazardous wastes to countries without their prior informed consent,

*Recalling also* the encouragement to the International Maritime Organization to promote the substitution of harmful materials in the construction and maintenance of ships by less harmful or, preferably, harmless materials, without compromising the ships' safety and operational efficiency,

*Further recalling* the encouragement to Parties to coordinate at the national level between their International Maritime Organization and Basel Convention representatives and to participate actively in the consideration of the draft ship recycling convention,

*Acknowledging* work carried out to develop programmes for sustainable ship recycling in collaboration with the International Maritime Organization and the International Labour Organization,

### **I. Draft international convention on the safe and environmentally sound recycling of ships**

1. *Welcomes* the progress made in the development of an international convention on the safe and environmentally sound recycling of ships ("the ship recycling convention") by the International Maritime Organization;

2. *Invites* the International Maritime Organization to continue to have due regard to the role, competence and expertise of the Basel Convention in matters related to ship dismantling and in particular with regard to the environmentally sound management and disposal of hazardous and other wastes;

3. *Also invites* the International Maritime Organization to continue to incorporate clear responsibilities of all stakeholders in ship recycling, including ship owners, ship recycling facilities, flag States and ship recycling States, with a view to achieving the safe and environmentally sound management of ship recycling, also taking into account the current capacity and the common but differentiated responsibilities and sovereign rights of the Parties;

4. *Requests* the Open-ended Working Group:

(a) To carry out a preliminary assessment on whether the ship recycling convention, as adopted, establishes an equivalent level of control and enforcement as that established under the Basel Convention, in their entirety, after having developed the criteria necessary for such assessment, and, in doing so, to take into account:

- (i) The special characteristics of ships and international shipping;
- (ii) The principles of the Basel Convention and the relevant decisions of the Conference of the Parties;

(iii) The comments submitted by Parties and other relevant stakeholders, as appropriate;

(b) To transmit the results of the assessment to the Conference of the Parties at its tenth meeting for consideration and action, as appropriate;

5. *Invites* Parties to that end, to provide comments on appropriate criteria to be used to the Secretariat, by 31 January 2009;

6. *Requests* the Secretariat to continue to follow the development of the ship recycling convention and to report thereon to the Open-ended Working Group at its seventh session and to the Conference of the Parties at its tenth meeting;

7. *Also requests* the Secretariat to transmit this decision for submission to the International Maritime Organization for consideration by the Marine Environment Protection Committee at its fifty-eighth session;

## **II. International cooperation and technical assistance activities on the environmentally sound management of ship dismantling**

8. *Invites* Parties and others to continue to transmit to the Secretariat relevant information that may assist stakeholders in developing measures to address, in the short and medium term, the potentially harmful consequences of ship dismantling on human health and the environment and requests the Secretariat to continue to make any such information received available on the Basel Convention website;

9. *Underlines* the importance of continued inter-agency cooperation between the International Labour Organization, the International Maritime Organization and the Basel Convention on issues related to ship dismantling, as appropriate;

10. *Welcomes* the development of implementation programmes relating to sustainable ship recycling and requests the Secretariat, subject to the availability of funding, to continue its work and to develop further the programmes for sustainable ship recycling in conjunction with other bodies, in particular the International Maritime Organization and the International Labour Organization, and to report thereon to the Open-ended Working Group at its seventh session for its consideration and for the Open-ended Working Group to report thereon to the Conference of the Parties at its tenth meeting;

11. *Calls upon* all Parties and other stakeholders in a position to do so to make financial or in-kind contributions to the implementation of activities under the relevant programmes;

12. *Requests* the Secretariat to report to the Open-ended Working Group and the Conference of the Parties on the outcome of the third session of the Joint Working Group of the International Labour Organization, the International Maritime Organization and the Basel Convention on Ship Scrapping.