

international law instruments and gaps in relevant [European Union law] in this area.

Its opening paragraphs state that “the scale and characteristics of recent offshore oil and gas accidents and ‘near misses’ reported worldwide, including the Union, demand action...

The likelihood of a major accident in Union waters needs to be reduced.”

But Hugh Williams, chief executive of the International Marine Contractors Association, is not convinced that regulation is the right approach. “It is rare that incidents occur for lack of legislation or guidance,” he told *Fairplay*. “Usually they occur because the available legislation or guidance is not followed.”

The two pieces of legislation highlight a lack of international safety regulations governing offshore operations. Mark Boulton, an associate director at DNV, has been involved in two projects that compared the regulatory environments of various offshore areas.

He said there were arguments for and against international regulations. Although a global set of rules might set a level playing field, he agreed that such an approach could deter innovation. **E**

> For more information, see:

[www.boemre.gov/semf/](http://www.boemre.gov/semf/) and  
[www.tinyurl.com/EU-Offsh-reg](http://www.tinyurl.com/EU-Offsh-reg)

## Ban could backfire, say recyclers

Recycling body warns that clampdown on movement of ships to non-OECD countries could cause problems

The International Ship Recycling Association (ISRA) has expressed concern at the recent agreement to facilitate the ban amendment to the Basel Convention that will clamp down harder on the movement of ships from non-OECD to OECD countries (see *Fairplay*, 10 November).

While supporting the aim of the ban, ISRA argues that since the Basel Convention has so far failed to stem the flow of end-of-life ships to substandard non-OECD yards, stricter enforcement could make the situation worse. Substandard yards would not be improved and access to environmentally sound ship recycling facilities in non-OECD countries such as China would be blocked.

Speaking to *Fairplay*, ISRA secretary general Bernard Veldhoven pointed out the problem his members are facing: while the EU and the IMO recommend stakeholders follow the Hong Kong Convention,



ISRA secretary general Bernard Veldhoven

International Ship Recycling Association

meet expected standards.

“ISRA’s view is that Hong Kong is a good start and deserves the benefit of the doubt,” said Veldhoven, who added that an interim EU legislative proposal could help smooth the way.

The proposal would make it possible for end-of-life vessels to be broken up at a non-OECD yard if the yard is third-party certified: “The ban will then only be lifted for serious and responsible recycling facilities, such as our five Chinese ISRA A members,” said Veldhoven.

Veldhoven sees two weaknesses in the Hong Kong Convention. Governments can authorise yards without third-party certification, he said.

“There is thus the danger that a future party to the Hong Kong Convention will permit yards that do not meet and maintain the standards we’d like to see.”

In addition, Hong Kong needs to adopt from the Basel Convention stricter rules on how hazardous waste is discarded. “It should be deposited in the vicinity of the yard,” said Veldhoven. “The force of the Hong Kong Convention stops at the gate of the recycling facility and does not apply to waste deposit facilities [beyond the yard].” **E**

# 80%

of the scrap fleet still ends up in substandard yards – Hong Kong deserves the benefit of the doubt\*

Basel regulations, which will continue until Hong Kong is ratified and enforced, undermine this aspiration.

“About 80% of the scrap fleet still ends up in yards that do not meet environmentally sound management standards,” said Veldhoven. He argues that the most practical step now is to focus on making breaking yards

due to be submitted to IMO in July 2012.

The immediate next steps are that Malaysia and Indonesia will send in additional accident reports to enhance the survey’s findings, particularly in relation to the Strait of Malacca.

Singapore will send information on measures already taken to improve navigational services so a ‘gap analysis’ can be performed to clarify what

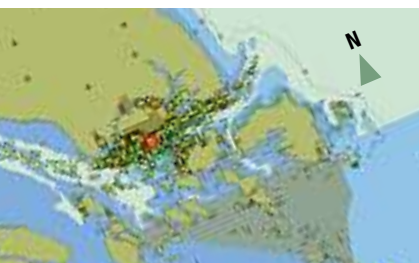
## ‘The aim is to improve navigational safety’

more is required. A meeting last week in Singapore was scheduled to discuss progress.

In 2006, ship use of the straits was 60,000/year. That has increased to 70,000/year or 150/

day. But the problem has been growing since the 1960s, when giant oil tankers were introduced to the long, in part shallow and crowded, straits.

In 2006, the three states formed the ‘Co-operative mechanism between the littoral and user states on safety of navigation and environmental protection in the straits’, under which the current ICS inquiry is being carried out. **E**



restricted circulation among the littoral states and is not yet in the public domain. A full report is