

# Denmark ratifies Hong Kong convention promoting environmentally sound ship recycling

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## Introduction

Approximately 1,000 scrap merchant vessels are broken up annually for valuable materials such as steel. The majority of these ships are sent to Asia and are broken up under unregulated conditions in countries such as India and Bangladesh, which often do not have the same focus on the environment and working conditions as found in Europe.

In 2015 768 ships were sold for recycling globally, of which 469 (69%) were broken up on beaches in Bangladesh, India or Pakistan.<sup>(1)</sup>

On average, 10 Danish-operated ships are sent for scrap annually. Only a small amount of these vessels are broken up in Denmark, with the majority being sent to shipyards in India, China or Turkey.<sup>(2)</sup>

## Hong Kong convention

The Hong Kong Convention for the Safe and Environmentally Sound Recycling of Ships was adopted by the International Maritime Organisation in 2009. The convention aims to ensure that ships being recycled at the end of their operational lives do not pose an unnecessary risk to human health and safety or the environment.

The convention covers:

- the design, construction, operation and preparation of ships to facilitate safe and environmentally sound recycling, without compromising the safety and operational efficiency of ships;
- the operation of ship recycling facilities in a safe and environmentally sound manner; and
- the establishment of an appropriate enforcement mechanism for ship recycling, incorporating certification and reporting requirements.

Ships to be recycled must carry an inventory of hazardous materials specific to them. An appendix to the convention provides a list of hazardous materials which cannot be installed or used:

- in shipyards;
- in ship repair yards; or
- on ships from member states that are party to the convention.

Ships from states that are party to the convention must conduct:

- an initial survey to verify the inventory of hazardous materials;

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- renewal surveys during the ship's life; and
- a final survey before recycling.

Ship recycling yards must provide a ship recycling plan to specify how each individual ship will be recycled, depending on its particulars and inventory. States that are parties to the convention must take effective measures to ensure that ship recycling facilities under their jurisdiction comply with the convention.

The convention will enter into force two years after its ratification by 15 states, which represent 40% of world merchant shipping by gross tonnage and no less than 3% of combined maximum annual ship recycling tonnage. On September 14 2016 Denmark joined Belgium, Congo, France and Norway and ratified the convention. The European Union had already adopted the convention in part through the Ship Recycling Regulation.

When the convention enters into force, it will bind signatories to have ships broken up at facilities which comply with its terms. Further, shipbreakers and recycling companies will only be able to recycle ships in accordance with convention requirements. Larger flag states and larger ship-recycling states must accede to the convention in order to meet its conditions for entry into force.

## **Accession**

Minister for Environment and Food Esben Lunde Larsen explained Denmark's motives for acceding to the Hong Kong Convention:

*"Scrap ships must not pollute Third World beaches. Ships are often hazardous waste and they must be broken up under appropriate conditions so that they do not pose a danger to human health and safety or the environment. Seeing the shipyards in Asia at which many scrap ships are broken up has made a strong impression on me. Therefore, adapting Danish regulations so that we can accede to the Hong Kong Convention has been an important priority, and it will help set global standards to ensure ships are broken up safely. This will send a strong signal to other countries, and the more countries that accede to the Convention, the quicker we can get it to enter into force."*

The Danish Shipowners' Association has welcomed the decision to accede to the convention. In particular, it hopes that more countries will follow Denmark's example so that the convention will enter into force. Until then, the association is encouraging its members to comply with the convention's requirements voluntarily.

The Danish Metalworkers' Union and the Central Organisation of Industrial Employees have also welcomed the decision to ratify the convention, so that their colleagues in India, Bangladesh and Pakistan, for example, can have reasonable working conditions when breaking up ships.

## **Timing**

The bill to amend the Marine Environmental Protection Act and the Environmental Protection Act, which will enable Denmark to accede to the Hong Kong convention, has been sent for consultation before being sent to Parliament.

The bill is expected to enter into force on July 1 2017 and presupposes that Denmark will have acceded to the convention before then (ie, by spring 2017).

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## **Endnotes**

(1) NGO Shipbreaking Platform 2015 annual report.

(2) Danish Shipowners' Association.

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