



İstanbul :

Sayı:

Our Reference : 4679

13.12.2018

Konu:

Subject : **Avrupa Komisyonu Çevre Komiserinin Gemi Geri Dönüşümü
Konusundaki Görüşleri Hk.**

Sirküler No: 734 / 2018

Sayın Üyemiz,

İlgi: ICS (Uluslararası Deniz Ticaret Odası)'nın 14.11.2018 tarihli ve ENV(18)14 sayılı yazısı ve Eki ile;

AB gemi geri dönüşüm tesisleri listesine ilişkin sektörün kaygılarını içeren yazıya, Avrupa Komisyonu Denizcilik ve Balıkçılık Çevre Komiseri Karmenu Vella'nın cevabı, bilgi edinilmesi amacıyla ICS tarafından ilgi yazı ile gönderilmiştir. Bilgilerinize arz ve rica ederiz.

Saygılarımızla,

Murat TUNCER
Genel Sekreter

EKLER:

Ek-1: İlgi yazı Türkçe Çevirisi (2 syf.)

Ek-2: İlgi yazı ve Eki (9 syf.)

DAĞITIM:**Gereği:**

- Tüm Üyelerimiz (Web)
- İMEAK DTO 5 No'lu Meslek Komitesi
- GİSBİR
- Yalova Altınova Tersane Girişimcileri San.ve Tic.A.Ş
- TÜRKLİM
- GESAD
- Yetkilendirilmiş Klas Kuruluşları
- Gemi Sahibi Firmalar

Bilgi:

- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkanı ve Üyeleri
- İMEAK DTO Çevre Komisyonu
- İMEAK DTO Şube Y/K Başkanları
- Türk Armatörler Birliği
- Gemi Makineleri İşletme Mühendisleri Odası
- Gemi Mühendisleri Odası

Ayrıntılı bilgi: Erkin TUĞRAN, Çevre Birimi Telefon:252 0130-246 E-mail: erkin.tugran@denizticaretodasi.org.tr



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EK-1

30 Ekim 2018

(Serbest Çeviridir)

**GEMİ GERİ DÖNÜŞÜMÜ KONUSUNDA AB TERSANE LİSTESİ VE
KOMİSER VELLA'NIN DENİZCİLİK SEKTÖRÜNÜN ARTAN ENDİŞELERİNE CEVABI**

Yapılması Gereken: Üyelerden, Avrupa Komisyonu Denizcilik ve Balıkçılık Çevre Komiseri Sn. Karmenu VELLA tarafından AB geri dönüşüm tesisleri listesine ilişkin olarak ortaya çıkan endüstri kaygılarına verilen cevabı dikkate almaları talep edilmektedir.

Üyeler, Alt Komite'nin (ENV (18) 13) önceki toplantısında tartışıldığı üzere, ICS ve diğer endüstri kuruluşlarının, Avrupa Komisyonu (EC) komiseri Vella'ya yazdıklarını hatırlayacaklardır. Avrupa Gemi Geri Dönüşümü Listesi taslağı hakkında endişeler Ek A'da, Sn. VELLA'nın yanıtı Ek B'de verilmiştir.

Kısaca Komiserin Cevabı:

- Yıl sonu itibarıyla listenin dördüncü versiyonuna AB üyesi olmayan üç tesisin dahil olacağını öngörmektedir.
- AB Listesine alınması için AB'ye üye olmayan ülkelerin başvurularının değerlendirme çalışmalarının devam ettiğini ifade etmektedir.
- Başvuruların, EUSRR'nin (AB Gemi Geri Dönüşüm Yönetmeliği) gereklerine uygun olarak kapsamlı bir şekilde değerlendirildiğini belirtmiştir.
- Avrupa Birliği'nin, AB denizcilik sektörünün ihtiyaçlarını karşılamak için listede yeterli potansiyel kapasite olduğuna dair inancını tekrarlamaktadır.
- Gemi geri dönüşümü söz konusu olduğunda bayrak değişiminin bir çözüm olmadığını ifade etmiştir.
- AB bayraklı gemileri olan gemi sahiplerinden, EUSRR'nin yükümlülüklerine uymalarını ve listedeki tesislerle çalışmalarını talep etmektedir.
- Gemi sahiplerine, AB sularında faaliyet gösteren, AB bayraklı olmayan ve geri dönüşüme gönderilecek gemilerinin, Basel Sözleşmesine ve AB Atık Sevkiyat Yönetmeliğine tabi olduklarını hatırlatmaktadır.

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Yanıt hayal kırıklığı yaratırken, AB Gemi Geri Dönüşüm Yönetmeliği'nin siyasi zorunlulukları göz önüne alındığında beklenmedik bir durum değildir. Basel Sözleşmesi ve Atık Sevkiyat Yönetmeliğinin AB bayraklı olmayan gemilere uygulanmaya devam edileceğinin kabul edilmesi, özellikle de bir ikili düzenleyici sistemin devam etmesi halinde, EUSR'nin etkinliği ile ilgili hedeflerinin karşılanması konusundaki soruları gündeme getirmektedir.

Üyelerden, Gemi Geri Dönüşümü ile ilgili Çalışma Grubunun listeyi değerlendirdiğini ve EUSR'nin 25 Ekim'deki toplantısında uyguladıkları geniş kapsamlı etkileri dikkate almaları önerilir.

Grup, bu konuları AB Komisyonu ile ve diğerleriyle uygun şekilde vurgulamak için daha fazla mekanizma geliştirmeyi ve sektörün, yönetmeliğin olası etkilerini tam olarak değerlendirmesini sağlamayı kararlaştırmıştır. Komiser Vella'nın cevabı, ayrıca Sekreteryaya'nın katılacağı ECESA Güvenlik ve Çevre Komitesi (20-21 Ekim) tarafından da dikkate alınacaktır. Üyeler, gelişmelerden haberdar edilecektir.

Üyelerden sunulan bilgileri dikkate almaları talep edilmektedir. Konuyla ilgili herhangi bir soru veya yorumun, aşağıda bulunan e-mail adresine gönderilmesi talep edilmektedir.

john.stawpert@ics-shipping.org

John Stawpert

Müdür (Çevre ve Ticaret)

İngilizceden çeviren: Erkin TUĞRAN

İMEAK DTO Çevre Sorumlusu / Çevre Mühendisi

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This Circular and its attachments (if any) are confidential to the intended recipient and may be privileged. If you are not the intended recipient you should contact ICS and must not make any use of it.

14 November 2018

ENV(18)14

To: ENVIRONMENT SUB-COMMITTEE

Copy: All Full and Associate Members (for information)

SHIP RECYCLING – EU LIST OF FACILITIES – COMMISSIONER VELLA RESPONSE TO INDUSTRY CONCERNS

Action required: *Members are invited to note the response from Commissioner Vella to industry concerns raised with respect to the EU list of ship recycling facilities.*

Members will recall, as discussed at previous meeting of the Sub-Committee (ENV(18)13) that ICS and other industry associations had written to Commissioner Vella of the European Commission (EC), expressing concerns about the draft European List of Ship Recycling Facilities (**Annex A**). Commissioner Vella's response is provided at **Annex B**.

In particular, the Commissioner's response:

- Anticipates that three non-EU facilities will be included in the fourth version of the list by the end of the year;
- States that work is ongoing to assess the remaining applications to the EU List from non-EU applicants;
- States that applications are thoroughly assessed in accordance with the requirements of the EUSRR;
- Repeats the EC's belief that there is sufficient potential capacity in the list to accommodate the needs of the EU shipping industry;
- States that re-flagging is not a solution when it comes to ship recycling;
- Calls on shipowners with ships under European flags to comply with the obligations of the EUSRR and work with facilities on the list;
- Reminds shipowners that non-EU end of life ships operating in EU waters remain subject to the Basel Convention and EU Waste Shipment Regulation.

Whilst the response is disappointing, it is not unexpected given the political imperatives of the EU Ship Recycling Regulation (EUSRR). The admission that the Basel Convention and Waste Shipment Regulation will continue to apply to non-EU flagged ships is of particular note, however, and raises questions with respect to the effectiveness of the EUSRR in meeting its goals, if a dual regulatory system will continue to be enforced.


Members are advised that the Industry Working Group on Ship Recycling considered the list and, the broader impacts of the application of the EUSRR at its meeting on 25 October. The group agreed to develop further mechanisms to highlight these issues with the EC and others as appropriate and, to ensure that industry remains fully apprised of the likely impacts of the Regulation. The response of Commissioner Vella will also be considered by the ECSA Safety and Environment Committee (20-21 October) which the secretariat will attend. Members will continue to be fully advised of developments.

Members are invited to note the information provided. Any questions or comments should be directed to the undersigned (john.stawpert@ics-shipping.org).

John Stawpert
Manager (Environment and Trade)



BIMCO

 International
Chamber of Shipping

 **ECSEA**
European Community Shipowners' Associations

 **INTERCARGO**

 **INTERTANKO**

European Commission
Commissioner Karmenu Vella
Environment Maritime Affairs and
Fisheries

Brussels, 04/10/2018

Subject: Inadequacy of the EU Ship Recycling Regulation (SRR)

Dear Commissioner Karmenu Vella

As the full application of the EU SRR is approaching, the six co-signers of this letter would like to draw your attention to our concerns regarding the current implementation process, and in particular the inadequacy of facilities currently available on the EU list.

Less than four months before the full application of the EU SRR, the EU list only includes facilities located in the EU. These facilities are often limited in terms of length and draft of the vessel. In addition, the current EU list only provides for 330.000 LDT, most of this capacity currently being utilized for the recycling of inland navigation vessels and fishing vessels, as also showing from EMSA data. For these reasons the EU list is unfortunately not adapted yet to the needs of the EU shipping industry, which is operating globally. In order for the EU SRR to become an effective instrument, that also facilitates the ratification of the Hong Kong Convention and encourages good, safe and environmentally sound ship recycling internationally, the EU list should meet the capacity needs and be geographically well-balanced.


Due to this lack of capacity, we note with regret that a significant number of non-EU yards applications are still to be processed. Many of these facilities and likely future applicants, could have positively contributed to the expansion of the capacity on the EU list, both in volume as in type and size of vessels which can be recycled, thereby facilitating the application of the Regulation and supporting the Hong Kong Convention. Therefore, we strongly encourage the Commission to assess the applications of those non-EU facilities and their potential positive contribution to the aims and objectives of the Regulation and, when found compliant, enlarge the list to non-EU facilities at the soonest possible opportunity. Inherent to this process, we believe, is that it is essential that the Commission acts in accordance with the principles enshrined in the relevant Treaties and with the International obligations of the Union and, where third parties violate such treaties, appropriate action is taken by the Commission.

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European Commission
Commissioner Karmenu Vella
Environment Maritime Affairs and
Fisheries

In your recent reply to MEP Vautmans (ALDE), you suggest that re-flagging a vessel could be a solution to the capacity challenge. Reflagging has heavily been pointed at in the ship recycling debate. In addition, the European and International shipping industry supports safe and environmentally sustainable ship recycling. However, it is not quite clear how re-flagging would solve the lack of adequate facilities on the EU list; how it would encourage higher standards in the recycling of ships or how it would facilitate the global ratification of the Hong Kong Convention.

An inadequate EU Regulation will also harm the attractiveness of flying a flag of one of the EU Member States, and consequently the business climate for shipping in Europe. Currently, the European shipowners control 40% of the global commercial fleet (tonnage), contribute 147 billion to the EU GDP, and provide 2.1 million Europeans with careers both onboard and ashore. According to a recent Monitor Deloitte study on EU shipping competitiveness, the European maritime industry is at the risk of losing ground to other globally leading shipping centers.

Shipowners worldwide have consistently expressed their support for safe and environmentally sound ship recycling, in line with the international Hong Kong Convention, which is the only international solution to facilitate the safe and environmentally sound recycling of ships. This is explicitly recognized in the EU SRR, article 1 of which aims to facilitate the ratification of the Hong Kong Convention.

Ship recycling has experienced a positive trend in standards and investment since the adoption of the HKC in 2009. The European Union should be a facilitator for this continuing improvement. However, a failure to address the problems inherent in the EU list will jeopardize this progress.

In order to implement a successful regulation, we urge that you take action to improve the current situation and to ensure that the European fleet has access to adequate and geographically balanced safe and environmentally sound recycling capacity as of 31st of December 2018. Should this not be possible, we would be grateful for explicit recommendations on the way to reconcile the industry's legal obligations and the EU SRR's inadequacy.





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European Commission
Commissioner Karmenu Vella
Environment Maritime Affairs and
Fisheries

We are at your disposal in case there is a need for further deliberations, with ECSA being the key contact organization on the industry's side.

Looking forward to your response.

Yours Sincerely,

Mr Panos Laskaridis
ECSA

Mr. Guy Platten
ICS

Mr. Ang Chin Eng
Secretary General
Asian Shipowners Association

Mr. Angus R. Frew
Secretary General & CEO
BIMCO

Tim Wilkins
Environmental Director
Regional Manager Asia-Pacific
INTERTANKO


Dr. Kostas Gkonis
Secretary General
INTERCARGO

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About ICS

The International Chamber of Shipping (ICS) is the international trade association for merchant ship operators. ICS represents the collective views of the international industry from different nations, sectors and trades. ICS membership comprises national shipowners' associations representing over 80% of the world's merchant fleet. A major focus of ICS activity is the International Maritime Organization (IMO), the United Nations agency with responsibility for the safety of life at sea and the protection of the marine environment. ICS is heavily involved in a wide variety of areas including any technical, legal and operational matters affecting merchant ships. ICS is unique in that it represents the global interests of all the different trades in the industry: bulk carrier, tanker, container, and passenger ship operators.

About Asian Shipowners Association ASA

The ASA is a voluntary organization of the shipowner associations from Australia, China, Chinese Taipei, Hong Kong, India, Japan, Korea and the Federation of ASEAN Shipowners' Associations (FASA), consisting of Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. The aim of the ASA is to promote the interests of Asian shipowners. Collectively, the ASA membership is estimated to control and operate over 40% of the world merchant fleet. The ASA has five Standing Committees with each headed by a nominated chairman. The five ASA Standing Committees are the Seafarers Committee (SC), Shipping Policy Committee (SPC), Ship Insurance & Liability Committee (SILC), Safe Navigation & Environment Committee (SNEC) and Ship Recycling committee (SRC).

About BIMCO

BIMCO is the world's largest international shipping association, with around 2,000 members in more than 120 countries, representing 56% of the world's tonnage. Our global membership includes shipowners, operators, managers, brokers and agents. BIMCO is a non-profit organization.


About INTERTANKO

INTERTANKO is the International Association of Independent Tanker Owners. INTERTANKO has been the voice of independent tanker owners since 1970, ensuring that the liquid energy that keeps the world turning is shipped safely, responsibly and competitively. It is a forum where the industry meets, policies are discussed and best practices developed.





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About INTERCARGO

The International Association of Dry Cargo Shipowners (INTERCARGO) is a voluntary non-profit association representing the interests of dry cargo vessels' owners. Its first General Meeting took place in 1980 in London and it has NGO consultative status at the International Maritime Organization (IMO) since 1993. INTERCARGO is a forum for quality dry bulk shipowners/managers/operators to be informed about, discuss and share concerns on key topics and regulatory challenges, especially in relation to safety, the environment, and operational excellence.

INTERCARGO promotes best practices in shipping and represents the dry cargo shipping interests at IMO, other industry fora and the broader business context, basing its strategies on the principle of free and fair competition.





Karmenu VELLA
Member of the European Commission

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Brussels, 12.10.2018
Ref. Ares (2018)5975998

Mr Panos Laskaridis
European Community Shipowners' Associations (ECSA)
Rue Ducale 67/B2
1000 Bruxelles

Dear Mr Laskaridis,

Thank you for your letter dated 4 October 2018, sent on behalf of ECSA, the International Chamber of Shipping, the Asian Shipowners' Association, BIMCO, INTERTANKO and INTERCARGO concerning the European Union's Ship Recycling Regulation.

The Ship Recycling Regulation is an important piece of legislation designed to improve health and safety, as well as environmental conditions in the ship breaking industry. Since its adoption by the Council and the European Parliament in 2013, many efforts have been made to reach these objectives and the aim is now to ensure its implementation as of 31 December 2018.

The establishment of the EU List of ship recycling facilities is a key element of the Ship Recycling Regulation. The European Commission is fully committed to ensure that the List contains all yards which meet the requirements of the Regulation and that it is regularly updated to include additional yards. A draft 4th version of this List has been published for public feedback in September and should be adopted by the Commission before the end of the year¹. It will contain 26 yards: 23 yards located in 12 EU Member States, two yards located in Turkey and one yard located in the USA. Work is ongoing to assess the remaining applications to the EU list (13 applications from Indian yards, 6 from Turkish yards, 4 from Chinese yards² and one from an US yard). The Commission carried out inspections of two yards in India in September and two Turkish yards in October. More inspections will follow in the coming months.

The applications are thoroughly assessed by the Commission on a case-by-case basis, in accordance with the requirements set up by the Council and the European Parliament in the EU Ship Recycling Regulation.

¹ See https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-3974022_en

² In view of the decision by the Chinese authorities to ban as of 2019 the import of solid waste, including end-of-life vessels, the assessment of the 4 Chinese yards has not been a priority in the last months

I have noted your concerns relating to the capacity of the current List. My services have been working with the European Maritime Safety Agency (EMSA) on the number and weight of the EU-flagged vessels which got dismantled in the last five years. The figures show that the yearly average weight of all EU-flagged vessels which were dismantled over the period 2013-2017 amounted to 588.000 Light Displacement Tonnes (LDT). In comparison, the historical capacity of the fourth version of the EU list will amount to 614.000 LDT and its theoretical maximum capacity to 1,72 million LDT. The information provided by the countries on the yards located in their territories also shows that a number of them would be able to recycle very large vessels. We therefore believe that there is a sufficient potential in the EU list of ship recycling facilities to accommodate for the recycling needs of the EU shipping industry.

We are aware that a large number of EU-flagged vessels, as well as vessels owned by EU companies but flying another flag, are currently not recycled in facilities included in the EU list. In that respect, the obligation, as of 31 December 2018, for ship owners to recycle EU-flagged vessels only in these facilities will represent a change compared to current practices. We believe that this corresponds to the objective of the Ship Recycling Regulation, which is to enhance safety, health and environment standards for ship recycling and thereby change practices where this is needed.

We would also like to clarify that the Commission does not believe that re-flagging vessels to non EU-flags is a solution when it comes to ship recycling. I call on the responsibility of ship owners in that respect and would like to remind that non-EU flagged end-of-life vessels remain subject to the provisions of the Basel Convention and, when they operate in EU waters, the provisions of the Waste Shipment Regulation.

I call on your organisations to ensure that ship owners take the necessary steps to comply with the obligations of the Ship Recycling Regulation, in particular that they only recycle EU-flagged vessels in EU-listed yards as of 31 December 2018. This means in practice working with these yards and the relevant administrations or recognised organisations to plan ahead the recycling operations, obtain the necessary documentation and ensure that the recycling activities take place pursuant to the provisions of the Regulation (especially its Articles 6 to 9).

The shipping industry is a key player in the ship recycling industry and we count on your support to move together towards sustainable ship recycling practices, in respect of the Ship Recycling Regulation.

Finally, I would also like to take the opportunity to stress that the Commission is an active promoter of the 2009 Hong Kong Convention. The Commission encourages EU Member States to ratify this Convention at each of its meetings, and is raising the issue with a number of third countries in bilateral policy dialogues.

Yours sincerely,



Karmenu Vella

Cc: Mr Guy Platten, ICS
Mr Ang Chin Eng, Secretary General, Asian Shipowners Association
Mr Angus R. Frew, Secretary General & CEO, BIMCO
Mr Tim Wilkins, Environmental Director, Regional Manager Asia-Pacific, INTERTANKO
Dr Kostas Gkonis, Secretary General, INTERCARGO