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FUNCTION OF IMO IN REGULATING INDO- BANGLADESH SHIP BREAKING INDUSTRY: A CRITICAL ANALYSIS

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ABSTRACT

UN came into existence for ensuring global peace & security, apart from its main bodies, it also decentralizes power & function into various Specialized agencies. IMO is such specialized agency established under Article 57 and recommended by ECOSOC under Article 63 and approved by General Assembly for the function of UN under Chapter IX of UN charter. As it has taken responsibility for regulating, ensuring safety and security of shipping and prevention of maritime ships, to do that will require machinery for co-operation among governments, it also has responsibility to provide technical assistant to developing countries. The ship recycling industry in developing and least developing countries, due to cheap labour and having no environmental obligation unlike developed countries, amount for much higher level of pollution when compared to other environmental regulatory regimes [Bangladesh (25%), India (25%), Pakistan (11%)]. Ship recycling industry covering international ship recycling, earns economic profit but due to no effective regulation of health, environment, labour rights, child labour, etc this sector might soon fall down. Apart from focusing on environmental regulation, domestic laws, IMO can reduce the suffering of workers and bring countries within safe work zone, thus the economic interest of South Asia and needs of developing countries recycling ship can be ensured. For the purpose of ensuring safety, IMO as obliged should provide more developed technology which will be safe for worker's health as well as reduce environmental pollution and should create an obligation on developed countries to provide technological support and also impose regulation regarding removal of toxic and explosive gases before sending ships for recycling by developed countries. As per nature and function of IMO, it should take responsibility to improve ship breaking sector, undertaking socio-economic factor, here Basel convention as a soft law can be referred, but IMO is the right forum.

INTRODUCTION

The international maritime organisation known as inter-governmental maritime consultative organization (IMCO) until 1982 is a specialized agency of UN responsible for regulating shipping and ensuring safety and security of shipping and prevention of maritime ships. The IMO Convention entered into force in 1958 which was concluded at Geneva in 1948 and Assembly was convened in 1959. The purposes of the Organization, as summarized by Article 1(a) of the

Convention, are "to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships, it's also empowered to deal with administrative and legal matters related to these purposes.¹ It is also responsible for providing technical assistance in maritime matters to developing countries. Furthermore, is responsible for convening international conferences on shipping matters and for drafting international conventions or agreements on this subject where the current emphasis is on ensuring relevant conventions and treaties are properly implemented by the countries that have accepted them. Currently having 174 members with 3 associate members and Non-governmental international organizations that have the capability to make a substantial contribution to the work of IMO may be granted consultative status by the Council with the approval of the Assembly. IMO may enter into agreements of cooperation with other intergovernmental organizations on matters of common interest with a view to ensuring maximum coordination in respect of such matters. To date there are 63 intergovernmental organizations which have signed agreements of cooperation with IMO.²

IMO AS A SPECIALIZED AGENCY OF UN

International maritime organization is a specialized agency of UN, only those international organizations, that have been created as a result of treaties between states can become specialized agencies under article 57, specialized agencies form decentralized system to UN framework. And secondly, these organs are to perform global functions of supervision and coordination in order to ensure better co-operation between member states. Hence. it can be argued that in spite of these organs being specialized agencies, which is a decentralized system but their membership holds as similar as possible to the UN membership. The UN itself is an intergovernmental organization. In respect of IMO this analogy has proven correctly as IMO consists of 174 members which are sovereign states committed for the cause of International shipping. Article 57 of UN charter requires an organization in the proper sense that is more than an international treaty about

¹ Article 1 , The International Maritime Organization, 1948

² <http://www.imo.org/en/About/Membership/Pages/Default.aspx.available> on dated 2nd May 2020

substantive rights and duties with periodic conference. This precisely requires an independent body with organ of its own with proper task conferred by a founding treaty under public international law.³

IMO is founded by IMO convention based on 1948 treaty, which confers its fundamental purpose and objective, it consists of an Assembly, a Council and four main Committees: the Maritime Safety Committee; the Marine Environment Protection Committee; the Legal Committee; and the Technical Co-operation Committee. There is also a Facilitation Committee and a number of Sub-Committees support the work of the main technical committees. Hence, it can be construed that in true scene IMO is a specialized agency of UN. Article 57 (1) of UN charter stated that, specialized agencies are intergovernmental international specialized agencies with wide international responsibilities, as defined in their basic instruments in economic, social, cultural, educational, health and related fields. These agencies are to be in relationship with UN. Paragraph 2 states that agencies thus brought into relationship with UN are called are agencies. This is paradoxical, paragraph 1 presupposes in its wording that specialized agencies already exists, while paragraph 2 states that an international organization only becomes specialized agencies through a special contractual relationship with the UN.

But this inconsistent unclear terminology has no legal consequence because before the beginning of the relationship, a specialized agency does not have rights and duties of its own towards the UN. This is to conclude that once an agency becomes specialized agency under the provisions then such agencies have wide international responsibilities in the fields related to economic, social, cultural, educational and health. This is true that specialized agencies have a limited area of activity but article 57 is found in chapter IX, which deals with international cooperation in economic and social matters, this is not disputed that the activity of specialized agencies were to be described identically but the San Francisco Conference stated that, the term ‘economic’ was to be understood in a broad scene covering at least trade, finance, communication, transport, reconstruction, commodities, capital transfers and even question of drug abuses. But, beyond that the conference preferred an ever broader formulation, also to include cooperation in education and health fields. Holistically speaking, the specialized agencies of UN do pose a high degree of responsibility.

³ Bruno Shima”The charter of United Nation A Commentary” Oxford University Press, Volume

While discussing the responsibilities of specialized agencies one must consider the basic objective of UN system. Specialized agencies are mandated to work in respect of worldwide technical matters with the decentralized structure they act as an alternative to performing those functions meant exclusively for the United Nations itself. Hence, it is to understand that the specialized agency is the byproduct of the decentralized UN system and are subjected to responsibility that UN in general possesses.⁴

This is to mention here that if any organization which is established by intergovernmental agreement and holds a wider international responsibility as per their basic instrument of establishment in the field of economic, social, educational, health and related fields shall be brought into relationship with UN and will be constituted as specialized agencies. This relationship must be established as per Article 63 of UN charter. It states that economic and social council will enter into agreement with such agencies in order to bring them into relationship with UN after subjecting of approval by General assembly. Hence, the agreement that ECOSOC makes with specialized agencies under Article 63 is subjected to regulatory approval by the general assembly and is considered agreement under public international law between international organizations. The second part of Article 63 states that, the ECOSOC will coordinate the activities of those agencies through consultations with and recommendations to such agencies and through recommendations to the general assembly and to the members of UN.⁵

In a wider sense it can be concluded that these specialized agencies must work with other UN organs, other specialized agencies and UN specialized programmes for fulfillment of objectives of UN. Part XV of IMO convention governs relationship of IMO and UN, it says that IMO shall be brought into relationship with the United Nations in accordance with Article 57 of the Charter of the United Nations as the specialized agency in the field of shipping and the effect of shipping on the marine environment. This relationship shall be effected through an agreement with the United Nations under Article 63 of the Charter.⁶ As mentioned above, Article 63 of UN charter provides that The Economic and Social Council may enter into agreements with any of the agencies referred

⁴ Bruno Shima "The charter of United Nation A Commentary" Oxford University Press, Volume 2 ,pp-1617.

⁵ Ibid ,p-1697

⁶ Article 59 ,The convention International Maritime Organization,1948

to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nation and such agreements shall be subject to approval by the General Assembly. IMO is such a specialized organization approved by 3rd UN General Assembly in November 1948 and by the 1st IMO Assembly in January 1959, coming into effect on the same day – 13 January 1959. IMO has been in the UN System for as long as it has existed.

With obligation of Co-operation as stated, it shall co-operate with any specialized agency of the UN in matters which may be the common concern of the Organization and of such specialized agency, and shall consider such matters and act with respect to them in accord with such specialized agency as having agreement with ILO, IAEA, FAO, UNWTO.⁷ Furthermore it may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations. The Organization may, on matters within its scope, co-operate with other intergovernmental organizations which are not specialized agencies of the United Nations, but whose interests and activities are related to the purposes of the Organization,⁸ and may also consult and cooperate with non-governmental organization.⁹ Here the word co-ordination and cooperation indicates other organization as specialized agency, other intergovernmental organization not specialized agency of UN, non-governmental organization will also have to co-operate and co-ordinate with IMO.

SHIP BREAKING INDUSTRY OF SOUTH ASIA

Ship breaking yards are the final resting place for end-of-life vessels where ships are cut and ripped apart by thousands of migrant workers from the poorest parts of the country. The process of cutting up the ship is often called ship ‘breaking’, ‘scrapping’, or ‘dismantling’. The industry recovers valuable metals such as steel, fixtures, and other useful parts. The ship breaking yards in South Asia have contributed much value to local business and have provided direct and indirect employment to thousands of people. The ship breaking industry started its operations

⁷ Article 60 ,The convention International Maritime Organization,1948

⁸ Article 61 The convention International Maritime Organization,1948

⁹ Article 62, ,The convention International Maritime Organization,1948

in the 1960s when a Greek ship ‘MD Alpine’ was stranded on the shores of *Sitakund*, Chittagong after a severe cyclone. The ship remained there for a long time before the Chittagong Steel House brought the vessel and scrapped it. During the Liberation War in 1971, a Pakistani ship ‘*Al Abbas*’ was damaged by bombing. It was later salvaged and brought to the *Fauzdarhat* seashore. In 1974, *Karnafully Metal Works Ltd* bought it as scrap, introducing commercial ship breaking in Bangladesh. The industry flourished during the 1980s. Today it has become large and profitable industry for the south Asian countries. Until the 1960s, ship breaking was considered a highly mechanized operation, concentrated in industrialized countries - mainly in the United States, United Kingdom, Germany and Italy.

Early 1980s to maximize profits ship owners sent their vessels to the scrap yards of India, China, Pakistan, Bangladesh, the Philippines and Vietnam where there was no strict regulations regarding pay, health and safety, basically major reasons behind such shift was the minimum environmental and labour standard and cheap labor. Time and again the ship recycling industries are highly criticized for causing environmental devastation, health hazard and labour standard violations, most of the scrapping yards are contaminated with metal pieces, asbestos sheets, thermacol, glass pieces, oil and other substances. These substances are known to cause serious health and environmental hazard to the workers in particular and environment in general. Ship breaking activities is a threat to both the terrestrial and marine environment as well as to public health. Ship contains a wide range of hazardous waste sealants containing PCBs up to 7.5% tons of Asbestos and several thousand litres of oil. These pollutants amount to health hazards and multiple environmental pollutions. Studies have shown that the activity undertaken by ship breaking industries are highly dangerous for environment as well as for public health, it has a negative impact on bio-diversity of coastal zone. Both Bangladesh and India are front runners in case of ship breaking industry. As per World Bank in 2015 itself, India and Bangladesh dismantles 194 each which constitutes 25% of worldwide dismantling, at the same time 81 ships were dismantled in Pakistan which constitute 11% dismantling in respect of the whole world. The major ship recycling in Bangladesh is situated in *Sitakunda* costal street, North West of Chittagong and in India industries situated in *Alang* and *Soscoya* in *Gujarat*. Chittagong together along with India is the Largest shipping site of the world.

Approximately 40,000 workers are employed in these areas.¹⁰ In Bangladesh most of the workers are migrants from North West Bangladesh and in India workers are migrants from states like Uttar Pradesh, Bihar, Jharkhand and West Bengal.

Accidents are very common in these ship breaking yards, in Bangladesh specific one report claims that 91 died in period of 2005 to 2012, which is more than worker death on average for month. Another report says that, between 2011 and 2015, 53 people were killed and 78 injured at Chittagong shipping yards. In 2014, 5 workers injured in tank explosions, 4 were severely injured from gas cylinder explosions, 5 were killed and 3 were injured inhaling toxic gases, in addition 3 were killed from falling metal plate or cable. In 2015, 16 workers died during performing their duties and 22 were injured, this is to mention that fatal accidents resulting often to deaths or loss of limb, has a high possibility in these yards. The Indian scenario is also grim; accidents are frequent in *Alang*, from 1983 to 2013 around 470 workers died in accident. In 2014, 2 workers died being crashed by falling steel plate, 5 workers died and another 10 injured in a major gas explosion, such incidents are many more. Apart from this, unhealthy work environment and accident, other major problem is that of child labour, according to the report of 2008, child labour prevails in shipping yards. Children works long hours with limited or no pay. This can be concluded that a similar kind of problem is present in both the countries in particular and South Asia in general. Such identical problems also prevail in Pakistan.¹¹

ROLE OF IMO IN REGULATING SHIP BREAKING

If you consider all the facts and prevailing situation we can summaries the following problems faced by both the countries; the environmental and ecological pollution caused due to the harmful and hazards substance of ships, the harmful effect on the public health, the violation of labour standard and lastly child labour problem. Historically speaking the reasons behind the shift of this industry from west to east was due to low environmental and labour standards.

¹⁰ Shawkat Alama, Abdullah Faruqu, Legal regulation of the shipbreaking industry in Bangladesh: The international regulatory framework and domestic implementation challenge, *Marine Policy* Vol. 47(2024) pp-46-56

¹¹ WB Report (2010): The ship breaking and Recycling industries in Bangladesh and Pakistan, Report no. 58275-SAS, <<http://siteresources.worldbank.org/SOUTHASIAEXT/Resources/223546-1296680097256/Shipbreaking.pdf>>

If we consider domestic legal framework then the picture is very disappointing. In India at present there is no specific law in relation to the international waste shipment. When it comes to the ship breaking, jurisdiction is conferred on multiple authorities under various laws such as Maritime Zones Act, 1976, the Coast Guard Act, 1978, Environmental Protection Act, 1986, the Gujarat Maritime Board Act, 1981 and Ship Recycling Regulations 2006. These legislations specifically cover and aim to control environmental pollution during the ship breaking. Along with this Indian Supreme court has given some guideline in respect of ship breaking in the case *Research Foundation for Science and Technology and Natural Resources Policy v. Union of India & Others*.¹² Apart from this India does not have any other specific legislation in order to combat the prevailing problem. On the other hand Bangladesh also does not possess an effective regulating mechanism under its domestic legal framework. Ship breaking is the process of dismantling an obsolete vessel for scrapping or disposal. This activity was not officially declared an industry in Bangladesh until 2006.

If we see the legal framework in Bangladesh in respect to this, it has now been recognized as an industry in Bangladesh as the Bangladesh Labour Act 2006 includes ship breaking within the definition of establishment, so under the labour laws of Bangladesh, workers of ship breaking will get protection but this law has many loopholes is not effective at all. The Bangladesh Environment Conservation Act 1995 remains the most important environmental legislation which aims to conserve and improve environmental standards and to control environmental pollution in Bangladesh. Section 6(D) of the Act specially deals with the ship breaking industry. It prescribes that the owner and importer of ships as well as the users of ship breaking yards must ensure that scrapping does not cause any pollution and/or health hazards through releasing hazardous wastes.¹³ Again Section 9, in case of a discharge of excessive environmental pollutant, the person responsible and the person in charge of the place of occurrence shall take measures to control or mitigate the environmental pollution.¹⁴ But if we come to the effective implementation part result zero as still same problem going on

¹² Writ Petition (civil) 657 of 1995

¹³ Section 6(D) of the Amendment Act, 2010 (Act No. 50 of 2010) to Conservation Act, 1995.

¹⁴ Section 19 of the Amendment Act, 2010 (Act No. 50 of 2010) to Conservation Act, 1995.

department of Environment .The Ship Breaking and Recycling Rules, 2011, introduce the Ship Building and Ship Recycling Board it was good initiative.

Judiciary has contributed in ship breaking sector as (BELA) is a pioneer in raising legal action against owners of yards and government agencies involved in ship breaking industries. In 2003, BELA filed a writ petition¹⁵ for a direction to be issued upon the ship breakers and concerned Government Agencies to ensure compliance of the Environment Conservation Act, 1995 and the Environment Conservation Rules, 1997, the compliance of the gas free certificate conditions issued by the Department of Explosives, the compliance under the Basel Convention, 1989 for the importation of ship for scrapping purposes. According to the petitioner, the non-compliance of laws resulting in pollution of air, water, soil or areas adjoining to the ship breaking has resulted in the degradation of marine resources and the loss of a large number of laborers' health and safety who are constantly exposed to such risks.

But internationally speaking the shipping industry has traditionally been subjected to international regulation to protect the health and safety of workers as well as the maritime environment. The International Convention for the Safety of Life at Sea (SOLAS) is the most important treaty concerning the safety of merchant ships. Another line of international treaties addresses the pollution risk from ships.¹⁶ The International Convention for the Prevention of Pollution from Ships (MARPOL) is the main international convention aiming at the prevention of pollution of the marine environment by ships, from operational or accidental causes.¹⁷ In contrast to the detailed regulation in the operational phase of a ship's life, the dismantling of end-of-life ships has traditionally not been subjected to international standards, neither for the protection of human health and safety, nor for the environment. With the global shift of the industry from developed, highly regulated nations towards countries with weak regulatory and enforcement systems came calls for international regulation to ensure the protection of human rights standards for occupational health and safety as well as the environment.

¹⁵ Writ Petition No. 2911/2003,HCD,Bangladesh

¹⁶ The International Convention for the Safety of Life at Sea,1974

¹⁷ The International Convention for the Prevention of Pollution from Ships,1973.as modified by the Protocol of 1978(MARPOL 73/78)

In the absence of international regulation aimed at the specific challenges of ship recycling, the Basel Convention on the Movement of Hazardous Waste has been used to tackle the regulatory challenges. In 2009, the International Maritime Organization (IMO) adopted the Hong Kong Convention on Ship Recycling, which has yet to come into force. At the European level, regulation has been developed to implement these conventions as well as help in the development of a European system for control of the ship recycling industry. But the position in South Asia is very disappointing. In spite of being the major stake holder it does not have any specific legal mandate regarding ship breaking till date.

This is to mention here that IMO is the specialized agency of UN. This is also to highlight here that the objective and purpose of IMO states that, it is mandated to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships. If we see the drafting history the term ‘Economic’ has a wide interpretation and also include education and health.

Furthermore article 57 is found in chapter IX ,which deals with international cooperation in economic and social matters.¹⁸ Hence, IMO being the specialized agencies which specifically regulate the shipping activity hold a huge degree of responsibility with respect to any activity related to shipping. Ship breaking very much falls within the ambit of IMO. Hence in the international plane IMO holds the primary responsibility to combat all the prevailing problems in this area. But if we consider the international scenario, then we can conclude that IMO has not taken any specific as well as effective steps. In addition to this under Article 63, ECOSOC is mandated to coordinate the working of IMO, hence it can be argued that IMO is under responsibility to cooperate with other UN specialized agencies and Programme.

We have enumerated broadly three problems which these south Asian countries are facing due to the ship breaking industries. Firstly Environmental and Ecological concern, secondly

¹⁸ Bruno Shima, Article 57, The charter of United Nation A Commentary” Oxford University Press, Volume 1.

adverse effect on Human Health, thirdly, violation of international labour standards, which also include the problem of child labour, in broader sense violation of Human Rights. India and Bangladesh in particular and south Asian countries in general are the major stake holders of ship breaking industry. Hence, it is the need of the hour, IMO being the specialized agency must come with a comprehensive legislation to combat these problem. This is to mention that in 2009, the International Maritime Organization (IMO) adopted the Hong Kong Convention on Ship Recycling, which has yet to come into force. It was developed with input from IMO member states and NGOs, and in co-operation with the International Labour Organization and the Parties to the Basel Convention. It is the first international treaty that intends to address all the various aspects of ship recycling from shipbuilding, shipping operations and ship breaking, including concerns about working and environmental conditions at ship recycling facilities. It has, however, been criticized for not taking a clear stand against the recycling method.

The Hong Kong Convention sets out requirements to ship owners and ship recycling facilities as well as local governments, and covers:

- the design, construction, operation and preparation of ships so as to facilitate safe and environmentally sound recycling
- the operation of ship recycling facilities in a safe and environmentally sound manner
- the establishment of an appropriate enforcement mechanism for ship recycling, incorporating certification and reporting requirements.¹⁹

Ships to be sent for recycling will be required to carry an inventory of hazardous materials, which will be specific to each ship. An appendix to the Convention provides a list of hazardous materials, the installation or use of which is prohibited or restricted in shipyards, ship repair yards, and ships of Parties to the Convention. Ships will be required to have an initial survey to verify the inventory of hazardous materials, renewal surveys during the life of the ship, and a final survey prior to recycling. Ship recycling yards will be required to provide a ship recycling plan, to specify the manner in which each ship will be recycled, depending on its particulars and its inventory. States will be required to take effective measures to ensure that ship-recycling facilities under their jurisdiction comply with the convention.

The Hong Kong Convention will enter into force 24 months after its ratification by 15 States, representing 40 per cent of world merchant shipping by gross tonnage. Although several

¹⁹ The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

countries, including the UK, Turkey and Panama, have indicated willingness to ratify the convention, but it remains an open question when it will enter into force. Right now IMO can issue only guideline for these industries. But if we critically evaluate this unenforced convention it has many loopholes first of all, IMO took several decades to come up with any convention which specifically addresses the problem. Secondly although environmental concern has been taken into consideration but the labour standards, its effect on public health, its socio-economic impact has not been addressed that precisely.

CONCLUSION

The ship breaking industry in South Asia has been under pressure because of alleged abuse of the environment and occupational health hazards as it is seen as a polluting industry that has adverse effects on the ecosystem and human lives, particularly the workers. Enforcement of regulations in the ship breaking industry is weak, especially in Pakistan and Bangladesh rather than India. It's a dirty job, numerous deadly accidents, insecure labour, environmental injustice, and violation of human rights. However, despite its problems, ship breaking is important as an economic activity for developing countries, particularly South Asia. So to improve the situation in South Asia, such initiative can be taken by the international community as part of agreements such as the Basel Convention, and press the International Maritime Organization and other stakeholders to implement improvements such as better tracking of ships, transparency of the ship owner's location, and provision of inventories of materials used in ship construction. IMO could help recipient countries upgrade ship dismantling yards and regulatory frameworks and eliminate unfair competition that compromises workers' safety and the environment. If ship dismantling is not possible to bring as safe zone its not so far when international community will impose environmental obligation to developing country who are involved in this, and could discourage dismantling where Indo-Bangladesh will face economical loss.

Workers in Bangladesh and Pakistan are at even higher risk due to non-availability of proper facilities and protective gears, accidents and explosions are also not reported properly. The Government of Bangladesh has no statistics or reliable records on ship breaking yards, and

yard owners are reluctant to give any information. To face this issue every National governments could also promote a ‘level playing field’ through bilateral or multilateral cooperation such as India and Bangladesh, formulate a multi-sectoral policy and country-level strategy, monitor compliance better, promote unbiased research, facilitate transparency and civil society involvement, and use technology to upgrade ship breaking facilities. Local government could also raise awareness within industry and among workers about sustainable development and help facilitate it.

Apart from this, whatever regulation countries have with respect to environmental regime, IMO itself is responsible to ensure maritime shipping, providing technological assistance, bringing convention for protection and prevention of pollution, in this respect IMO did come up with some conventions but all of them are for ensuring environmental pollution, no hard binding regulation for insurance of ship breaking industry. Though Hong Kong convention is good step to regulate ship breaking and India acceded to the Convention in late 2019, but it is yet not enforced and it took many decades to formulate this kind of convention and even still unable to address all the issue comprehensively. So as a specialized agency of UN, IMO as obliged should provide more developed technology which will be safe for worker’s health as well as reduce environmental pollution and should create an obligation on developed countries to provide technological support and also impose regulation regarding removal of toxic and explosive gases before sending ships for recycling by developed countries.

IMO as a specialized agency is not fulfilling its object and purpose with respect to Ship Breaking industry, so certain suggestions are :

- Technical assistance to developing country for efficient and effective ship breaking.
- Formulate mandate for the exporters for removal of toxic gas and hazardous substance before export of ships
- Shall cooperate with ILO for ensuring a high labour standard
- Must take the South Asian socio-economic circumstances into consideration and formulate specific and effective legal framework

- IMO must coordinate between developed and developing and LDCs for technological assistance, which will facilitate safe working of such industries.