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Thursday, November 15, 2012

Editorial

Editorial

Good news for the environment

No bar to strict regulation on ship breaking

In an ironic twist to the saga of whether or not ships carrying toxic material would be allowed entry into the country, Bangladesh Ship Breakers Association (BSBA) has withdrawn its appeal against a High Court (HC) verdict given in 2009. This removes the last hurdle to the government's plans to formulate legislation on ship breaking.

When Bangladesh Environment Lawyers' Association (BELA) filed the writ back in 2009, it came up against stiff resistance from BSBA which effectively put on ice plans to frame rules on regulating an unregulated ship breaking industry. As there was no law in place that made it mandatory for the industry to obtain environmental clearance from the responsible department, Bangladesh had effectively become the dumping ground for some of the world's most toxic and dangerous derelict ships. Furthermore, no government regulation meant that workers' safety was also a non-issue resulting in unnecessary deaths and injuries to workers.

In light of the BELA's writ, the HC had directed the government to frame rules and regulations drawing on six international laws on the subject within three months. The formulation of Ship Breaking and Ship Recycling Rules, 2011, subsequently amended to meet HC directive in December 2012 lays the foundations for protecting workers and the environment. The new rules allows for import of ships for dismantling purposes only on the condition that they are decontaminated as per HC verdict in 2009. This is good news indeed. However, for the new law to act as deterrence in the interest of protecting the environment and workers' protection, active enforcement by the department of environment is mandatory. Without that, the new rules will be just another piece of legislation that will gather dust on the shelf while an already polluted environment continues to suffer degradation.

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