Dead U.S. Ship on Four-Month Tow Ends on Indian Beach

Four Countries Violate International Law

22 January 2016 (Seattle, WA) -- The HORIZON TRADER, a 42 year-old American built and operated container ship, was beached earlier this month at the notorious shipbreaking site of Alang, India, despite the last ship owner Matson, Inc. having sold it for recycling in the US.

The dead vessel contains hazardous materials, making its final voyage from the U.S. to India illegal waste trafficking under the Basel Convention, which controls the transboundary movements of hazardous wastes. The vessel likely contains polychlorinated biphenyls (PCBs), which also makes the sale an illegal export of PCBs from the US. According to environmental justice group Basel Action Network (BAN), responsibility not only falls on the former U.S. ship owner, but also on the five countries that failed to uphold their obligations to stop the renegade vessel along its four-month journey.

BAN photographed the HORIZON TRADER on 2 September 2015 as a U.S. tug named GAUNTLET (also known as MISS GAUNT) towed it out of the Port of Brownsville, Texas. BAN tracked the vessels along the four-month journey through Trinidad and Tobago, Namibia, and Mauritius before arriving in Indian waters on 30 December 2015.
While BAN notified authorities in each country prior to the vessels' arrival, and called on authorities to uphold their legal obligations under the Basel Convention, each country failed to intervene to halt the illegal transport and prevent it from being run aground in Alang. The HORIZON TRADER arrived in Alang, under the name D.V. ("dead vessel") TRADER and was beached on 8 January 2016.

Some have argued that the Basel Convention does not effectively control the export of hazardous end-of-life ships because it's difficult to determine when a ship actually becomes waste along its journey. However, in this case, the "dead" ship was defined as waste before it departed the U.S. The failing lies not with the law but rather with the countries that ignored their obligations under international law: Mauritius, Trinidad and Tobago, Namibia, and India, all of which are Parties to the Basel Convention.

"We've criticized ship owners for skirting international law time and time again, but governments too are responsible for not fulfilling their clear legal obligations. They've all but endorsed global toxic waste trade," said Colby Self, the Green Ship Recycling Director at BAN.

The HORIZON TRADER first gained notoriety in September 2015, when All Star Metals, a U.S. ship recycler based in Brownsville, Texas, who was thought to have scrapped the vessel themselves at their ship recycling facility, resold the ship in 2015 for breaking in India without the knowledge or consent of Matson, Inc., the ship's former owner.

Matson sold the vessel to All Star with the expectation that All Star would recycle it at their facility, but BAN's investigation discovered otherwise. Matson has since assured BAN that in the future they would vigilantly uphold a policy of forbidding the export of their old ships to South Asian beaches.

"The TRADER saga brings to light the importance of due diligence by shipping companies that have good intentions, such as Matson," said Patrizia Heidegger, Executive Director at the NGO Shipbreaking Platform in Brussels. "Selling a ship to companies that make clean and safe ship recycling claims is not enough. Ship owners must hold these companies accountable to these claims."

The hazardous waste management costs of the TRADER would have been significant in the U.S., perhaps even higher than the value of scrap metals contained in the vessel, especially with commodity prices so low. Hazardous waste management costs are not an important consideration at the beach breaking facilities in India. Hazardous waste streams, PCBs in particular, aren't treated or disposed of with the necessary care, hence a cost savings at the expense of environmental and human health. Asbestos-containing materials can even be resold for further use.

BAN and the NGO Shipbreaking Platform call on the Government of India to refloat the vessel and repatriate the ship to the U.S. to uphold their obligations under the Basel Convention.

They also call on the United States to disallow export to developing countries without a thorough PCB study conducted by the government at the cost of the exporter.

"We hope a lesson has been learned here and we never see this type of flagrant global dumping again," said Self. "Companies like Matson must contractually prohibit their recyclers from using the beaches, the United States must change their policy of allowing companies like All Star to police themselves for PCB exports, and countries all over the world must act to uphold the treaties they signed."

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About Basel Action Network
Founded in 1997, the Basel Action Network is a 501(c)3 charitable organization based organization of the United States, based in Seattle, WA. BAN’s mission is to champion global environmental health and justice by ending toxic trade, catalyzing a toxics-free future, and campaigning for everyone’s right to a clean environment. BAN is the world’s only organization focused on confronting the global environmental justice and economic inefficiency of toxic trade and its devastating impacts. Today, BAN serves as the information clearinghouse on the subject of waste trade for journalists, academics, and the general public. Through its investigations, BAN uncovered the tragedy of hazardous electronic waste dumping in developing countries. For more information, visit www.ban.org or www.ban.org/news.

About NGO Shipbreaking Platform

The NGO Shipbreaking Platform is a coalition of 19 environmental, human rights, and labor rights organizations working to prevent the dangerous pollution and unsafe working conditions caused when end-of-life ships composed of toxic materials are freely traded in the global marketplace. The overarching goal of the NGO Shipbreaking Platform is to prevent toxic end-of-life ships from being beached in developing countries. The majority of the ships sold for breaking today are simply run up on the tidal shores of India, Bangladesh and Pakistan. The beaching practice is at the source of extremely severe pollution, dangerous working conditions, exploitation of workers, and a blatant violation of international hazardous waste management laws. For more information, visit: www.shipbreakingplatform.org.