

STAVROS DIMAS

MEMBER OF THE EUROPEAN COMMISSION

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Brussels, 24.3.2006  
A/370 -D194-

Dear Ms Lucas,

Thank you for your letter of 8 February 2006 concerning the disposal of the French vessel "Clemenceau".

At the time you wrote the letter, the "Clemenceau" was still sailing to India in order to be dismantled. In mid-February, however, the French Government called the ship back to French waters. The days preceding the French recall decision, I personally intervened so as to make publicly clear that, despite its previous military use, the ship is considered as a waste and, to the extent it contains hazardous material, it could not be shipped to a non-OECD country, such as India. In parallel, preparatory steps had already been taken by my services in view of the launch of an infringement procedure against France.

The ship is at present sailing back to France, and in particular to the port of Brest in the Atlantic coast. France is currently seeking a solution for the dismantling of the "Clemenceau" and has declared that an independent study will be commissioned to establish the quantity of asbestos and other hazardous materials on board the vessel. It has also called upon the other Member States of the European Union to find a common solution for the recycling of European end-of-life ships in general.

I share your concern about the export of ships containing hazardous materials to non-OECD countries where they are known to be dismantled under often dangerous and environmentally unsound conditions. I also agree that a ship which is sent for scrapping and has not been properly emptied of hazardous materials constitutes a hazardous waste and is thus subject to the rules of international waste shipment rules and Council Regulation (EEC) No 259/93 on shipments of waste. This view has been confirmed in the case of the "Clemenceau" by the ruling of the French Council of State of 15 February 2006.

Ms Caroline Lucas, MEP  
Group of the Greens / EFA  
European Parliament  
B-1047 Brussels

Over and above the individual case, the Commission is aware of the fact that similar cases of ship dismantling are likely to arise frequently in the future, not the least because of the obligation on EU ship owners to withdraw all single-hull tankers from service. You will agree, however, that the Commission has only limited competences in enforcing waste shipment law in relation to end-of-life ships and cannot solve the problem alone in an effective way, as ships can sail freely and flags can be changed easily. A solution must also include an international dimension and for this purpose work is on-going in the framework of the International Maritime Organisation, with a draft Convention on ship recycling expected to be finalised in 2008/09. The Commission welcomes and supports the initiative to develop a global system of binding rules which should ensure that ship recycling worldwide is undertaken in a safe and environmentally sound manner. In addition, the Commission services are assessing how the European Community can contribute to a solution in the interim period until the coming into force of an international convention. In this, we are ready to cooperate with Member States, as well as the stakeholders concerned, and are open for any constructive proposals.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stavros DIMAS', written in a cursive style.

Stavros DIMAS