Assessing global standards for ship recycling

Gap analysis of the Hong Kong Convention and EU Ship Recycling Regulation

CE Delft

Content

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List of abbreviations

Abbreviation	Description
AFS	Anti-Fouling Systems
DASR	Document of Authorization to conduct Ship Recycling
EEA	European Economic Area
EPRP	Emergency preparedness and response plan
EU SRR	EU Ship Recycling Regulation
HBCDD	Hexabromocyclododecane
HKC	Hong Kong Convention
IHM	Inventory of Hazardous Materials
ILO	International Labour Organization
IRRC	International Ready for Recycling Certificate
LDT	Light Displacement Tonnage
MEPC	Marine Environment Protection Committee
OECD	Organisation for Economic Co-operation and Development
OSH	Occupational Safety and Health
PFOS	Perfluorooctanesulfonic acid
PIC	Prior Informed Consent
RRC	Ready for Recycling Certificate
SDoC	Supplier's Declaration of Conformity
SRF	Ship Recycling Facility
SRFP	Ship Recycling Facility Plan
TGN	(EU SRR) Technical Guidance Note
EU WSR	EU Waste Shipment Regulation

Executive Summary

Context

When ships reach the end of their operational life, they are normally dismantled for scrap in a practice that is referred to as “ship recycling”. The majority of global ship recycling takes place in South Asia (India, Bangladesh and Pakistan) as well as in Türkiye.

Ships are structurally complex and their dismantling can generate various environmental, safety and health hazards. As a result, there are international regulations in place which aim to ensure that the hazards of ship recycling are managed. In 2013 the EU adopted the **EU Ship Recycling Regulation** (EU SSR) which has been applicable to ships in scope since 31 December 2018. Meanwhile, the IMO **Hong Kong Convention** (HKC) entered into force on 26 June 2025 following its adoption in 2009, also regulating the issue of ship recycling.

Aim of the report

The objective of this report is to identify and analyse key areas where the HKC and the EU SSR diverge. To do this, the report examines the legal texts of both frameworks, together with the corresponding IMO and EU guidelines and secondary legislation. Several recommendations to narrow the gaps between the frameworks are also given.

The national implementations of the EU SRR and HKC as well as guidelines from other bodies such as the ILO are out of scope of this report.

Main findings

Since the EU SRR was based on the HKC, the two frameworks share many of the same principles, concepts and structures. However, there are also important differences, especially in the requirements for ship recycling facilities, while the rules for ships are generally more closely aligned.

An important difference between the two frameworks is the process through which ship recycling facilities are authorised. A key feature of the EU SRR is the “European List of Ship Recycling Facilities” where EU-flagged ships must be recycled. The EU SRR establishes two processes for facilities to be added to this list, with the process for facilities located outside the EU (and EEA countries) being comparatively more extensive.

Notably, applicant facilities from third countries, where the majority of the word's ship recycling takes place, must first gain an independent certification attesting adherence to the EU SRR requirements, then make an application to the European Commission to evidence how the individual requirements of the Regulation are met. Thereafter, facilities are subject to an assessment and inspections on behalf of the European Commission. Specific technical guidelines have also been developed to clarify and substantiate many of the requirements of the EU SRR for third country facilities. Once facilities are approved, mid-term inspections take place, and these, together with the initial inspection reports, are made publicly available.

The HKC also requires parties to the Convention to establish a mechanism for authorising ship recycling facilities to ensure they meet the requirements of the Convention. The mechanism should, according to the Convention, include inspection, monitoring and enforcement provisions. However, individual countries determine the exact details of what the mechanism entails and they are not required to share this mechanism with the IMO. This means there is no standardised approach to how ship recycling facilities apply for HKC authorisation, the specific standards they are inspected against or the conditions for their continued authorisation. Related to this, an important feature of the HKC is that it frequently refers to guidelines to clarify or elaborate on certain requirements instead of giving specifics directly in the legal text of the HKC. For example, important elements about infrastructure and drainage at ship recycling facilities, the details of environmental and safety management systems and specifics about audit schemes for authorised facilities are elaborated only in guidelines and not in the HKC itself. Where Parties require full adherence to the relevant guidelines before granting or renewing HKC authorisation to a ship recycling facility, the gaps between the HKC and the EU SRR are narrower. However the degree to which the guidelines are actually applied in practice by each of the entities authorising ship recycling facilities around the world is uncertain. Related to this, the HKC permits the authorisation of ship recycling facilities to be delegated to external organisations without defining the necessary experience or qualifications these organisations should have.

Gaps between the HKC and the EU SRR also exist due to the legal text of the EU SRR setting more specific requirements, for instance on the control of waste leakage during the ship recycling process. The EU SRR is likewise more specific in requiring that downstream waste management takes place according to standards that are "broadly equivalent" to EU and international standards which are defined in supplementary technical guidance and to which adherence is assessed via the mandatory inspections for third country facilities. While the HKC does require that wastes from ship recycling are transferred only to a waste management facility authorised to deal with their treatment and disposal, the standard on which authorisation is based on is not defined in the HKC. Instead, guidelines refer to national standards for downstream waste management while international standards, which are not defined, should be "taken into account".

The gaps between the EU SRR and HKC with respect to ships are more limited, although a significant gap in the HKC is the narrower scope of the Inventory of Hazardous Materials which is required to be compiled during a ship's operational life and ahead of recycling. This is important because the inventory prepared by the shipowner/manager is used by ship recycling facilities to plan how the type and amount of hazardous materials on board the ship will be managed during the recycling process. There is no obligation for ship recycling facilities to carry out additional sampling of hazardous materials prior to recycling operations. As such, a narrower range of inventorised hazardous materials provides less assurance as to the presence of hazardous materials, putting ship recycling facility workers and the surrounding area at greater risk.

Other identified gaps in the HKC, compared with the EU SRR, include less specific transparency requirements such as information about the method of recycling used at authorised facilities. The EU SRR also provides a much more direct mechanism for stakeholders to raise concerns about possible breaches of the Regulation. At the time of writing, however, the IMO was still developing further means of information dissemination under the HKC, including a dedicated module on an existing IMO information platform.

Recommendations

Compared to the EU SRR, the HKC has the advantage of applying across a far wider scope, covering more ships and ship recycling facilities. This broader reach is a major strength, as it increases the potential impact of stronger social, human and environmental protection. However, the HKC's presently more flexible and less specific requirements offer less protection against uneven implementation. In that sense, making the HKC's requirements more specific and consistent could better ensure safe and environmentally sound recycling of ships worldwide. The following recommendations are highlighted in particular:

1. **Authorisation mechanisms for ship recycling facilities:** Communication of the mechanism HKC Parties establish to authorise ship recycling facilities, including the specific criteria which the Party considers mandatory and the form and frequency of facility inspections. Clearer rules are also recommended on the types of organisations that may be delegated responsibility for authorising ship recycling facilities, and on their qualifications.
2. **Downstream waste management standards:** Specify which international standards for downstream waste management are applicable under the HKC and require Parties to communicate which standards they consider mandatory when authorising facilities.
3. **Scope of the Inventory of Hazardous Materials (IHM):** Update the IHM materials of the HKC to be consistent with the higher number of materials under the EU SRR.

1 Introduction

1.1 Background and research question

In 2013 the EU adopted the EU Ship Recycling Regulation (SSR) (No 1257/2013), which has been applicable to ships in scope since 31 December 2018.

Meanwhile, the IMO Hong Kong Convention (HKC) for the Safe and Environmentally Sound Recycling of Ships entered into force on 26 June 2025, following a long wait since it was adopted by IMO in 2009.

The scheduled entry into force of the HKC triggered Article 30(2) of the EU SRR, which required the European Commission to review the EU SRR. The Commission's evaluation report, published in February 2025, left open the possibility of amending the EU SRR but indicated that the Commission would first assess how the HKC will be implemented and possibly improved towards stricter global standards.

In parallel, in April 2025, the IMO's Marine Environment Protection Committee (MEPC) agreed to establish an experience-building phase to evaluate the Convention's implementation (MEPC, 2025b). The first phase of this process is scheduled to run throughout 2026-2027, potentially informing future amendments to the HKC. Regulatory focus at both the EU and IMO levels is therefore converging on the implementation and possible improvement of the HKC.

European Shipowners | ECSA and ICS are supportive of an international level playing field to reduce legal uncertainty and promote a more consistent and high standard of safety and environmental protection in ship recycling worldwide.

Against this background, the objective of this report is to analyse the gaps between the HKC and the EU SRR, identifying key areas where the two frameworks diverge.

1.2 Method

The analysis is carried out by comparing the provisions of the HKC and the EU SRR and identifying gaps as defined below. As will be elaborated in Chapter 2, the EU SRR is more recent than the HKC which it was based on and in some cases expands on it with additional requirements. As a result, the gaps are most frequently in the HKC as compared to the EU SRR and not the other way around. Therefore, this report examines, as default, the gaps in the HKC as compared to the EU SRR, however cases of the HKC going further than the EU SRR are also mentioned.

For the analysis, gaps are considered to be shortcomings in the provisions of one framework compared to the other in the following senses:

1. Missing elements/requirements compared to the EU SRR.
2. Non-mandatory language or a reliance on voluntary guidelines.
3. Vague/unclear requirements or a reliance on national implementation or interpretation.
4. Enforcement mechanisms unclear or non-existent.

The intention has not been to scrutinise the language or structure of the legal texts on an article-by-article basis. Instead, the focus is on key areas of the frameworks, as outlined in Section 1.3.

The list of main sources considered in the gap analysis is detailed in Annex A of this report, including the legal texts (and appendices) of the HKC and EU SRR as well as guidelines and secondary legislation adopted by the IMO and EU to support the implementation of the legal texts. On top of these main sources, several other sources were used for background and supporting information, which are shown in the list of literature at the end of the report.

Note that **national implementations of the EU SRR and HKC** (**as well as guidelines from other bodies such as the ILO**) **are out of scope** and so have not been analysed in this report.

1.3 Outline of the report

Chapter 2 first provides a **short introduction** to ship recycling, followed by a brief overview of the **structure and governance** of the EU SRR and HKC frameworks. To provide context on co-existing frameworks which have an influence on ship recycling, the Basel Convention and its Ban Amendment are also discussed briefly within the chapter. Thereafter, those frameworks are however set aside in this report.

Chapter 3 compares the **scope of ships and ship recycling facilities** that need to comply with the EU SRR and HKC, providing the relevant definitions and discussing gaps.

Chapter 4 addresses differences in the **approval process for authorising ship recycling facilities** under both frameworks.

Chapter 5 examines the **environmental criteria applicable to ship recycling facilities** under the EU SRR and HKC.

Chapter 6 examines the **safety criteria applicable to ship recycling facilities** under the EU SRR and HKC.

Chapter 7 discusses the main **documents and certificates** that are required to be in place for ships and ship recycling facilities.

Chapter 8 focuses on the **Inventory of Hazardous Materials** and the differences in approach between the frameworks.

Chapter 9 discusses **reporting obligations** on ships, ship recycling facilities and other stakeholders, as well as **provisions on access to information**.

Chapter 10 discusses the **enforcement** of the requirements of the EU SRR and the HKC on ships and authorised ship recycling facilities.

Chapter 11 finally provides **conclusions** and **recommendations**.

2 The HKC and EU SRR: short introduction

Before presenting the results of the gap analysis, this chapter first gives a short introduction to ship recycling, followed by a brief overview of the structure and governance of the EU SRR and HKC frameworks. The latter are important in determining which parts of the respective frameworks reflect mandatory or voluntary requirements and are thus important for the gap analysis that follows.

2.1 Ship recycling in a nutshell

When ships reach the end of their operational life, the normal practice is that they are dismantled for scrap in a practice that is most often referred to as “ship recycling”. Other terms such as “ship breaking” or “ship demolition” are also used in the industry, but these are considered to be synonymous with the term ship recycling (OECD, 2019).

Ships retain significant economic value at their end-of-life, as their steel and other metals, machinery, and equipment are sold for recycling or re-use. This value can, depending on market circumstances, represent 10% or more of the ship’s newbuilding value and ship steel is in particular considered good quality because the chemical composition of all structural steel that goes into shipbuilding is certified by classification societies (Mikelis, n.d.). High quality steel is expected to typically represent between 75 and 85% of a ship’s weight (EC, 2025b).

The breaking up of ships for recycling is, however, a difficult process due to the structural complexity of ships; the activity can generate many environmental, safety and health hazards (ILO, 2015). Although working practices in individual ship recycling facilities vary (IMO, n.d.-c), the International Labour Organization (ILO) considers the occupation among the most dangerous in the world, with unacceptably high levels of fatalities, injuries and work-related diseases (ILO, 2015). Both the HKC and EU SRR put in place requirements to manage the safety and environmental hazards present in ship recycling. The extent and potential differences of these requirements are discussed further in this report.

In general, ships reach their end-of-life when their second-hand sale value for further trading drops below their recycling value: for larger ships this tends to be around 25 years old, depending on economic circumstances (Mikelis, n.d.). The market for ship recycling has been dominated in the last decade by ship recycling facilities in India, Bangladesh and Pakistan, while Türkiye also has a smaller but very active ship recycling sector (EC, 2025b). For many years China was also a key player in the global ship recycling market, however, in 2017 China introduced a waste import ban which includes foreign-flagged ships (EC, 2025b). Of the five main ship recycling countries mentioned above, the three South Asian countries have been constantly offering significantly higher prices per Light Displacement Tonnage (LDT)[1] for recycling end-of-life vessels than facilities located in other countries (EC, 2025b). However, it is in these South Asian countries where ships have (at least historically) been commonly dismantled through the so-called beaching method. Beaching is a form of ship recycling under which ships are driven (usually under their own steam) onto beaches and, most of the time, broken up without heavy machinery and without other containment than the hull of the ship itself (EC, 2025b).

It is recognised that, even if the adoption of the HKC in 2009 did not lead to a sudden wide-sweeping change across South Asia, the Convention raised awareness of sub-standard working practices – as did a boom in ship recycling in 2012 and the entry into force of the EU SRR in 2013 (BIMCO & Marprof, 2024). In particular for several facilities in India and, on a smaller scale, Bangladesh, the decade following the adoption of the HKC has been considered a period of improvement (BIMCO & Marprof, 2024). More recently, in India, the government announced a “Maritime India Vision 2030” initiative in 2021 to accelerate growth in the country’s maritime sector including the ambition to be the world’s leading ship recycling market by 2030 (Government of India, 2021). The initiative includes measures to, by 2030, merge small facilities into larger ones, adopt a “zero residue” model of ship recycling and (significantly) convert all recycling yards into dry docks (Government of India, 2021). There have also been a number of recent announcements indicating greater cooperation between India and the EU in the future in support of more sustainable ship recycling activities[2]. Meanwhile, concerning facilities in Bangladesh, it was noted in 2024 that (while there are some serious challenges to overcome, including a series of safety incidents at facilities in the country) top-end facilities there have made developments meeting the best examples in the world (BIMCO & Marprof, 2024). Progress in Pakistan is, on the other hand, considered to have been more gradual (UNCTAD, 2025). However, in November 2025 the country announced a long-term framework (Pakistan Maritime Century 2047-2147) which includes, amongst other areas, developing ship recycling facilities and green maritime technology (Government of Pakistan, 2025).

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1 Light Displacement Tonnage (LDT) is used to measure the scrap metal content of a ship destined to be recycled. It is a measure of weight (of the ship’s hull and machinery). It is the unit that is mostly used by ship recycling facilities and for transactions at recycling stage.

2 See for example the EU-India Comprehensive Strategic Agenda of January 2026 and the EU Industrial Maritime Strategy of March 2026

According to the announcement, work on upgrading ship recycling facilities in Gadani (where most ship recycling in Pakistan is centred) had already started (Government of Pakistan, 2025). Overall, while it is recognised that it will continue taking tremendous efforts across the South Asia region to further improve ship recycling conditions for the workers and protection of the environment, progress is underway in the industry with ship facilities investing heavily in modern safety systems and robust environmental management[3] (BIMCO, 2025a).

Ship recycling as an industry is inherently cyclical, caused by the cyclic nature of the shipping industry's supply and demand imbalances and by the fluctuations in the price of steel internationally (Mikelis, n.d.). In recent years, ship recycling activity has reached historic lows, partly explained by disruptions to shipping routes which kept older ships employed and benefiting from higher freight rates (UNCTAD, 2024) and elevated newbuilding prices (UNCTAD, 2025). Other reasons for suppressed ship recycling activity include financial constraints for ship recyclers in key locations (Clarksons Research, 2025a) as well as deployment of certain ships in the 'shadow fleet' in recent years. According to Clarksons Research, only 371 ships ≥100 GT were recycled in 2024 (Clarksons Research, 2025a), which compares starkly with 2009-2017 when over 1,000 ships were recycled each year and especially 2012 when 1,744 ships were recycled[4].

Looking ahead however, ship recycling activity is expected to pick up in the coming years as strong shipping market conditions and second-hand ship prices may begin to subside and give way to fleet renewal pressures driven by an ageing fleet and growing focus on managing emissions, though the timing of any increase is highly dependent on market conditions (Clarksons Research, 2025a). According to some estimates, more than 16,000 ocean-going ships will require recycling over the next decade, which is more than double the number of ships recycled globally in the ten years leading up to 2025 (BIMCO, 2025a). It is therefore possible that the first years of implementation of the HKC will coincide with a greater demand for ship recycling.

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[3] Another example of efforts underway in ship recycling facilities in South Asia, particularly following the adoption of the HKC in 2009, is the attainment of certification or statements of compliance from technical bodies to attest that the facility adheres to the requirements of the HKC. While these initiatives may have contributed to raising standards, this practice is not part of the HKC and not further discussed in this report. As elaborated in Section 4.2, the formal process of the HKC is that contracting states establish a mechanism to authorise facilities and issue a Document of Authorisation to conduct Ship Recycling (DASR).

[4] For 2025 it is reported that recycling volumes remained very subdued but above the levels of 2024 (Clarksons Research, 2025b) while for 2026 recycling activity by the end of February had been broadly in line with the low levels from recent years (Clarksons Research, 2026).

2.2 Hong Kong Convention

The HKC is aimed at ensuring that ships, when being recycled after reaching the end of their operational lives, do not pose any unnecessary risk to human health and safety or to the environment (IMO, n.d.-a).

The Convention entered into force[5] on 26 June 2025. On the day of its entry into force, the Convention had been ratified or acceded to by 24 contracting states[6] (IMO, 2025b). As of March 2026, the number of contracting states was 29 according to the IMO GISIS platform.

The core part of the HKC contains 21 Articles that establish the Convention's main legal mechanisms. This is followed by the Annex to the Convention that contains 25 regulations divided in four chapters: Chapter 1: General (regulations 1-3), Chapter 2: Requirements for ships (regulations 4-14), Chapter 3: Requirements for ship recycling facilities (regulations 15-23), and Chapter 4: Reporting requirements (regulations 24-25). Lastly, the HKC has seven appendices with lists of hazardous materials which need to be controlled, and templates for certificates and forms to be used in the context of the Convention.

Importantly, the text of the Convention also refers to six guidelines that were developed by IMO's MEPC in the years following the adoption of the Convention[7]. These six guidelines are non-mandatory texts which governments are 'invited' to apply. However, they are frequently referenced in the legal parts of the Convention as "to be taken into consideration". The MEPC guidelines are considered indispensable in providing clarifications, interpretations, and uniform and effective implementation and enforcement of the relevant requirements of the Convention (Mikelis, n.d.). Indeed, parts of the guidelines have also been used to substantiate provisions of the EU SRR. Now that HKC has entered into force, an important aspect is the extent to which the MEPC guidelines are treated as mandatory by regulatory bodies which survey ships or which authorise ship recycling facilities. In some cases, the guidelines might be strictly followed or clearly embedded in national instruments which implement the HKC while in others treated merely as recommendations.

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5 This is 16 years after it was adopted by the IMO in 2009 because a number of conditions related to the number of ratifying States and their share of both the merchant fleet and ship recycling volume were defined in the Convention which first had to be met. The full conditions can be found: https://wwwcdn.imo.org/localresources/fr/Documents/HKSRC.1-Circ.21%20-%20Accession%20by%20Bangladesh%20and%20LiberiaEntry%20into%20force%20(Secretariat).pdf

6 Bangladesh, Belgium, Congo, Croatia, Denmark, Estonia, France, Germany, Ghana, India, Japan, Liberia, Luxembourg, Malta, Mashall Islands, The Netherlands Norway, Pakistan, Panama, Portugal, Sao Tome and Principe, Serbia, Spain and Türkiye.

7 See the Annex for the full list of six guidelines considered for this report. A separate 7th item of "provisional guidance" (HKSRC.2/Circ.1) was issued by MEPC on 1 November 2024 which deals with the interaction of the HKC and the Basel Convention. This guideline is not referred to in the HKC and is not in scope of this analysis.

National instruments are not in the scope of this research, however, in general, it can be said there are two trains of thought about the degree to which the MEPC guidelines are mandatory or not:

- The first is that when the text of an international convention requires that a certain set of guidelines are to "be taken into account", frequently this is implemented and enforced by (maritime) administrations and their recognised organisations as if the guidelines are mandatory requirements (Mikelis, n.d.). There are also many examples of this in practice.[8]
- However, on the other hand, the HKC is an unusual IMO Convention in the sense that, as well as regulating ships (the normal subject of IMO Conventions) the HKC also regulates land-based ship recycling facilities. As such, while certain maritime flag administrations might require ships flying that flag to apply non-mandatory IMO guidelines to certain IMO Conventions as if they were mandatory, this practice may not hold for the requirements of the HKC that apply to ship recycling facilities because those facilities are not the jurisdiction or responsibility of a maritime flag administration. Instead, those ship recycling facilities are under the responsibility of the competent authority of the State where the facility is located.

Since the HKC only entered into force in 2025, no amendments have been made to the legal text since it was adopted in 2009. However, the set of six MEPC guidelines which the HKC refers to were developed slightly more recently in 2011 and 2012 and some of them have in the meantime been revised (although not substantially). There is no formal review clause defined within the Convention. However, the IMO MEPC agreed in April 2025 to include in its post-biennial agenda an output to assess the implementation of the Convention through an experience building phase from which amendments are possible (MEPC, 2025b). This assessment would follow, in principle, the below phases (MEPC, 2025a) with a target completion date of 2030 (PPR, 2026):

1. Phase I: Gather experience and submit reports concerning the implementation of the HKC and its associated guidelines; consider any immediate need for clarification of certain provisions and identify areas that may require amendments based on implementation experience (2026 to 2027 biennium).
2. Phase II: Taking into account the outcomes of Phase I, develop amendments to the HKC and its associated guidelines, as may be needed, to improve the functioning of the Convention (2028-2029).

[8] To take one example, Resolution MEPC.295(71) contains the non-mandatory 2017 guidelines for the implementation of MARPOL Annex V (concerning garbage pollution from ships). However the Marine Notice (MN) of national maritime requirements from the Marshall Islands, the world's third largest flag state, requires that both MARPOL Annex V and the guidelines in MEPC.295(71) must be read in conjunction with the MN to ensure that all provisions are implemented appropriately (IRI, 2024).

According to the provisional agenda of the MEPC sub-committee on Pollution Prevention and Response (PPR), the experience building phase will be discussed by the committee during PPR 14 in January 2027 (PPR, 2026).

2.3 EU Ship Recycling Regulation

The EU adopted Regulation (EU) No 1257/2013 on ship recycling (The EU Ship Recycling Regulation, hereafter, EU SRR) in 2013. One of the expressed goals was to facilitate the ratification of the HKC. The EU SRR has been applicable to ships in scope since 31 December 2018. The EU SRR in the meantime has been amended once, in May 2024, via a revision of the EU Waste Shipment Regulation (WSR; see Text box 1), however, the main substance of the EU SRR was unaffected. The EU SRR is also an EU text with European Economic Area (EEA) relevance[9] so it applies also to EEA-flagged ships and ship recycling facilities (SRFs) in Norway, Iceland and Liechtenstein as well.

The core part of the EU SRR is the Regulation which has 32 articles as well as two Annexes containing lists of hazardous materials which need to be controlled and inventorised in a similar way to the HKC. Since the EU SRR was based on the HKC, many HKC principles have been carried over directly to the EU SRR which brings many similarities in the structure, concepts, language and mechanisms used in both regimes. The EU SRR was also developed with knowledge of the above-mentioned 6 MEPC guidelines that were developed to support the implementation of the HKC. As such, certain elements of these (non-mandatory) MEPC guidelines can be found in the EU SRR regulation as such (and therefore as mandatory elements). However, as will be discussed in this report, the inclusion of parts of the 6 MEPC guidelines is not the only difference between the HKC and EU SRR. The EU SRR notably includes, “a few different definitions, more stringent environment and safety requirements, a different control system and standalone administrative documents to support implementation” (EC, 2025b). A major difference, for example, is the ‘European List of Ship Recycling Facilities’ where EU-flagged ships must be recycled. In order to be included on this list, facilities located outside the EEA need to make an application, which is subject to an assessment by the European Commission.

Besides the Regulation itself, the Commission also issued a Technical Guidance Note in 2016 on ‘Requirements and procedure for inclusion of facilities located in third countries in the European List of ship recycling facilities’ (hereafter EU SRR TGN) which clarifies many aspects of the Regulation, particularly those that do not originate from the HKC and require clarification not necessarily found in IMO and other existing guidelines (EC, 2016).

[9] The EU SRR is incorporated into the EEA Agreement and in force. The legal act in the three EEA countries can be found at https://www.efta.int/eea-lex/32013r0255#anchor-eu

This guidance note is a key reference point for inspectors in assessing applicant SRFs from third countries which apply for inclusion on the European List.[10] The European Commission has also issued secondary legislation on the format of certificates and reports as well as various versions of the 'European List' of facilities which have been approved in accordance with the Regulation. The European Maritime Safety Agency has furthermore issued non-mandatory Guidance on the Inventory of Hazardous Materials as well as a reference document to Member State inspectors on the inspection of ships by port states in accordance to the Regulation.

The EU SRR is embedded with a series of review clauses. Article 30 of the Regulation concerns a review of the Regulation at regular intervals, for which the first evaluation report was published in February 2025. Article 29 of the EU SRR also required the Commission to examine the feasibility of a financial instrument that would facilitate safe and sound ship recycling. A report concerning such an instrument was published in 2017 where the merits of such an instrument were noted, but a decision was not taken to proceed at that time[11] (EC, 2017). The HKC contains no provisions for the consideration or establishment of such a financial instrument so the incorporation of such an instrument in the EU SRR would represent a major gap in the HKC by comparison. However, as no legislative proposal has been made for such an instrument, the issue is not discussed further in this gap analysis.

2.4 Other international frameworks with an impact on ship recycling

The HKC and EU SRR are the most prominent regulatory frameworks affecting ship recycling internationally.

However, it should at this point be recognised that the EU SRR and HKC do not exist in a vacuum. Other international regulations - most notably the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and its more recent Ban Amendment - coexist and, although not focused directly on ship recycling, can significantly influence the scope and implementation of the HKC and EU SRR. In addition, national regulations may apply to end-of-life ships or their export, and these rules may go beyond the EU SRR or the HKC. Article 1(2) of the HKC states that no provision of the Convention shall be interpreted as preventing a Party from taking more

[10] EU SRR inspection reports conducted on behalf of the Commission state that the objective of the on-site inspection is to verify compliance of the facility with the requirements set out in the Ship Recycling Regulation Articles 13, 15 and 16 and clarified in the 2016 Technical guidance note. Respective parts of the Technical Guidance Note also represent a checkpoint in the inspection report. All such inspection reports are available via the Commission website

[11] A related study was also published in 2025 on a potential financial incentive to facilitate safe and sound ship recycling but did not result in any legal proposal.

stringent measures consistent with international law, with respect to the safe and environmentally sound recycling of ships.

Text box 1 briefly provides the general context and implications of the Basel Convention/ Ban amendment on the EU SRR and HKC. Notwithstanding the influence of the Basel Convention and its Ban Amendment, the remainder of this report sets those instruments aside and focuses on identifying the gaps between the EU SRR and the HKC as adopted in their respective texts and supporting guidelines.

Text box 1 – Information on Basel Convention/Amendment and interaction with EU SRR

Information on Basel Convention

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, has been in force since 1992. It has 191 Parties[12], including the EU and its Member States and sets out a comprehensive regime governing the transboundary movements of hazardous waste (EC, 2025b). The Convention establishes a detailed 'prior informed consent' procedure under which the transboundary movement of hazardous wastes needs to be notified and consented to between the authorities of different States. The transboundary movement of hazardous waste that does not follow these procedures can be considered "illegal traffic" (Basel Convention, ongoing-a).

The Basel Convention is concerned with hazardous wastes in general, with no detailed provisions on ships (ships are, for instance, not defined in the Convention[13]). However, the legal status of an end-of-life ship is peculiar as these ships can be defined both as waste and as a ship (EC, 2025b). Moreover, when considered as waste, ships destined for dismantling will rarely fly the flag of the state in which they are to be recycled, so this activity can represent a transboundary movement of hazardous waste (Basel Convention, ongoing-b). There have however been difficulties in applying the Convention to ship recycling because of the global nature of shipping (Basel Convention, ongoing-b). Indeed, ships may cross multiple jurisdictions during a regular voyage, as well as during a ship's last voyage towards a recycling facility. This led Parties to the Basel Convention to invite the IMO to develop a more specific regime that would ensure an equivalent level of control as established under the Basel Convention and avoid the duplication of regulatory instruments that have the same objective (Basel Convention, 2005). The resulting regime was the Hong Kong Convention.

[12] As of March 2026. The status of ratifications can be consulted at https://www.basel.int/Countries/StatusofRatifications/tabid/1341/Default.aspx

[13] The Basel Convention text can be found at https://www.basel.int/Portals/4/download.aspx?e=UNEP-CHW-IMPL-CONVTEXT-2023.English.pdf

Information on Basel Ban Amendment

The Basel Convention was later supplemented by the so-called 'Ban Amendment', which prohibits the exports of hazardous wastes from OECD countries to non-OECD countries (EC, 2025b). The Ban Amendment entered into force at the international level on 5 December 2019, but not all Parties to the Basel Convention are party to the Basel Ban Amendment[14].

At EU level the Basel Ban Amendment is implemented via the Waste Shipment Regulation (WSR), which was amended in 2024 to reflect the Ban Amendment. This in turn implied changes to the language of the EU SRR, which was amended at the same time. The rules for ships under the EU WSR and EU SRR are now as follows (EC, 2025b):

- Under the EU WSR, it is prohibited to export end-of-life ships which have become waste in the EU to non-OECD countries (and therefore fall within the scope of the Basel Ban Amendment).
- On the other hand, those EU-flagged ships that have become waste outside the EU are exempted from the regime established by the EU WSR and are subject to the EU SRR, as they are outside the scope of the Basel Ban Amendment. This means that they can still get recycled in facilities located outside the OECD, as long as these facilities are included in the European List of ship recycling facilities set out by the EU SRR.

In practice, then, the EU rules applicable to the transboundary movements of an end-of-life ships depend on the location where such ships become waste (EC, 2025b).

Source: Author, based on (EC, 2025b).

[14] As of March 2026. The status of ratifications can be consulted at https://www.basel.int/Countries/StatusofRatifications/tabid/1341/Default.aspx

3 The scope of ships and recycling facilities under each framework

3.1 Ships in scope

The EU SRR and HKC both apply the same broad definition for a ship in scope:

"Ship means a vessel of any type whatsoever operating or having operated in the marine environment and includes submersibles, floating craft, floating platforms, self-elevating platforms, Floating Storage Units (FSUs), and Floating Production Storage and Offloading Units (FPSOs), including a vessel stripped of equipment or being towed."

The EU SRR and HKC are also consistent in not applying to:

- ships of less than 500 GT;
- warships, naval auxiliary, or other ships owned or operated by a State and used, for the time being, only on government non-commercial service;
- ships operating throughout their life only in waters subject to the sovereignty or jurisdiction of the State whose flag the ship is entitled to fly.

Equally, both frameworks encourage (but do not require) States to adopt appropriate measures to ensure that ships excluded from the scope of the framework act in a manner that is consistent with the goals of the framework[15].

Based on the shared definition as described above, the frameworks are consistent in terms of what constitutes a ship. Where the two frameworks begin to diverge is in their geographical and flag-based applicability, although this is a logical consequence of a regional versus a global regulation. The EU SRR applies only to EU-flagged ships, though one key exception is Article 12 which requires that all ships, regardless of flag, must carry an approved and maintained Inventory of Hazardous Materials (IHM) when calling at EU ports or anchorages. This provision has applied since 31 December 2020.[16]

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[15] For the EU SRR this is reflected in recital 9 while in the HKC this provision is part of article 3. In both cases measures as encouraged "so far as is reasonable and practicable".

[16] This deadline coincided with COVID-19 so in practice some flexibility was granted as reflected in (EU, 2020).

The content of the IHM is discussed further in Chapter 8. The HKC, on the other hand, applies to all ships flying the flag of a Party State. Moreover, while ships flying the flag of a non-party to the HKC are not directly in scope of the Convention, Article 3.4 encourages Party States to apply the requirements of the Convention to such ships as may be necessary to ensure "no more favourable treatment". As a result, port States which are Parties to the HKC will expect ships registered under a flag that has not ratified the HKC to comply with the requirements of the Convention[17] (IMO, 2025a).

In terms of potential impact on ships, the HKC has a much broader global reach than the EU SRR. On the day of the HKC's entry into force on 26 June 2025 the Convention had been ratified or acceded to by 24 contracting states[18] (IMO, 2025b)[19]. On that same date these States had a combined fleet of 26,720 ships ≥500 GT flying their flag (Clarksons Research, n.d.)[20]. In comparison, there were 9,298 ships of the same size flying an EU or EEA flag (Clarksons Research, n.d.)[21]. In the meantime, the number of HKC ratifications has been and is expected to keep rising, further increasing the number of ships which are directly regulated by it.

It must be noted, however, that the above fleet figures are only indicative since a ship's flag may change during its life for various commercial, operational or practical reasons and this can impact the regulations which apply to the ship. Re-flagging a ship as a means to avoid the EU SRR has been identified as a particular challenge to the EU SRR's effectiveness[22] (EC, 2025b). In this context, the risk of ships being reflagged to avoid the requirements of the HKC may be expected to be considerably less than is the case for the EU SRR because the countries where the majority of the world's recycling presently takes place are a Party to the Convention (India, Pakistan and Bangladesh). Facilities in these countries are therefore required to be authorised in line with the Convention. Moreover, even if ships fly the flag of a non-Party to the HKC they may nonetheless be subject to its requirements on the basis of no more favourable treatment.

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17 Although ships registered under a flag which hasn't ratified the HKC cannot be issued with HKC relevant certificates (International Certificate on Inventory of Hazardous Materials or an International Ready for Recycling Certificate) PSC officers in States party to the Convention should ask for documentation that contains the same information as in the aforementioned certificates supplemented by an IHM, (IMO, 2025a).

18 Bangladesh, Belgium, Congo, Croatia, Denmark, Estonia, France, Germany, Ghana, India, Japan, Liberia, Luxembourg, Malta, Mashall Islands, the Netherlands Norway, Pakistan, Panama, Portugal, Sao Tome and Principe, Serbia, Spain and Türkiye.

19 As of March 2026, the number of contracting states was 29.

20 Includes French, Norwegian and Danish International Registries.

21 Includes French, Norwegian and Danish International Registries.

22 In the period 2019-2023 in average, almost 45% of the vessels flying an EU flag 1 year before being recycled were not dismantled in facilities on the European List (EC, 2025).

Responsible entity for ship requirements

Concerning the regulated entity for ship-related requirements under both frameworks, there is a slight difference in the terminology used. However, in practice, the same entities are implied. Under the EU SRR, the requirements applicable to ships are clearly intended to be carried out by ship owners. This is most evident in Article 6, which sets out the 'general requirements for ship owners' under the Regulation.

In contrast, under the HKC, the corresponding provisions in Regulations 4-14 are described merely as "requirements for ships". This, however, does not represent a gap in the framework, as IMO conventions (including, for example, MARPOL) commonly use the term *ship* without explicitly specifying who must perform the required actions. Moreover, the HKC text contains several references to the "shipowner", including in certificates where the shipowner is identified as the responsible entity.

The HKC defines the shipowner in Regulation 1(8) as:

"The person or persons or company registered as the owner of the ship or, in the absence of registration, the person or persons or company owning the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship." (IMO, 2009)

A very similar definition is provided in Article 3(14) of the EU SRR. Under both frameworks, the entity responsible for ensuring compliance with the ship-related requirements can therefore be either the ship's owner or its (ISM) manager appointed by the owner.

Most of the requirements for ship owners under Article 6 of the EU SRR are also reflected in the HKC as requirements for the ship (and therefore, implicitly, for the shipowner). There is, however, one notable exception[23] in Article 6(5) of the EU SRR, which specifies that ship owners retain responsibility for a ship if an operator of a ship recycling facility declines to accept it on the grounds that the ship does not correspond substantially with its Inventory of Hazardous Materials. The HKC contains no equivalent provision assigning continuing responsibility to the shipowner in such a case.

[23] The requirement of EU SRR Article 6(2a) requiring shipowners to ensure that ships are only recycled at ship recycling facilities that are included in the European List is of course also not part of the HKC.

3.2 Ship Recycling Facilities in scope

Both the HKC and EU SRR provide definitions for what constitutes a Ship Recycling Facility (SRF), and while these definitions are broadly similar, they are not identical. The HKC defines a ship recycling facility as (article 2(11)):

"A defined area that is a site, yard or facility used for the recycling of ships." (IMO, 2009)

In comparison, the EU SRR omits the word *"site"* and defines (in Article 3(7)) an SRF solely as:

"A yard or facility (…) used for the recycling of ships."

Although this may appear to be a minor difference in terminology, the exclusion of the word "site" in the EU SRR hints at a more specific interpretation of what qualifies as a ship recycling facility in terms of infrastructural requirements – an issue that is discussed further in Chapter 5.

There is moreover also a difference in the definition of the activity of ship recycling that is used in each framework. Under the HKC, the activity means (Article 2(10)):

"The complete or partial dismantling of a ship at a Ship Recycling Facility in order to recover components and materials for reprocessing and re-use, whilst taking care of hazardous and other materials, and includes associated operations such as storage and treatment of components and materials on site, but not their further processing or disposal in separate facilities." (IMO, 2009)

A very similar definition is given in the EU SRR, however emphasis is on "ensuring the management" of hazardous and other materials instead of "taking care" of these. The use of recovered materials for "preparation for re-use" is also added in Article 3(6) of the EU SRR.

Importantly, neither framework is specific in prescribing any particular method of recycling that can/cannot be used at the facility, provided that all requirements of the framework are met. Independent of the location of a ship recycling facility, the recycling methods and practices used on individual facilities are expected to be variable. Specific methods of recycling have not been analysed in this report.

A distinctive element of the EU SRR, not found in the HKC, is that it distinguishes between two categories of SRFs based on their geographic location:

1. Facilities located within EU (or EEA) Member States (Article 14).
2. Facilities located in third countries (Article 15) – meaning those located outside the EEA.

Regardless of location, an SRF must be included on the European List of Approved Facilities in order to recycle EU-flagged ships. Inclusion on this list, which is published by the European Commission, is contingent on the facility demonstrating full compliance with the EU SRR's requirements, in particular Article 13. However, for third-country facilities, the process of being included on the European List is (on the basis of the EU SRR) more elaborate than for facilities located in the EU[24]. Differences in the approval process for these categories of facilities is discussed in more detail in Section 4.1. In principle, any facility worldwide can apply for inclusion on the European List. However, in practice, SRFs located outside the OECD have historically faced legal and procedural barriers to approval.[25]

The HKC, in turn, applies to all ship recycling facilities within the jurisdiction of a Party State. Now that the Convention has entered into force, these facilities are required to be formally authorised by their respective national authorities, as per Regulation 16 of the HKC, before they are permitted to accept ships for recycling. Indeed, Regulation 8 of the HKC states "ships destined to be recycled shall only be recycled at Ship Recycling Facilities that are authorized in accordance with this Convention".

The specifics of the ship recycling facility authorisation process vary by country, but the minimum and recommended requirements for authorisation provided in the HKC are discussed in more detail in Chapter 4 of this report.

The publication of authorised facilities is mandatory under each framework. For the EU SRR this is Article 16, which requires the European List of Ship Recycling Facilities to be publicly available and include, as well as the name of the facility, information such as the method of recycling, and type and size of ships that can be recycled there. Meanwhile, Article 12 of the HKC requires Parties to report to the IMO which facilities they have authorised and obliges the IMO to "disseminate [this information] as appropriate".

Based on the official communications available from the European Commission for the EU SRR and IMO for the HKC as of 6 March 2026, there are 41 ship recycling facilities authorised under the EU SRR[26] and 61 authorised under the HKC[27]. Illustrative of the distinct approval processes under each framework there appears to be at least one

[24] It is recalled that national implementations of the EU SRR (or the HKC) are out of scope of this research and have not been analysed.

[25] The amendments to the EU SRR via the amended Waste Shipment Regulation as described in Text box 1 also had an impact on the development of the 'European List' to the extent that a number of applications from facilities in India were put on hold in December 2021 (EC, 2025b). However, according to the European Commission there are no longer any legal obstacles to continue the application process for the inclusion of facilities located outside the OECD (EC, 2025b).

[26] And so included on the 15th update of the European List of Ship Recycling Facilities

[27] See the list at the following link: https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/Ship%20Recycling/1%20-%20LIST%20OF%20SRFs_15%20Jan%2026.pdf

example of a facility authorised under the HKC which has been denied approval on the European List.[28]

It is expected that the number of officially authorised ship recycling facilities under the procedures of the HKC will increase once the relevant IMO communication channels are established. An FAQ notice from the IMO at the end of 2025 stated that information (including a list of facilities authorised and operating under the jurisdiction of a Party) was intended to be recorded in a dedicated module within the Global Integrated Shipping Information System (GISIS) however the required module was not yet ready (IMO, 2025a). As of March 2026 there was still no GISIS module concerning ship recycling information, at least not in a form open to public users, suggesting it is still under development.

Moreover, since ship recycling facilities operating within the jurisdiction of a HKC Party must be authorised by the Competent Authority(ies) of that Party (IMO, n.d.-c), the HKC should in theory be applicable to the majority of ship recycling that occurs internationally. At the same time, it may take time for competent authorities to verify that facilities within their jurisdiction meet the requirements for authorisation and to complete the necessary authorisation procedures. The first list of authorised facilities communicated by the IMO on 15 January 2026 for instance, did not include any facilities in India.

Once facilities are authorised under the official procedures of the HKC, the number of approved facilities is expected to far exceed those listed on the European List. As an indication, BIMCO reported in June 2025 that in India alone, 130 facilities were already HKC compliant (BIMCO, 2025b). UNCTAD likewise noted in 2024 that in Bangladesh (which accounted for about 46% of ship tonnage sold for demolition in 2023) one third of the facilities were reportedly HKC compliant or in the process of becoming certified (UNCTAD, 2024). It is worth repeating that Bangladesh, India, Pakistan and Türkiye are now Parties to the Convention. Together, these countries accounted for 91.7% of the global ship recycling market[29] in 2024 (UNCTAD, 2025).

Responsible entity for ship recycling facility requirements

Concerning the regulated entity for requirements on ship recycling facilities, the (ship) recycling company is defined in both frameworks in practically the same way, meaning*:* the owner of the ship recycling facility or any other organisation or person who has assumed the responsibility for the operation of the ship recycling activity from the owner of the ship recycling facility (OJEU, 2024).

[28] For example, the name of at least one of the facilities in Türkiye which was removed from the European List in December 2022 appears in the list of facilities authorised under the HKC as issued by the IMO.

[29] In terms of the tonnage of ships sold for recycling.

In conclusion, while both the EU SRR and HKC regulate fundamentally the same type of entity (facilities that dismantle and recycle ships) the EU SRR applies a tighter definition of such facilities. Both frameworks also have a system in place to identify ship recycling facilities that have been authorised under the rules of the Convention/Regulation. However (at least pending details of future ship recycling module in GISIS) the EU SRR mandatorily requires more details than only the name of the facility to be disclosed, including the method of recycling.

4 The approval process and general criteria for ship recycling facilities to be authorised

This chapter first explains the administrative approval process in place under both frameworks for authorising ship recycling facilities. It starts with the EU SRR approval process in Section 4.1, followed by the HKC approval process in Section 4.2. In Section 4.3 an analysis of the main differences in the approval process is given. Section 4.4 separately describes the actual criteria on which approval is based, providing a first comparison of the frameworks.

4.1 EU SRR approval process

All ship recycling facilities must comply with all the requirements of Article 13 of the EU SRR in order to be approved on the European List of Ship Recycling facilities. However, there is a difference in how facilities are approved depending on where they are located:

1. **SRFs located in an EU/EEA Member State**: SRFs are authorised by national authorities (Article 14) with the practical modalities determined by each Member State (EC, 2016). In turn, the Member State informs the Commission of the SRFs they have authorised. Authorisation may be granted for a period of up to 5 years and renewed accordingly. The nationally authorised SRFs are directly included in the next update of the European List of ship recycling facilities (Article 16(1)(a)). The EU SRR does not require an external assessment or facility inspection required by or on behalf of the Commission and nor do these facilities need to apply directly to the European Commission.
2. **SRFs located in a third country**: The EU SRR requires a more extensive authorisation process, including an application to the European Commission. This process is summarised in Text box 2.

For reference: of the 41 facilities on the European List as of March 2026, 13 are located outside the EEA (10 in Türkiye, 2 in the United Kingdom and 1 in the United States). The remaining 28 are all located in the EEA. For the majority of the EU list (68%), it is therefore the first, less extensive, approval process of the EU SRR which applies. However, given that over 90% of global ship recycling occurs in four countries outside the EEA, the approval process for facilities in these third countries is the relevant benchmark for comparison with the HKC (a comparison which is further elaborated in Section 4.3 of this report).

Text box 2 – Application process and prerequisites for inclusion of third-country SRFs on the European List as per Article 15 of the EU SRR and 2016 Technical Guidance Note

Prerequisites to be met when submitting an application:

- The facility must be authorised to recycle ships by the Competent Authorit(ies) of its own country.[30]
- The facility must hold certification from an independent verifier attesting, after a site inspection, that the facility confirms to the requirements of Article 13 EU SRR. This certification needs to be repeated every five years, upon renewal of the facility's inclusion in the European List.

Application process for inclusion on the European List of ship recycling facilities

1. The facility submits an application to the European Commission, accompanied by evidence that the facility complies with Article 13 of the EU SRR. The application must notably include a copy of the Ship Recycling Facility Plan (SRFP) and a copy of the certification of the ship recycling facility by an Independent Verifier.
2. When complete applications are received, they are assessed by the Commission against the requirements in the EU SRR (starting with desk research).
3. The facility must accept the possibility of being subject to site inspections prior to or after inclusion on the European List by or on behalf of the Commission (in practice, these inspections are carried out as default and not just as a possibility). Inspection reports are also made publicly available (while in some cases, redacted), including those of unsuccessful facilities.
4. If the facility is found to meet all requirements of the EU SRR, it can be included on the European List – subject to an EU committee procedure (the EU Ship Recycling Regulation Committee).
5. Where facilities are approved on the European List they must:
   - inform the Commission without delay in the event of any changes in the information they provided to the Commission;
   - accept the possibility of unannounced inspections.

Approval to the European List is in principle for a period of five years, which can be renewed. There is also a mid-term review to confirm compliance with the requirements set out in Article 13.

Source: Author, based on Article 15 of OJEU (2024).

[30] The European Commission will not list facilities which have not been authorised to operate by their own national authorities. Should a listed facility lose its national authorisation to recycle ships, it shall be removed from the European List (European Commission, 2016).

As shown in Text box 2, SRFs located in third-countries are subject to an extensive application process before they can be included on the European List. First of all, applications are not reviewed until a complete application form is submitted. This includes the application form itself, which includes details such as qualifications of workers to remove hazardous materials but also all of the evidence that is listed under Article 15.2 of the EU SRR. The latter includes, for instance, national permits and authorisations held by the ship recycling company as well as its subcontractors and sub-contractors directly involved in the process of ship recycling (OJEU, 2024).

The application process also includes mandatory site inspections. According to the European Commission it is typical for facilities to undergo two to three inspections over a period of two to three years before inclusion is granted (EC, 2025b). One of the site inspections must be conducted by an independent verifier, who certifies that the facility complies with the requirements of Article 13 of the EU SRR. This verification is a prerequisite for submitting an application to the Commission. While the Regulation does not formally define "independent verifier", EU SRR technical guidelines recommend engaging a team with expertise in relevant fields such as naval architecture and hazardous waste management (EC, 2016). The guidelines also recommend accreditation from either an EU-recognised body[31] as the most effective way to demonstrate the verifier's independence and competence, although such accreditation is not mandatory. The template of the Certification by an Independent Verifier furthermore declares the verifier carried out the inspection and certification in the public interest and does not have any relations with the ship recycling facility that could affect its independence and impartiality.

Note that the process, as set out in Text box 2, involves a two-step inspection and verification regime. In the first step, the independent verifier inspects the facility and certifies conformity. In a second step, the European Commission may choose to conduct its own site inspection to verify compliance before approving the facility for inclusion. However, consecutive inspections by (or on behalf of) the Commission to facilities which had already been subject to certification by an independent verifier often showed that this certification did not provide the expected results in terms of stringency in verifying compliance with SRR requirements (EC, 2025b). This led the Commission to reverse the initial balance envisaged in the SRR between the inspections carried out by independent verifiers (systematic) and the Commission (optional risk-based) to rely predominantly on its own inspections (EC, 2025b). As such, facilities seeking approval to the European List are in practice subject to at least 2 site inspections. Importantly, inspection reports by the Commission are made publicly available, including those for facilities that ultimately did not qualify for inclusion.[32] As will be covered later in this report, certain criteria of the EU SRR

[31] Or a body accredited by the mutual recognition arrangement (MRA) of the *International Laboratory Accreditation Cooperation* (ILAC).

[32] Note: It is not clear on which basis inspection reports are made publicly available and if those published are exhaustive. Some extracts of the report are also blanked out, presumably for confidentiality reasons.

(and HKC) are open to some interpretation. Due to the ambiguity of certain criteria, it is expected that inspectors have a degree of discretion in how strictly a provision is enforced, which might not be rooted exactly in the language of the legal texts. In this context, shipping industry associations have expressed concerns about the fairness and transparency of the EU SRR facility authorisation process[33].

Finally, Text box 2 shows that the inclusion of third-country facilities on the European List is not automatic after a successful application and inspections. Even if a facility is considered compliant, its inclusion on the European List is subject to approval by the EU Ship Recycling Regulation Committee. Publicly available records[34] of that committee show that a vote is generally made prior to amendments to the European List.

4.2 HKC approval process

Regulation 16(1) of the HKC requires that SRFs under the jurisdiction of a Party which recycle ships to which the Convention applies[35] need to be authorised by competent authorities designated by that party.

To this end, Regulation 15 of the HKC requires Parties to establish a mechanism to authorise SRFs with appropriate conditions to ensure that the facilities meet the requirements of the Convention. According to Regulation 15(3), the mechanism should include the establishment and effective use of inspection, monitoring and enforcement provisions, including powers of entry[36]. The exact mechanism Parties use to authorise SRFs will vary from country to country, however, according to Regulation 16.2 of the legally binding Convention, the process of authorisation should include verification of documentation required by the HKC and a site inspection. On the basis of HKC Regulations 15 and 16 there may be more than one competent authority designated to authorise SRFs per contracting Party and competent authorities may entrust the authorisation of Ship Recycling Facilities to “organizations recognized” by them.

The IMO developed guidelines (MEPC.211(63)), which should be taken into account when authorising facilities. The general authorisation steps as outlined in those guidelines are presented in Text box 3.

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33 Notably, in response to an EU consultation to a draft version of the 15th edition of the European List, ES|ECSA noted that inspection reports and authorisation processes must be fair and transparent.

34 Available at https://ec.europa.eu/transparency/comitology-register/screen/committees/C48100/consult?lang=en

35 Or treated similarly pursuant to Article 3.4 of the Convention.

36 Powers of entry is understood to be the right of authorities within the Party State to enter the ship recycling facility for searches, inspection, etc. According to Regulation 15, the mechanism should also include the powers of entry and sampling”. These terms are also mentioned in the relevant guidelines for authorisation of facilities (MEPC.211(63)) but without a clear explanation of what exactly they should entail as part of the authorisation mechanism.

Text box 3 – General steps for authorisation of a SRF under the HKC as per MEPC.211(63))

1. An SRF submits an application to their national Competent Authority accompanied by a completed Ship Recycling Facility Plan (SRFP). There is not a standardised application form.
2. The SRFP is used as the main document in issuing authorisation. The competent authority(ies) should ensure the SRF has a management system in place and the SRFP includes the policy, plans, systems and other factors set out in regulation 18 of the annex to the Convention.
3. The Competent Authority(ies) should check that the SRF has procedures in place to ensure that all Hazardous Materials are, to the maximum extent possible prior to cutting, identified, labelled, packaged and removed by properly trained and equipped workers, then stored and transported to waste management facilities by licensed vehicles.
4. The competent authority should also check the SRF has established procedures to send all hazardous materials and wastes to authorised waste management and disposal sites. Documentation demonstrating these sites' compliance with national regulations should also be checked by the Competent Authority.
5. The Competent Authority(ies) **may** require an environmental impact study from Ship Recycling Facilities.
6. The Competent Authority should conduct a site visit after documentation has been reviewed and evaluated. The main purpose of the inspection is to check the consistency of SRFP or other provided documentation with the actual arrangements and operations at the SRF. The inspection should also verify that the SRFP is known to all personnel and actually implemented. It should include a practical test for assessing the implementation of measures relating to emergency preparedness and response
7. Should the document verification process and site inspection prove satisfactory, the Competent Authority(ies) should issue a Document of Authorisation to conduct Ship Recycling (DASR) to the SRF. The template for the DASR is contained in Appendix 5 of the HKC.
8. Should a party establish a national-level audit scheme for SRFs, at least one audit should be conducted, in the middle of the validity period of the DASR.

   DASR is valid for the period specified by the Party but should not exceed five years. The Party shall identify the terms for which the authorisation will be issued, withdrawn, suspended, amended and renewed, and communicate these terms to the Ship Recycling Facilities (Regulation 16).

Source: Author, based on MEPC.211(63)).

Text box 3 outlines a fairly extensive process for authorising ship recycling facilities under the HKC. While the steps shown are based on non-mandatory guidelines, a mechanism to authorise facilities is required by Regulation 15 of the Convention, and two elements are compulsory under Regulation 16 of the Convention: verification of documentation and a site inspection. Moreover, the DASR forms part of the legally binding Convention and when issuing such a document, competent authorities attest in the supplement to the document that the SRF meets the requirements of Regulation 16-25 of the Convention. Moreover, the inclusion of an environmental impact study (although optional) goes beyond what is required under the EU SRR.

The process does leave a large degree of flexibility for national authorities to define their own practical modalities for authorising facilities, provided the minimum requirements of the Convention are demonstrated. In this respect, the authorisation process is similar to how EEA national authorities authorise facilities in their territory according to the EU SRR, without any direct involvement from the Commission. The HKC is, however, clear that an inspection from the competent national authority should take place at the facility as part of the Party States' mechanism to ensure the facility complies with the HKC, whereas an inspection is not clearly stated for EEA facilities in the EU SRR. On the other hand, the HKC authorisation process contrasts strongly with the authorisation process under the EU SRR for facilities located outside the EEA as presented in Section 4.1.
Section 4.3 further examines the divergences in this respect.

4.3 Gaps in the approval process for ship recycling facilities

When comparing the HKC authorisation process with that for third-country ship recycling facilities under the EU SRR, seven key divergences stand out:

1. **Ambiguity on the role and identity of "organizations recognized":** Regulation 16.2 of the HKC requires Parties to notify the IMO of "organizations recognized" to whom it has entrusted the authorisation of ship recycling facilities. However, there is (as of March 2026) no publicly available information via the IMO on which organisations may have been recognised by competent authorities[37].

   Although the delegation of responsibilities to external organisations is common practice for ship surveys in the maritime industry, the HKC and its associated guidelines provide little clarity on the qualifications and expertise these organisations authorising ship recycling facilities should possess. MEPC.211(63) states that "competent Authority(ies) should ensure that the organization recognized by it has the appropriate qualifications and expertise to conduct the tasks delegated to it, *taking into account guidance to be developed by the Organization*." However, no substantial guidance was found in any of the 6 MEPC guidelines on ship recycling. Instead, MEPC.211(63) merely recommends competent authorities to establish systems for tracking the flow of information between it and the organisation it has recognised and evaluating, controlling and auditing the organisation recognised by it.

   In principle, the approach of competent authorities delegating responsibility to "organizations recognized' is not problematic. Aside from the obligation on Parties to notify the IMO of the responsibilities and conditions attached to such delegations, Regulation 16(3) of the HKC clarifies that, irrespective of delegation, the competent

[37] As stated elsewhere in this report, it appears that information dissemination provisions of the HKC are still being rolled out now that the Convention has entered into force.

authority retains full responsibility for any authorisation issued to ship recycling facilities. The concept of Recognized Organizations (ROs) is also well established in the maritime sector, providing maritime flag administrations with access to experienced and qualified surveyors to ensure compliance with technical and safety standards for ships. At IMO level, a dedicated Code for Recognized Organizations (RO Code) sets out the minimum criteria against which organisations are assessed for recognition and authorisation, as well as the corresponding oversight requirements for flag administrations (IMO, n.d.-b).

However, it remains unclear whether the same types of ROs are intended in the context of the HKC. The uncertainty is because the "organization" would not be recognised by a flag administration for surveys/certification of a ship (in the normal sense of the RO Code) but rather recognised by a competent authority (likely separate from the flag administration) for the authorisation of land-based ship recycling facilities.

Furthermore, the RO Code (Resolution MEPC.237(65) of 2013) does not include any specifications on the HKC in terms of survey and certification functions of ROs acting on behalf of the flag administration. Also, according to reports submitted by the flag administrations from the three principal ship recycling States (India, Pakistan, and Bangladesh) to the IMO, none of the appointed ROs are currently recorded as having been delegated functions relating to the HKC (IMO GISIS, n.d.)[38].

The above ambiguity is a potentially significant shortcoming of the HKC mechanisms because if there's no common understanding of the competence these "organizations recognized" should have, the authorisation of facilities around the world or within a country as compliant to the HKC may take place with inconsistent rigour[39]. This gap and potential solutions are further explored in Text box 4.

2. **Lack of requirement for third-party inspections:** The HKC and its authorisation guidelines (MEPC.211(63)) do not contain any requirement for a third-party inspection of the facility before authorisation (meaning an inspection carried out by an entity different to the one authorising the facility). In contrast, the EU SRR requires that a third-country facility is certified following a site inspection by an independent verifier before the application is submitted.

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[38] GISIS was accessed on 6 March 2026. Within the module on "Recognized Organization", under the section "Functions delegated by the (Flag) Administration" it can be seen whether the RO has been delegated to function to carry out surveys or issue certificates concerning, for example, MARPOL Annex I. No function related to the HKC was recorded by any of the ROs for each of these 3 flag administrations. The latter may be explained by the recent entry into force of the HKC. However, pending updates to GISIS, it would be relevant to note whether ROs are delegated responsibilities to survey amd issue certificates to ships only, or extended to surveys and certificates for recycling facilities.

[39] Some safeguards are in place in the MEPC.211(63) guidelines which advise competent authorities to establish systems for evaluating, controlling and auditing the organisation recognised by it. However the effectiveness of these safeguards depends on the systems competent authorities put in place, which may vary.

3. **Common application form:** The EU SRR requires applicant third-country facilities to submit the same application form as well as a clear list of mandatory documents set out in Article 15(2). Together, these define the mandatory minimum information that must be disclosed by the facility (and later supplemented upon request) before review of the application starts. The EU SRR application form notably includes important information for the reviewer to know up-front, for instance, the qualifications of workers handling certain types of hazardous materials. In contrast, there is no common application form in the HKC. In fact, MEPC.211(63) states that, when ensuring an application is complete, "the onus is on the Ship Recycling Facility to assess the effects of its operations and to demonstrate how ship recycling operations should be managed so as to meet the requirements of the Convention". (MEPC, 2012a).

4. **Unannounced inspections:** While Regulation 16(2) of the HKC clearly requires a site inspection prior to authorisation of a facility, neither the Convention nor MEPC.211(63) refers to the possibility of unannounced inspections. By contrast, unannounced inspections are considered a key way of ensuring effective monitoring and compliance with the EU SRR (EC, 2025b). This is because conditions sighted during inspections when facilities are informed in advance often diverge from the day-to-day reality (EC, 2025b). As of March 2026, at least 12 unannounced inspections have been carried out by or on behalf of the European Commission at facilities in third countries, based on the reports available in the public domain (EC, ongoing).

5. **Mid-term inspection reports:** Under the HKC, if a Party establishes an audit scheme as part of its authorisation mechanism, the guidance in MEPC.211(63) is that at least one audit should be conducted in the middle of the authorisation validity period. But if no such audit scheme exists, there is no specific requirement or recommendation in the HKC or its guidelines for audits or inspections to be proactively carried out during the authorisation period. By contrast, the EU SRR explicitly requires third-country facilities to undergo a mid-term review during the authorisation period (Article 15.4). Mandatory facility inspections by the authorising body can be considered important to ensure a facility at least maintains its standards of operation, but ideally continually improves standards. For example, in one such mid-term facility inspection in Türkiye, compliance with the EU SRR was confirmed, but still 11 deficiencies (requiring corrective actions) and 5 areas of improvement were issued (DNV, 2024).

6. **Transparency of inspection reports:** Under the EU SRR, inspection reports for SRFs located in third countries (whether successful or unsuccessful) are de facto made publicly available[40]. Notwithstanding the fact that there is no clear basis in the EU SRR requiring this transparency on inspection reports, there is no provision on the HKC requiring contracting Parties or their competent authorities to publicly disclose SRF

[40] Note that this holds only for facilities located outside the EEA. For those within the EEA, there is no obligation stemming from the EU SRR for national authorities to carry out a facility inspection. To the extent such inspections are carried out by national authorities, they are at least not publicly available on the Commission webpages.

inspection reports. While Article 7 of the HKC obliges Parties to provide the IMO or other Parties with relevant information underpinning their authorisation decisions "if requested", this is not the same as proactive, public disclosure. Similarly, Regulation 15 of the HKC provides that audit results (where audits form part of a Party's oversight mechanism) for facilities they have authorised should be communicated to the IMO, but again without a public reporting obligation.

7. **Timing and role of the Ship Recycling Facility Plan (SRFP):** For the EU SRR, a facility's SRFP is regarded as a cornerstone document in the application process of a third-country facility to the European List because analysing its contents allows the Commission to check compliance with the substantive requirements of the Regulation (EC, 2016). Site inspection reports conducted on behalf of the Commission also describe the SRFP to be a governing document for site inspections (DNV & GL, 2020). However, in what appears to be a quirk of the language of the HKC, Regulation 18 of the Convention implies that the SRFP need only be prepared **after** authorisation has been granted[41]. This would mean that a facility can be authorised without consultation of the SRFP, which would be a very different approach to that which applies under the EU SRR. However, it is expected that the above is an inconsistency in the text of the HKC, because in order to officially authorise a facility, a competent authority has to issue a DASR. The form of the DASR is included in Appendix 5 of the Convention and one of the fields of the form concerns the identification number of the facility's SRFP. The corresponding guidelines for authorisation of ship recycling facilities in MEPC.211(63) also state that a facility's application should be accompanied by a completed SRFP, which is used as the main document in issuing the DASR.

Text box 4 – Significant gap and possible solutions: Lack of clarity in national authorisation mechanisms

A significant gap in the HKC, as compared to the EU SRR, concerns the limited transparency around the mechanism that HKC Parties are required to establish to authorise ship recycling facilities on the basis of Regulation 15. While the EU SRR clearly defines the authorisation requirements and process for third country facilities, including application requirements and procedural steps (outlined in Text box 2), the HKC provides no equivalent level of detail on exactly what this authorisation mechanism should entail.

Moreover, Parties are not required to share information about the details of their national authorisation mechanism(s) with the IMO. In theory, the information provided by a HKC Party under Article 7 on the reasons that underpin their decision to authorise a facility, if requested by the IMO, could be limited to a statement such as "in accordance with the national mechanism", without explaining what that mechanism actually entails. Given that much of the Convention's implementation depends on non-binding MEPC guidelines, this lack of transparency is significant. Related to this, where competent authorities delegate

[41] Regulation 18 states "Ship Recycling Facilities authorized by a Party shall prepare a Ship Recycling Facility Plan" which implies authorisation comes first, followed by preparation the SRFP. This however appears to be an inconsistency in the HKC: Appendix 5 which provides the DASR form has a field *Ship Recycling Facility Plan identification/verification number* which implies the competent authority must have consulted the SRFP before approving the facility.

facility authorisation responsibilities to “organizations recognized”, the identity, qualifications, and credentials of these entities remain ambiguous at present.

Greater visibility of the mechanisms Parties use to authorise ship recycling facilities could strengthen confidence among stakeholders that facilities are approved through a rigorous and consistent process.

Possible solutions to bridge the gap:

- Require Parties to communicate the form of their national authorisation mechanism(s), including the legal basis and which criteria/practices from the MEPC guidelines (if any) or other rules they consider as mandatory when authorising facilities.
- Update or supplement the six MEPC guidelines to specify the qualifications and competencies required of “organizations recognized”, helping to standardise facility authorisation practices across countries. If the intention is for these entities to be **Recognized Organizations (ROs)** in the conventional sense, this should be explicitly stated, and the RO Code (Resolution MEPC.237(65)) should be updated or supplemented accordingly.
- In addition to the existing obligation for Parties to notify the IMO of the organisations that have been delegated responsibly to authorise recycling facilities (as per Regulation 16(3)), consider making this information available to the public on the IMO website or the public section of IMO GISIS.
- At the same time, national authorities responsible for approving ship recycling facilities within the EEA under the EU SRR could be encouraged to communicate the mechanisms they have established for ensuring facilities located in their territory comply with all the requirements of the EU SRR.

Overall, the HKC sets a more flexible facility approval framework that leaves considerable discretion to national authorities, creating scope for variation in practice both between and within contracting Parties and the organisations they may delegate responsibilities to. In contrast, the process of approving ship recycling facilities under the EU SRR is more prescriptive, transparent, and inspection-intensive under the EU SRR. However, this is true only for facilities located outside the EEA: the practical modalities of national authorisations under the EU SRR are determined by each Member State and have not been analysed within the scope of this report.

4.4 General approval criteria for SRFs

The main criteria that ship recycling facilities need to comply with (regardless of location) under the EU SRR are set out in Article 13 of the Regulation. In order to make a first comparison of these requirements with those of the HKC, Table 1 presents the EU SRR criteria from Article 13 in column 1. In column 2 of Table 1, a statement is made as to whether a broadly comparable requirement exists in the mandatory legal text of the HKC. No additional criteria were identified in the HKC that are not already reflected in EU SRR Article 13. Note that the criteria which do not align between the EU SRR and HKC are discussed in more detail in Chapter 5 (environmental criteria) and Chapter 6 (safety criteria).

Table 1 – Comparison of criteria for ship recycling facilities from EU SRR and HKC legal texts.
Bold indicates key terms which are later discussed in Chapters 5 and 6

EU SRR Article 13 requirements for ship recycling facilities	Broadly comparable provision in HKC?
a) authorised by its competent authorities to conduct ship recycling operations;	Yes – Regulation 16(1)
b) designed, constructed and operated in a safe and environmentally sound manner;	Yes – Regulation 15(1)
c) operates from **built structures;**	No
d) establishes **management and monitoring systems**, procedures and techniques which have the purpose of preventing, reducing, minimising and to the extent practicable, eliminating: (i) health risks to the workers concerned and to the population in the vicinity of the ship recycling facility; (ii) adverse effects on the environment caused by ship recycling;	Yes – Regulation 17(1) However, "monitoring systems" are not covered to the same extent, only in guidelines.
e) prepares a ship recycling facility plan;	Yes – Regulation 18, however, with some differences in the required content.
f) prevents adverse effects on human health and the environment, including the **demonstration of the control of any leakage, in particular in intertidal zones;**	Not fully – Regulation 19 concerns adverse effects on human health and environment, however, leakage and intertidal zones are not terms used in the HKC.
g) ensures safe and environmentally sound management and storage of hazardous materials and waste, including: (i) the **containment of all hazardous materials** present on board during the entire ship recycling process so as to prevent any release of those materials into the environment; and in addition, the handling of hazardous materials, and of waste generated during the ship recycling process, only on **impermeable floors with effective drainage systems;** (ii) that all waste generated from the ship recycling activity **and their quantities are documented** and are only transferred to waste management facilities, including waste recycling facilities, authorised to deal with their treatment without endangering human health and in an environmentally sound manner; Note: Article 15 adds **that environmentally sound management may only be assumed** to be in place provided the ship recycling company can demonstrate that the waste management facility which receives the waste will be operated in accordance with human health and environmental protection standards that are **broadly equivalent to relevant international and Union standards**.	Not fully: i) Regulation 20(3) requires safe and environmentally sound management of all Hazardous Materials and wastes removed from the ship to be recycled. However, impermeable floors with effective drainage systems are not terms used in HKC. The EU SRR TGN also puts emphasis on facilities demonstrating containment of "all hazardous materials" as per the language of the article. ii) Regulation 20(4) is clear that wastes must be separated, labelled and stored and may only be transferred to a waste management facility authorised to deal with their treatment and disposal. However, documenting *quantities* of waste is not addressed. HKC also, understandably, makes no reference to EU standards. The latter is discussed in Section 5.5.
h) establishes and maintains an emergency preparedness and response plan; **ensures rapid access for emergency response equipmen**t, such as fire-fighting equipment and vehicles, ambulances and cranes, to the ship and all areas of the ship recycling facility;	Yes – Regulation 21 is detailed and dedicated to Emergency preparedness and response. Rapid access to the ship and all areas of the facility is however not addressed.

EU SRR Article 13 requirements for ship recycling facilities	Broadly comparable provision in HKC?
i) provides for worker safety and training, including ensuring the use of personal protective equipment for operations requiring such use;	Yes – Regulation 22 However, the EU SRR TGN, which clarifies the meaning of Article 13 further elaborates on worker involvement in health and safety management systems and the competencies of personnel removing hazardous materials.
j) establishes records on incidents, accidents, occupational diseases and chronic effects and, if requested by its competent authorities, reports any incidents, accidents, occupational diseases or chronic effects causing, or with the potential for causing, risks to workers' safety, human health and the environment.	Yes – Regulation 23 However, the EU SRR TGN is more specific about the type and frequency of worker health records that should be made.

Table 1 shows a fair degree of alignment in the criteria that ship recycling facilities should meet under both frameworks. For four of the eleven criteria identified in Article 13 of the EU SRR[42], a very similar corresponding provision can be found in the HKC. There is only one case of a provision being completely absent from the HKC (EU SRR Article 13(c)). Importantly, however, the remaining six criteria do not fully align with the corresponding provisions of the HKC. While, in some cases, the non-alignment would be reduced by the application of provisions from the (non-mandatory) HKC guidelines, in others, the non-alignment is amplified by more specific mandatory guidelines from the EU SRR TGN.

The following chapters discuss the criteria which do not align between the frameworks. Note that although they are split up into 'environmental' and 'safety' criteria, some criteria have both safety and environmental dimensions.

[42] EU SRR Article 13 (a)(b)(e) and (h).

5 Environmental criteria for Ship Recycling Facilities

This section focuses on the environmental criteria that are considered to be gaps in the HKC as compared to the EU SRR. The gaps in the environmental criteria are presented in order that they appear in Table 1 above (see Section 4.3).

5.1 Requirement to operate from built structures

Section 3.2 discussed how the EU SRR has a slightly narrower definition of a ship recycling facility by, in contrast to the HKC, not including “sites” as part of the definition of SRFs. This difference is further substantiated by the requirement of the EU SRR Article 13(c), which requires that a ship recycling facility:

“operates from built structures” (OJEU, 2024).

The term “built structures” is not used in the HKC and is not specifically defined in the EU SRR or its TGN, although interpretation examples are provided in the latter.

The purpose of built structures is to “enable safe and environmentally sound ship recycling operations, ensuring worker safety, control of leakage, containment of hazardous materials and impermeable support for hazardous materials and for waste generated during the ship recycling process” (EC, 2016). Note also that the requirement to operate from built structures does not necessarily mean that a facility has to be completely built up as long as compliance with the requirements of the Regulation are reached (EC, 2016).

Several **non-exhaustive** examples of built structures for different parts of a ship recycling facility are also given in the EU SRR TGN as presented in Table 2 (EC, 2016).

Table 2 – Examples of “built structures” for ship recycling facilities as per EU SRR technical guidelines

Primary cutting areas	Secondary cutting areas	Fixed plants/machinery	Health and safety infrastructure
• Pontoons • Slipways and access ramps • Quays, docks or dry docks • Ship lifts • Bridge-like structures (trestles) • Canals, canopies, floodgates	• Workstations for secondary dismantling and the sequential breakdown of component elements • Specially equipped workstations for the removal of hazardous and toxic waste • Bund walls or tanks designed to prevent leakage • Walls with side access to enable materials to be stored and loaded • Temporary storage areas for steelwork • Storage areas for fully processed equipment and materials intended for reuse, recycling, or disposal	• Fixed cranes and other lifting devices used within their design limits • Winching gear and cables for safely repositioning or pulling a ship during dismantling • Pumps to transfer liquids to drainage catchpits • Generators to provide electrical power and lighting for safer working conditions in low light	• Fixed cranes and other lifting devices • Firm, level roadways enabling ambulance and fire truck access • Stable exit gangways • Drinking water, shelters, and food facilities • Sanitary and washing facilities • Changing rooms to control exposure and prevent the spread of hazardous materials

Source: Authors, based on EC (2016). Note that the examples are non-exhaustive.

As indicated in the column headers of Table 2, built structures comprise, according to the EU SRR, not only areas for primary and secondary cutting of steel (or blocks, plates, etc.) but also machinery and infrastructure supporting health and safety. Importantly, built structures are also seen as important in enabling rapid access to the facility for emergency services such as ambulance and fire trucks. In this regard, the EU SRR TGN states: “facilities where emergency vehicles cannot park next to the ship itself or next to the exit gangway, for example, because of watery, unstable grounds inadequate for supporting vehicles, do not comply with requirements of the Regulation.” (EC, 2016)[43]. Another expected advantage of built structures from a safety perspective is enabling the secure placement of cranes and other lifting equipment.

The HKC, in contrast, does not include the term “built structures” but it does have requirements that imply that ship recycling facilities should operate with at least some form of constructed infrastructure, even if the requirement is less explicit. For example, Regulation 15(1) of the Convention requires facilities to be “designed and constructed” to operate in a safe and environmentally sound manner. Additionally, MEPC.210(63) guidelines indicate that a ship recycling facility plan should describe “dedicated infrastructure” for the treatment and disposal of hazardous materials generated from

[43] This is expressed in footnote 41 (EC, 2016).

ship recycling operations (pursuant to national laws and regulations) (MEPC, 2012a). Furthermore, the EU SRR TGN even refers to MEPC.210(63) to provide examples of certain built structures that may be in place at a facility, such as sanitary and washing facilities, however, most other examples of built structures do not derive from the HKC or its guidelines.

5.2 Requirement to establish management and monitoring systems

Article 13(d) of the EU SRR requires that a ship recycling facility establishes management and monitoring systems, procedures and techniques which have the purpose of preventing, reducing, minimising and "to the extent practicable" eliminating:

- health risks to the workers concerned and to the population in the vicinity of the ship recycling facility;
- adverse effects on the environment caused by ship recycling.

These obligations are closely mirrored in the HKC, of which Regulation 17(1) of the Convention contains almost identical language concerning management systems that should be established.

However, as noted in Table 1, the EU SRR also requires **monitoring systems** which, in this context, are not specifically required by the language of the HKC legal text. Where the HKC legal text does mention monitoring it is either in a narrower sense of ensuring monitoring of Safe-for-entry and Safe-for-hot work conditions on the facility (HKC Regulation 9(3)) or a system for monitoring the "performance" of ship recycling (HKC Regulation 18), the meaning of which is not clarified in any of the 6 MEPC guidelines. The EU SRR TGN highlights that the following constitute appropriate management and monitoring systems:

- **Environmental management and monitoring systems**:
  - The HKC guidelines MEPC.210(63) are cited as the main reference point in the EU SRR, noting that section 3.4.1 of those guidelines considers that monitoring could cover releases of hazardous materials in four main categories: to ground and sediments, to water, to air, as well as monitoring of noise and vibrations.
  - However, the voluntary nature of such monitoring under the IMO guidelines is clear as they state: "the monitoring programme, if included in the SRFP, should be facility-specific and utilise well-established standards for the sampling and analysis of relevant environmental parameters". In contrast, under the EU SRR for third-country facilities this monitoring is mandatory.

- The EU SRR technical guidance note also states another environmental monitoring category that is not named in MEPC.210(63): Exposure to high temperatures.

• **Health and safety management and monitoring systems:**
  - According to the EU SRR TGN, Health and safety management and monitoring systems are understood as covering two essential aspects from the ILO guidelines (*Safety and health in shipbreaking, guidelines for Asian countries and Turkey*, 2004)[44]:
    1. The facility has established Occupational Safety and Health (OSH) management systems. This aspect can be reasonably considered to be adhered to if a facility has implemented HKC guidelines MEPC.210(63) which recommends that a ship recycling facility plan should include such OSH systems, referring in particular to the (now expired[45]) standard OHSAS18001 as an example.
    2. Workers have the rights to enable them to take ownership of and ultimately help improve the health and safety management systems. This second leg of health and safety management systems however is less clearly reflected in the HKC or the 6 MEPC guidelines and is elaborated further in Chapter 6.

Based on the above, monitoring systems are mandatory under the EU SRR whereas for the HKC monitoring is referred to not in the legal convention but in the MEPC.210(63) guidelines, unless it should be assumed that monitoring forms part of the wider management systems required by Regulation 17.1 of the HKC. The lack of clarity on whether monitoring systems are required under the HKC, and what kinds, means there is a likelihood for diverging standards to emerge, especially where HKC competent authorities do not enforce comprehensive adherence to MEPC.210(63) when approving SRFs. In contrast, EU SRR inspection reports for third-country facilities show that monitoring systems are evaluated thoroughly, covering all aspects of environmental, health and safety monitoring to ensure they exist in practice. A review of one such report clearly shows that a brief mention of monitoring in a SRFP is not in compliance with the EU SRR (DNV & GL, 2020).

[44] Safety and health in shipbreaking: Guidelines for Asian countries and Turkey, 2004. ISBN 92-2-115289-8 (print version), ISBN 92-2-115671-0 (web version).
[45] According to the ISO, standard ISO 45001 has replaced OHSAS 18001 https://www.iso.org/standard/63787.html

5.3 Demonstration of the control of any leakage, in particular in intertidal zones

Table 1 (see Section 4.4) records that there is not full alignment in the HKC to the EU SRR requirement for inclusion on the European List that (Article 13(f)) that a ship recycling facility:

"*prevents adverse effects on human health and the environment, including the demonstration of the control of any leakage, in particular in intertidal zones."* (OJEU, 2024).

Concerning the parts that are aligned: Regulation 19(4) of the HKC is clear that facilities authorised under the HKC must have procedures to prevent spills or emissions throughout ship recycling which may cause harm to human health and/or the environment. Similarly, section 3.4.4 of MEPC.210(63) offers guidance on the prevention of adverse effects to the environment, recommending that a SRF includes a programme to **minimise** the potential "for debris deposition into the water, including the maintenance of areas from which debris might be transported into the marine environment by wind, storm drains, tides, or run-off" (MEPC, 2012a).

However, full alignment is not achieved due to the EU SRR's explicit emphasis on demonstrating the "control of any leakage", particularly in "intertidal zones". These are terms not explicitly used in the HKC. The meaning of the terms was clarified in the EU SRR TGN as follows in Text box 5 (EC, 2016).

Text box 5 – The meaning of the terms "control of any leakage" and "intertidal zones" as clarified in the EU SRR TGN

Demonstrate the control of any leakage:

Prove (the ship recycling facility) is capable of preventing and - when prevention has failed despite compliant design, construction and operation - of responding to and mitigating any sort of leakage (spills, air emissions, etc.)

The intertidal zone:

The zone between the lowest and the highest tide marks. Although each area of the facility deserves attention, intertidal zones in particular are referred to in the Regulation as they present specific challenges when it comes to control of leakages, due to constantly changing conditions stemming from tides.

Source: Derived from EC (2016).

Under the EU SRR, ship recycling facilities are moreover expected to have both operational practices **and** infrastructure in place to prevent leakages to the environment (EC, 2016). Non-exhaustive examples of leakage control measures are provided (EC, 2016) in the form of:

- prior assessment of pollutants remaining on board the ship;
- rapid-response teams;
- oil absorption and containment booms;
- drainage canals;
- and 'impermeable floors' (explained in next section).

These measures reflect a more specific and comprehensive approach to leakage control under the EU SRR, particularly in sensitive areas such as the intertidal zone which is not directly addressed in the HKC. Ensuring the proper containment of hazardous materials is also a key area of inspections required for inclusion in the European List, for instance the EU SRR TGN recommends that elevated tanks are used to store oily residues to facilitate the task (of the Independent Verifier) when checking that the containment has not failed underneath (EC, 2016).

5.4 Handling of waste only on impermeable floors with effective drainage systems

As indicated in Table 1 (see Section 4.4), Article 13(g)(i) of the EU SRR requires ship recycling facilities to ensure safe and environmentally sound management including:

"The handling of hazardous materials, and of waste generated during the ship recycling process, only on impermeable floors with effective drainage systems." (OJEU, 2024).

The principle of this article is reflected in the HKC Regulation 19(4), which requires authorised ship recycling facilities to prevent spills or emissions throughout ship recycling which may cause harm to human health and/or the environment. MEPC guidelines moreover recommend that facilities have a programme for spill prevention, control and countermeasures, including "facility drainage areas" and "containment and diversionary structures in place to prevent discharged hazardous materials from contaminating soil and water" (MEPC, 2012a). However, the qualifiers in the EU SRR of "impermeable floors" and "effective" drainage systems are not reflected in the HKC.

The definitions of these terms from the EU SRR TGN are given as follows in Text box 6 (EC, 2016).

Text box 6 – The meaning of the terms “impermeable floors” and “effective drainage systems” as given in the EU SRR TGN

Impermeable floors:

‘Floors’ are continuous, level and supporting surfaces. ‘Impermeable floors’ are floors which do not allow fluids to pass through. This reflects the need to not only contain hazardous fluids, but also to counter the possibility of hazardous materials being washed away into the environment. Surfaces such as sand and gravel are permeable and therefore do not control leakages.

Effective drainage systems:

‘Effective drainage systems’ are understood as drainage connected to a water treatment plant (be it onsite or shared/municipal) or, as defined in the BCS 2013 guidelines[46], ‘simple infrastructure (e.g. a concrete base) that acts as a barrier to the escape of polluting materials. There would be drainage for contaminants and the capacity for the drainage channels to be periodically cleaned, for example by installing removable grilles over the drainage channels’.

Source: Derived from EC (2016).

It follows that the EU SRR article requires a high degree of control to ensure that waste from the ship recycling process does not drain or leak into the wider environment. Moreover, the EU SRR TGN describes the handling of hazardous materials, and of waste generated during the ship recycling as a very broad notion going beyond waste management operations: *“It starts with the cutting/separation of elements from the ship and includes sorting and transportation of hazardous materials and of waste generated during the ship recycling process”* (EC, 2016). The impermeable floor should thus be in place during all these related activities to avoid waste entering the land/marine environment.

The EU SRR TGN does clarify that the interior of a ship can itself be considered as an impermeable floor in some cases. However, whenever an element is separated from a ship functioning as an impermeable floor, the element should not enter into contact with non-impermeable floors (such as being dragged over sand) but may be lifted (e.g. with a crane) onto an impermeable floor (EC, 2016).

The interior of the ship itself (the one being recycled) can be considered as an impermeable floor in the context of the EU SRR if the following conditions are met (EC, 2016):

1. The hull is sealed, integrity of the bottom of the hull has been analysed and has not been compromised.
2. Harmful substances falling from the vessel during cutting operations are controlled, collected and managed in an environmentally sound manner.

[46] The Basel Convention Secretariat’s Guidance for Competent Authorities of Ship Recycling Facilities (‘the BCS 2013 Guidance.

3. Oil containment booms are deployed from the ship's hull to the shore/quay prior to any activity posing a threat to the environment and oil skimmers are readily available.
4. Blocks are lifted in a safe manner to cutting areas with impermeable floor.
5. The release of paint chips and toxic coatings into the sea/permeable surface is controlled.
6. As early as is feasible, transfer of the remainder of the ship's bottom itself to impermeable floor areas is carried out in a safe and environmentally sound manner, e.g. through the use of cranes, sleds or beams coupled with winches, to allow for the cutting of the bottom to take place above an impermeable floor with effective drainage system, including above a floating structure such as a floating dry dock, a flat top barge or equivalent with an effective drainage system.

Publicly available EU SRR inspection reports indicate that if the ship's hull is used as an impermeable floor, details about the operation in practice need to be properly documented or witnessed by inspectors (DNV & GL, 2020), e. g. avoiding that parts and debris fall off the ship onto the intertidal zone, confirming proper management of slag and paint chip collection when cutting the outer hull, ensuring no drips or spills when parts of the ship are lifted to the secondary cutting area, as well as controlling that the hull does not cause leakage when high tide returns.

Nonetheless, it is expected that the use of the ship's hull as an impermeable floor, as part of wider operations on a facility with secondary cutting taking place ashore with proper drainage, is common - including at facilities authorised under the European List. This is expected because the method of recycling used at each facility on the European List can be found in the list's second column. The list shows that for many facilities the ship remains alongside for at least part of the recycling process. For instance, at the facility in the USA (Texas) the stated recycling method is "alongside (wet berth), slope". According to the available inspection reports for this facility, only for the final dismantlement, the remaining hull is pulled ashore by a winch onto a ramp with drainage (DNV, 2023). Similarly, in Türkiye, the 'landing' method is stated on the European List to be used as the method of recycling by all 10 facilities approved there. No formal definition is given for the landing method in the EU SRR or the TGN, but according to one inspection report where compliance to the EU SRR was confirmed, the principle of the landing method used in that facility is that cut blocks are hooked up to a crane before cutting, lifted and transported to the impermeable secondary cutting zone (DNV & GL, 2019). Further into the recycling process, the ships are then pulled beyond the drain line before cutting of double bottom (DNV & GL, 2019). As such, using the ship hull bottom as an impermeable floor can be fully compliant with the EU SRR provided all relevant conditions are satisfied.

Note that publicly disclosed information about the method of recycling used at a ship facility holds only for facilities on the European List. There are no provisions within the HKC which mandatorily require Parties to provide this level of information to the IMO or other parties (for potential public disclosure). Indeed, the method of recycling was not

disclosed for any of the facilities in the first list of HKC authorised facilities communicated by the IMO in January 2026. This is a gap in the HKC, compared to the EU SRR, as it prohibits stakeholders from easily obtaining information about the kind of recycling that takes place there.

5.5 Documenting quantities of waste generated from the ship recycling activity and their transfer only to authorised waste management facilities

Table 1 (see Section 4.4) records incomplete alignment between the HKC the EU SRR requirement for inclusion on the European List (Article 13(g)ii) that:

"all waste generated from the ship recycling activity and their quantities are documented and are only transferred to waste management facilities, including waste recycling facilities, authorised to deal with their treatment without endangering human health and in an environmentally sound manner." (OJEU, 2024).

Article 15(5) of the EU SRR adds another condition to the above, stating that the term *"environmentally sound management"* as used in article 13(g)ii) "*may only be assumed to be in place provided the ship recycling company can demonstrate that the waste management facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to relevant international and Union standards."* (OJEU, 2024).

In short, EU SRR Article 13(1)(g)(ii) can basically be divided into two components:

1. Documentation, quantification and transfer of waste.
2. Assurance of downstream waste management.

These components are considered separately below because gaps in each of them are identified in the HKC as compared to the EU SRR.

5.5.1 Documentation, quantification and transfer of waste

The EU SRR TGN states that compliance with the part of EU SRR Article 13(1)(g)(ii) on documentation and transfer of waste may be assumed if, in accordance with MEPC.(210)63, the facility establishes "procedures for tracking hazardous materials and wastes as they are transported from the Ship Recycling Facility to their ultimate destination, and for managing and storing documentation, including that of subcontractors." (EC, 2016).

The reference to the IMO guidelines in the EU SRR TGN highlights that there is no substantive gap between the frameworks in this respect, provided facilities authorised under the HKC follow MEPC.210(63), even though it is not legally binding. Furthermore, Regulation 20(4) of the HKC itself requires that *"all wastes generated from the recycling activity (…) [are] labelled, stored in appropriate conditions and only transferred to a waste management facility authorized to deal with their treatment and disposal in a safe and environmentally sound manner."* On this basis, the two frameworks are broadly aligned on waste documentation and transfer obligations.

Yet one notable difference remains: unlike the EU SRR, the HKC does not explicitly require the quantities of waste generated from the ship recycling activity to be documented[47]. While this represents a formal gap in the HKC compared to the EU SRR, it is unclear how rigorously the quantification requirement is applied in practice when facilities are assessed for inclusion on the European List. The EU SRR and its TGN offer few details on how such quantification should be carried out in practice. One the one hand, facilities that otherwise document and transfer waste may reasonably be assumed to also quantify the waste as they do so. On the other hand, establishing a structured system for recording waste quantities (which is, for the HKC, less clearly required) could be considered important for the enforcement of facilities by authorities/inspectors during audits. For instance, if a ship recycling facility's records show that a specific quantity of hazardous material was generated and transferred to an authorised waste management company, the records of that waste company should correspondingly reflect receipt of the same amount and type of hazardous waste.

5.5.2 Assurance of downstream waste management

The EU SRR and the HKC are aligned in requiring that waste generated from ship recycling may only be transferred to a waste management facility authorised to deal with their treatment and disposal in a safe and environmentally sound manner[48]. This common provision (in Regulation 20(4) of the HKC and Article13(g)ii) of the EU SRR) shows that both frameworks contain explicit obligations on downstream waste management.
In addition, the MEPC.210(63) guidelines state that an SRFP should (with regard to waste treatment, transportation and disposal):

- identify all off-site waste management and disposal facilities;
- describe how the materials will be managed at those facilities;
- identify all authorizations, permits, certificates, approvals and licences required by national and other agencies authorizing the facilities to manage the wastes.

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[47] Note that the HKC does require the ship recycling plan, drafted prior to recycling operations, to include information concerning how the type and amount of materials including those identified in the Inventory of Hazardous Materials will be managed. However, as covered in chapter 8, the IHM does not cover all wastes and even for hazardous wastes, certain of those need only be inventorised "as far as practicable". As such, the amount of waste actually generated from the recycling activity can vary widely from what's actually stated in the IHM when the ship arrives as the facility.

[48] In the HKC the requirement is set in Regulation 20.4. In EU SRR this is part of regulation 13(g)(ii) however instead of the word "safe" it reads "without endangering human health".

The SRFP should also include procedures for tracking hazardous materials and waste as they are transported from the Ship Recycling Facility to their ultimate destination, and for managing documentation, including that from subcontractors (MEPC, 2012a).

However, a key distinction lies in the level of assurance required for downstream waste management. Article 15(5) of the EU SRR introduces an important qualifier[49], which is the need for the ship recycling company to demonstrate that any downstream waste management facility receiving waste operates in accordance with human health and environmental protection standards that are "broadly equivalent to relevant international and Union standards." (OJEU, 2024). By contrast, the HKC legal text does not define such a benchmark. Instead, the guidelines in MEPC.210(63) state that waste-management facilities should comply with national standards and *"take into account"* applicable international standards. This reliance on national waste management frameworks in the HKC, while logical, introduces the potential for wide variation in practice.

The EU SRR TGN clarifies that applicant ship recycling facilities **do not have to** transfer generated waste to another downstream facility. Ship recycling facilities may for instance handle some waste streams onsite, without transferring them, or outsource part or all of the disposal of waste to external waste management facilities: the EU SRR does not impose any waste-management arrangement in particular (EC, 2016). However, irrespective of where waste recovery or disposal takes place, the EU SRR "requires that the ship recycling company can demonstrate that the different waste streams are treated according to certain standards" (EC, 2016). The technical guidance therefore advises that an applicant ship recycling facility from a third country specifies in its application form which waste streams it is able and authorised to recycle/dispose of itself, and which waste streams it will transfer to external downstream waste management facilities.

The EU SRR TGN is clear that full compliance with individual EU and international standards is not implied. Instead, the standards applied in the waste management facility should ensure "a similar level of protection of human health and the environment",[50] Broad equivalence with international and EU standards is deemed as established if the following main principles derived from international standards and EU Directives are applied at the waste management facility (EC, 2016):

[49] For ship recycling facilities located outside the EEA. For facilities located in the EU, Union standards are already applicable.

[50] See section 2.2.5 Part C of the EU SRR TGN.

Text box 7 – International and Union waste management standards to be reflected in waste-management facility operations in order for 'environmentally sound management' to be assumed in third country SRFs

International waste management standards:

- The framework of Environmentally Sound Management (ESM) from the Basel Convention.
- Guidelines found in Annex VIII of the EU Waste Shipment Regulation No 1013/2006 including Technical Guidelines on the Environmentally Sound Management of the Full and Partial Dismantling of Ships where it regards downstream waste management.

European Union waste management standards:

- The EU Waste Framework, including the following main principles:
  - The waste hierarchy of (a) prevention; (b) preparing for reuse; (c) recycling; (d) other recovery, e.g. energy recovery; and (e) disposal.
  - Waste management is carried out without endangering human health, without harming the environment and, in particular: (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours; and (c) without adversely affecting the countryside or places of special interest.
  - Dangerous waste is stored and treated in conditions that ensure the protection of health and the environment. It is not, in any case, mixed with other dangerous waste and is packaged and labelled.
- EU legislation on waste treatment operation standards:
  - Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste.
  - Directive 2000/76/EC on the incineration of waste and amending acts[51].
  - Directive 2010/75/EU on Industrial Emissions.
- Waste stream-specific treatment operations standards, such as:
  - Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT).
  - Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators.
  - Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment[52].

Source: Author based on section 2.2.5 "Management of waste at the waste management facility" of the EU SSR Technical Guidance Note (EC, 2016).

[51] This Directive is no longer in force and was replaced Directive 2010/75/EU on industrial emissions.
[52] This Directive has since been repealed by Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (recast).

Published EU SRR inspection reports confirm that applications from third-country ship recycling facilities to the European List are assessed against these benchmarks. For example, inspectors have checked permits and operational standards of downstream facilities against the EU Landfill Directive and, in the case of incinerators, the EU Industrial Emissions Directive, while effluent treatment plants were also evaluated for alignment with standards broadly equivalent to EU and international norms (DNV & GL, 2020). Inspections also verified that downstream facilities were technically capable of handling the full range of wastes listed in an SRF's application. This illustrates that downstream waste management is treated as a serious compliance obligation under the EU SRR and is subject to detailed oversight for any third-country applicant.

Text box 8 – Significant gap and possible solutions: EU SRR requirement that downstream waste management broadly aligns with international and Union standards

The reliance on national standards for downstream waste management under the HKC, as compared to downstream waste management standards "broadly equivalent to international or Union" as required under the EU SRR introduces the potential for wide variation in practice. In countries where waste management standards or enforcement capacity are below international or Union standards, waste – including hazardous materials - from ship recycling may be treated or disposed of in ways that put large numbers of people and the environment at risk even if an authorised ship recycling facility does everything that is required of it by the Convention and even the 6 MEPC guidelines. Moreover, multiple ship recycling facilities in the same area or region of a country might be relying on the same downstream waste management facilities, increasing the negative impact if the waste is not managed to a high standard at that facility. For these reasons, the lack of alignment on downstream waste management is considered one of the most significant gaps between the HKC and the EU SRR.

Possible solutions to bridge the gap:

- **Clarify applicable standards:** Specify clearly in the HKC or its guidelines which international standards for downstream waste management should be taken into account when authorising ship recycling facilities. If the intended international standards are the Technical Guidelines (on Environmentally Sound Management) from the Basel Convention as referred to in Text box 7 this should be specifically stated. Where these guidelines are found insufficient for the downstream waste management of waste from ship recycling activities, regulatory attention under the Basel Convention could consider more specific guidelines.
- **Enhance transparency:** Require HKC Parties, when disclosing to the IMO the list of ship recycling facilities they have authorised (as per Article 12), to also share the applicable national standards for downstream waste management or the international standards which they consider mandatory when authorising these downstream waste management facilities. These standards could be communicated together with the details of mechanisms established by the Party for authorising ship recycling facility – see separate recommendation for this in Text box 4.

6 Safety criteria for Ship Recycling Facilities

This section focuses on the safety criteria that are considered to be gaps in the HKC as compared to the EU SRR. The gaps in the criteria are presented in order that they appear in Table 1 (see Section 4.4).

6.1 Emergency preparedness and response plan including rapid access for emergency response equipment

Table 1 shows there is alignment in the HKC with regard to the EU SRR requirement for inclusion in the European List (Article 13(h)) that a ship recycling facility:

"establishes and maintain an emergency preparedness and response plan (…)." (OJEU, 2024).

Alignment is reached because Regulation 21 of the HKC also requires such an emergency preparedness and response plan (EPRP) and is in fact more upfront about the specific contents the plan should include. Specifically, Regulation 21 states that the plan should consider the location and environment of the facility, as well as the size and nature of its ship recycling operations. It should furthermore (IMO, 2009):

1. Ensure that the necessary equipment and procedures to be followed in the case of an emergency are in place, and that drills are conducted on a regular basis.
2. Ensure that the necessary information, internal communication and coordination are provided to protect all people and the environment in the event of an emergency at the Ship Recycling Facility.
3. Provide for communication with, and information to, the relevant Competent Authority(ies), the neighbourhood and emergency response services.
4. Provide for first-aid and medical assistance, firefighting and evacuation of all people at the Ship Recycling Facility, pollution prevention.
5. Provide for relevant information and training to all workers of the Ship Recycling Facility, at all levels and according to their competence, including regular exercises in emergency prevention, preparedness and response procedures.

While the HKC lays out the above elements in detail, all of them (and more) are incorporated in section 3.3.5 of MEPC.210(63), which the EU SRR TGN refers to when outlining how facilities should develop a compliant EPRP. Accordingly, the EU SRR does not set a lower standard than the HKC in this regard, at least not for third country facilities which apply to be on the European List, for which requirements of EU SRR TGN are scrutinised prior to approval. The EU SRR itself does not specify in detail the exact content an ERFP must cover[53].

The EU SRR TGN does, however, highlight that, in addition to following international guidelines, a compliant EPRP should (EC, 2016):

1. Reflect the current layout of the recycling facility.
2. Be communicated to all the workers on the facility, including contractor personnel and employees hired for a short period of time.

The first point above is not explicitly stated in the HKC but is implied by HKC Regulation 21, which requires that the plan be "maintained" which therefore should logically reflect the most recent layout of the facility. The second element above is also not strictly mentioned in the HKC but is reasonably covered by the HKC Regulation 21 requirement that internal communication and coordination are provided to protect "all people". Moreover, the IMO guidelines MEPC.210(63) state that a facilities' "environmental and occupational safety and health management programme, policies and objectives should be communicated to and understood by all personnel working at the Facility." (MEPC, 2012a). The definition of workers in the Convention also includes temporary workers and contractor personnel.[54] There is therefore no substantial gap between the HKC and the EU SRR on the contents of the EPRP, provided HKC competent authorities require facilities to follow MEPC.210(63) and facilities within the EU establish an EPRP in line with what is expected from facilities in third countries.

Ensuring rapid access to emergency response equipment

The HKC less clearly aligns with the additional elements of EU SRR Article 13(h), which requires that a ship recycling facility:

*"ensures **rapid access** for emergency response equipment, such as fire-fighting equipment and vehicles, ambulances and cranes, to the ship and all areas of the ship recycling facility".* (OJEU, 2024).

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[53] The EU SRR does state, as part of the definition of a "ship recycling facility plan" in Article 3(17), that plans for emergency preparedness and response should be covered "taking into account" the relevant IMO guidelines and resolutions.

[54] According to Regulation 1(12) of the HKC, "Worker" means any person who performs work, either regularly or temporarily, in the context of an employment relationship including contractor personnel. (IMO, 2009)

Based on the description above, the notion of “rapid access” is about ensuring that emergency vehicles can quickly get as close as possible to the location of an incident. It is also tied to infrastructure conditions, as discussed in Section 5.1 on built structures. There is no clearly equivalent term in the legal text of the HKC which makes such rapid access to all areas of the facility mandatory, however there are references in the guidelines (for example MEPC.210(63)) which emphasise the need for ship recycling facilities to have systems in place for “quickly and safely evacuating all personnel at the Facility” in the context of fire and explosion response (MEPC, 2012a). The same guidelines also recommend that procedures on the deployment of fire-fighting equipment should take into account “restrictions to access or egress to space inside the ship” (MEPC, 2012a). As such, where competent authorities require facilities to comply in full with MEPC.210(63) for HKC authorisation, close alignment with the EU SRR requirements on rapid access is likely to be achieved.

It should be noted that the inclusion of the term “rapid access” in the EU SRR is more than just semantics because the more extensive application process for third-country facilities (including mandatory inspections) ensures that requirements can be verified in practice, not just on paper. For instance, one inspection report expressed concern about how a facility ensures rapid access in the event of an emergency on a rig under dismantling far from shore (DNV & GL, 2020) and also considers the feasibility of medical care in emergency situations, including the distance of hospitals from ship recycling facilities. In this context, it is recalled that inspectors have a degree of discretion in how strictly a provision is enforced, which might not be rooted exactly in the language of the legal texts. While it may be implicit that emergency vehicles responding to an incident at a ship recycling facility need to take the victim to a hospital or similar emergency treatment centre, hospitals are not explicitly stated in the EU SRR or its TGN[55]. Adequate medical treatment is, however, an element of workers’ rights specifically highlighted in the EU SRR TGN.

6.2 Provide for worker safety and training

Table 1 shows the HKC aligns closely with the EU SRR requirement for inclusion on the European List (Article 13(i)), which requires a ship recycling facility:

“provides for worker safety and training, including ensuring the use of personal protective equipment for operations requiring such use.” (OJEU, 2024).

Alignment is stated because Regulation 22 of the legal text of HKC covers exactly the same wording.

[55] Hospitals and access to them may well be requirements in ILO or other guidelines referred to in the EU SRR and TGN which have not been analysed for this report.

The EU SRR and its TGN do not elaborate further on specific training obligations for workers, merely noting that compliance is assumed if the facility has implemented relevant ILO guidelines[56] as well as MEPC.(210)63 which itself refers to the same ILO guidelines. In fact, there is an element of worker training in Regulation 22(3) of the HKC which is not reflected directly in the EU SRR: the requirement that workers receive familiarisation prior to performing any ship recycling operation. Although the specifics of what familiarisation should entail are not elaborated in the HKC or its guidelines, it is a known term in the shipping industry as part of the ISM Code[57], referring to a procedure that should be developed by a company to ensure new personnel on board a ship are properly introduced to their duties for the sake of safety and environmental protection. Still, whether or not familiarisation should be understood in the same way for people working at a ship recycling facility under the HKC is not elaborated in the legal text or its guidelines.

Importantly, beyond EU SRR Article 13(i), there are several worker safety elements embedded within the EU SRR TGN which are not reflected in the HKC. These elements are considered mandatory for third-country applicant facilities to the European List. The first concerns workers' involvement in health and safety management systems which was alluded to in Section 5.2. The EU SRR TGN, in particular, notes that an essential aspect to determine the appropriateness of such management systems is that workers have the rights mentioned in section 3.6 of the ILO guidelines[58], highlighting in particular (EC, 2016):

1. The right to bring safety risks to the attention of the competent authority.
2. The right to adequate medical treatment.
3. Right to elect worker representatives as specified in national laws.
4. Participation of and feedback from workers on health and safety matters.

Of the four rights highlighted above, the right to (adequate) medical treatment is broadly reflected in HKC Regulation 21(4) which requires the provision of first-aid and medical assistance to all people at a ship recycling facility. MEPC.210(63) also recommends that job hazard assessments be conducted by a team of personnel including the competent person assigned to the work, a representative of management and workers with the appropriate level of expertise (MEPC, 2012a). The latter reflects some participation of workers in health and safety matters, but this does stem from guidelines and not the HKC directly. However, besides these, there are no stronger references in the HKC or MEPC guidelines which unquestionably require that ship recycling facility workers have rights to bring safety risks to the attention of authorities and to participate in health and safety

[56] Specifically, the "ILO code of practice: Safety and health in shipbreaking: Guidelines for Asian countries and Turkey, 2004".

[57] ISM-Code International Safety Management Code (Resolution A.741(18)). According to section 6.3 of the Code: "The Company should establish procedures to ensure that new personnel and personnel transferred to new assignments related to safety and protection of the environment are given proper familiarisation with their duties." Familiarisation also often involves documentary controls to evidence that a familiarisation took place.

[58] For the full list of relevant workers' rights the EU SRR TGN points to section 3.6 of ILO 2004 publication Safety and health in shipbreaking, guidelines for Asian countries and Turkey

matters. The latter rights may well form part of OSH management systems that facilities put in place (see Section 5.2) but are not directly mentioned as a requirement.[59]

The EU SRR TGN also highlights the following additional elements in the context of workers' safety (EC, 2016):

- Implementation of various parts of the MEPC.210(63) guidelines.[60]
- Operational arrangements from ILO guidelines, such as prevention of the worst forms of child labour, ensuring appropriate living conditions[61] and hearing protection.
- Section 5 of ILO guidelines (on Reporting, recording and notification of work-related injuries and diseases, ill health and incidents).
- An expectation on ship recycling companies to implement at their own level the various provisions of relevance to workers' health and safety found in international conventions referred to in Appendix 4 of MEPC.(210)63 even if they may not have been ratified in some countries where ship recycling takes place (EC, 2016). Two Conventions highlighted in this context are the Worst Forms of Child Labour Convention of 1999 and the Minimum Age Convention, 1973.

In summary: to demonstrate worker safety under the EU SRR, third country facilities need to evidence compliance to MEPC.210(63) and the above ILO guidelines. In contrast, for the HKC, adherence to these guidelines depends on the specific criteria that is set by authorities which grant authorisation to facilities under the HKC.

Furthermore, the EU SRR TGN states that Directive 2009/148/EC of 30 November 2009 on asbestos exposure should be taken into account for workers handling asbestos (EC, 2016). The Directive describes measures to be taken by the workers' employer when the single maximum limit value for airborne concentration of asbestos at 0.1 fibres per cm^3 as an eight-hour time-weighted average is likely to be exceeded (EC, 2016). Notwithstanding that the limit value for exposure in the EU has since been revised[62] to 0.01 fibres per cm^3, there is no such limit value for asbestos handling recorded in the HKC or its guidelines. The EU SRR TGN also emphasises the importance of separate and appropriate changing rooms and sanitary and washing facilities provided for exclusive use by workers handling asbestos.

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59 MEPC.210(63) states that facilities should take into account, as appropriate, guidelines developed by international organizations – a list of which is included in Appendix 4 and includes the above ILO guidelines. However no direct reference is made to section 3.6 of the ILO guidelines (the section concerning the rights of workers) which the EU SRR TGN cites as essential aspects of Health and safety management and monitoring systems.

60 Sections 3.1.4, 3.3.1, 3.3.2 and 3.3.6 are highlighted.

61 In so far as accommodation is located on the facility or otherwise under the responsibility of the ship recycling company. Child labour and living conditions are not part of the legal text of the HKC. However, hearing protection is clearly covered by Regulation 22 (EC, 2016).

62 Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work. Consolidated text: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02009L0148-20231220

6.3 Records on incidents, accidents, occupational diseases and chronic effects

Table 1 shows that the HKC does not fully align with the EU SRR requirement for inclusion on the European List (Article 13(i)) which requires that a facility:

"establishes records on incidents, accidents, occupational diseases and chronic effects and, if requested by its competent authorities, reports any incidents, accidents, occupational diseases or chronic effects causing, or with the potential for causing, risks to workers' safety, human health and the environment;" (OJEU, 2024).

This requirement is very close to Regulation 23 of the HKC which requires ship recycling facilities to "report to competent authority(ies) any incident, accident, occupational diseases, or chronic effects causing, or with the potential of causing, risks to workers safety, human health and the environment." This report required under the HKC is moreover to include a description of the incident, response taken and corrective actions to be taken (Regulation 23.2). However, the EU SRR requires that also "records" are established.

According to the EU SRR TGN, records should be maintained on occupational diseases and chronic effects through annual medical check-ups for workers, including at least blood and urine sampling, as well as hair sampling if possible (EC, 2016). These records are moreover emphasised to be used to actually protect the health of workers, implying the results should be used internally to, in the case of concerning results, adapt and improve practices at the ship recycling facility.

While it may be implicit that record-keeping would be a prerequisite to enable external reporting to competent authorities, records of this nature are not clearly required by the legal text of the HKC[63]. The management of records appears only in the non-mandatory guidelines of MEPC.210(63)[64]. The latter is moreover less specific on the type and frequency of medical records that should be obtained.

[63] Note: HKC Regulation 18 requires an SFRP to include a "a record-keeping system showing how Ship Recycling is carried out". However, this is clearly not related to health.
[64] Section 3.1.4 on records management.

Furthermore, the EU TGN states that compliance with EU SRR Article 13(i) and (j) presupposes that the facility follows the recommendations of MEPC.210(63) as well as sections on worker health-related reporting and surveillance of ILO guidelines.
The EU SRR requirement, therefore, builds on what is given in the HKC guidelines and sets more specific requirements. Beyond the annual check-ups listed above, the following are stated in the EU SRR TGN (EC, 2016):

- the facility should ensure that a list of all workers on any given day is always available;
- with regard to annual check-ups, information on the origins of diseases and chronic effects are best obtained through soil, air and dust sampling.

7 Documentation, certification and survey requirements

The following chapter discusses the main documents and certificates that are required for ships (Section 7.1) and ship recycling facilities (Section 7.2) under the HKC and EU SRR and gives an assessment of the main differences. Note that the Inventory of Hazardous Materials (IHM) and its related documentation and certification is referred to in general in the following sections, but more details on the differences in the content of IHMs between both frameworks are addressed separately in Chapter 8.

Overall, no substantial differences are noted between the frameworks in terms of documentation and certificates applicable either to ships or ship recycling facilities.

7.1 Ship documents and certificates

There is a strong degree of alignment in the documentation and certificates that must be in place on ships to demonstrate compliance with the EU SRR and HKC. This is true both during the operational life of a ship and up to the point it is recycled.

7.1.1 Ship operational life

Until a decision is made to recycle a ship, the only documentary requirement that is necessary to evidence compliance with the EU SRR and HKC is a maintained IHM and an inventory certificate issued by or on behalf of the ship's flag administration[65]. Chapter 8 discusses the (limited) differences in the approach to IHM management under the respective frameworks.

[65] Since January 2026, the format of the inventory certificate under the EU SRR and HKC is the same ((DG Environment, 2026). The IHM itself will in most cases also be the same (in line with the EU SRR since it requires more hazardous materials to be inventorised). Additional documents or certificates may be required on the basis flag state or classification society rules but these are not defined by the EU SRR or HKC.

There is also an identical set of ship surveys prescribed under both frameworks which are to be carried out by surveyors from the ship's flag administration or a body recognised by it (an RO):

- **An initial survey**: For new ships this is before the ship is put in service and for existing ships before the inventory certificate is issued. This survey is to verify that Part 1 of the IHMs complies with the requirements of the Regulation or Convention.
- **A renewal survey**: At intervals specified by the ship's flag administration, but not exceeding five years. This survey verifies that Part 1 of the IHM continues to comply with the requirements of the Regulation or Convention.
- **An additional survey**: To be conducted if requested by the ship owner after a change, replacement or significant repair of the structure, equipment, systems, fittings, arrangements and material, which has an impact on the IHMs.

IMO also developed guidelines for the survey and certification of ships under the HKC MEPC.222(64). The same set of guidelines are referred to under the EU SRR (Article 8(1)).

Note that the above-mentioned surveys are intended to be harmonised with other statutory surveys (IMO, 2025a), so these should not be understood as surveys dedicated to the EU SRR/HKC. In practice, the flag or RO surveyor will (during the survey) normally also verify the ship's compliance with other international requirements, e.g. MARPOL, SOLAS, etc. (as well as classification rules) at the same time in order to endorse or issue new certificates. This is to ensure that the validity of a wide range of mandatory ship certificates have, as far as possible, the same window period.

7.1.2 Final survey following a decision to recycle the ship

The EU SRR and HKC are aligned in requiring a final survey for a ship once a decision has been made to recycle the ship. This decision also triggers the necessary preparation of a series of documents which need to be verified during the final survey, resulting in a certificate. There are minor differences in the number and content of the documents and certificates that are required under both frameworks as outlined below.

Both frameworks require that the final survey verifies that the following are in place:

1. The completion of the IHM, now including part 2 and part 3 (see Chapter 8).
2. A Ship Recycling Plan approved by the competent authority to the operator of the ship recycling facility (see Section 7.2.2 for details of the plan, there is not full alignment between the EU SRR and HKC in terms of the minimum content the plan should contain).

3. That the facility where the ship is to be recycled is authorised in accordance with the framework:
   - For the EU SRR, the facility must be included in the European List.
   - For the HKC, the facility must be authorised by its competent authority and hold a valid Document of Authorisation to Conduct Ship Recycling (DASR, see Section 7.2.3). The DASR does not exist under the EU SRR but can be compared to the European List in the sense that it includes only approved facilities.

After successful completion of a final survey where all of the above are verified to be in place, a 'Ready for Recycling Certificate' (RRC) can be issued by the ship's flag administration or RO. The certificate under the EU SRR is highly consistent with the certificate under the HKC, however the latter is referred to as the International Ready for Recycling Certificate (IRRC), whereas the RRC is used under the EU SRR. Under both frameworks the IRRC/RRC is valid for a maximum of 3 months and ceases to be valid under both regimes if the condition of the ship does not correspond substantially with the particulars of the certificate[66]. The recycling certificate is also required under both frameworks to be supplemented by the inventory of hazardous materials and the ship recycling plan under both frameworks. The requirements for these documents do, however differ in the EU SRR compared to the HKC (see Section 7.2.1 and Chapter 8).

7.2 Ship Recycling Facility documents and certificates

This section discusses the main documents and certificates that Ship Recycling Facilities are required to have in place to demonstrate their compliance with the EU SRR and HKC[67].

A strong degree of alignment can be found in terms of the types of documents, namely the Ship Recycling Facility Plan (SRFP) and Ship Recycling Plan (SRP), however the required content of these plans differs per framework, and there is also a document in the HKC that is not applicable under EU SRR.

[66] The HKC states that the IRCC ceases to be valid if the condition of the ship does not correspond substantially with the particulars of the certificate. The EU SRR however states (…) corresponding to the inventory certificate.

[67] In practice, other documents are needed (application forms etc) but these are part of the process not key compliance documents stemming from the EU SRR or HKC. Other documents would also apply in cases where the Basel Convention applies such as proof of agreement of movement of the end-of-life ship between the export and import country (Prior Informed Consent).

7.2.1 Ship Recycling Facility Plan

An SRFP is a key document under both frameworks, which is prepared by the ship recycling facility and adopted by its highest management[68]. It describes the systems and processes that are in place at the facility to ensure safety and environmental protection. The preparation of such a plan is mandatory under both frameworks: in the EU SRR via Article 13 and the HKC via Regulation 18. The EU SRR TGN describes an SRFP as a cornerstone document introduced by the HKC, which has been mirrored in the EU SRR (EC, 2016). The EU SRR TGN recommends that an SRFP under the EU SRR follows the format provided by the HKC in Appendix 1 of MEPC.210(63). Furthermore, when an SRF applies to be on the European List, the facility must confirm that the SRFP has been adopted, taking into account the above IMO guidelines. There is therefore a strong degree of alignment in the structure of an SRFP required by the EU SRR and HKC. The HKC in particular requires an SRFP to include:

1. A policy ensuring workers' safety and the protection of human health and the environment.[69]
2. A system for ensuring implementation of the requirements set out in this Convention, the achievement of the goals set out in the policy of the SRF and the continuous improvement of the procedures and standards used in the Ship Recycling operations.
3. Identification of roles and responsibilities for employers and workers when conducting Ship Recycling operations.
4. Programme for providing appropriate information and training of workers for the safe and environmentally sound operation of the SRF.
5. An emergency preparedness and response plan.
6. A system for monitoring the performance of Ship Recycling.
7. A record-keeping system showing how Ship Recycling is carried out.
8. A system for reporting discharges, emissions, incidents and accidents causing damage, or with the potential of causing damage, to workers' safety, human health and the environment.
9. A system for reporting occupational diseases, accidents, injuries and other adverse effects on workers' safety and human health.

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[68] Regulation 18 of the HKC and Article 3(17) of the EU SRR both state the SRFP should be adopted by the board or the appropriate governing body of the ship recycling company.

[69] Including the establishment of objectives that lead to the minimisation and elimination to the extent practicable of the adverse effects on human health and the environment caused by Ship Recycling.

The above requirements are to a large degree reflected in the definition of an SRFP provided in the EU SRR (Article 3(17)). The SRFP also has a similar function during the authorisation process of facilities under each framework. For the EU SRR, this is a key document in the application process for third-country facilities (EC, 2016). Similarly, for the HKC, the SRFP is the main document that the Competent Authority(ies), or "organizations recognized" by it, will use when authorising a Ship Recycling Facility (MEPC, 2012a).[70]

There is therefore a broad alignment in the HKC and the EU SRR on the purpose and structure of the SRFP. However, this does not mean that the required content is the same: the EU SRR TGN is, for instance, clear that an SRFP must describe the operations and procedures in place at the facility which ensure compliance with the EU SRR in the areas "where it adds to the HKC" (EC, 2016). In this regard, the EU SRR TGN points in particular to environmental requirements which are clarified in section 2.2 of the note, meaning that under the EU SRR an SRFP must therefore also demonstrate how the following are complied with (where applicable for the facility):

- demonstration of the control of leakage, in particular in intertidal zones;
- ensuring the handling of (hazardous) waste generated from the ship recycling process only on impermeable floors with effective drainage systems;
- containment of all hazardous materials;
- downstream waste management (broadly equivalent to relevant international and European standards).

7.2.2 Ship Recycling Plan

The EU SRR and HKC both require a ship-specific Ship Recycling Plan (SRP) to be developed by an operator of a facility prior to any recycling of a ship, taking into account IMO guidelines (MEPC.196(62)). The required contents of the plan are set out in Article 7 of the EU SRR and Regulation 9 of the HKC. Column 1 of Table 3 presents the requirements of the SRP from the EU SRR, while column 2 and 3 states whether the same requirements can be found in HKC Regulation 9 or within the relevant MEPC guidelines.

[70] However, Section 4.2 above discussed how it can be interpreted that an SRFP may only be required to be drafted *after* a facility is authorised under the HKC and therefore part of the application as such.

Table 3 – Required contents of Ship Recycling Plan under the EU SRR, HKC and MEPC.196(62) guidelines for the development of an SRP

SRP requirements under EU SRR Article 7	Requirement reflected in HKC Regulation 9?	Requirement reflected in non-mandatory guidelines for the development of the SRP MEPC.196(62)
Address any ship-specific considerations or special procedures, unless they are already included in the SRFP	No	Yes
Be developed taking into account the information provided by the shipowner so that its contents are consistent with the information contained in the IHM	Yes	Yes – IHM is stated as essential for planning. Emphasises the SRF should obtain IHM Part I, II and III and gives detailed recommendations in terms of information to be exchanged, such as ship drawings, e.g., general arrangement, capacity plan, engine room piping diagram, etc
Clarify whether and to what extent any preparatory work, such as pre-treatment, identification of potential hazards and removal of stores, is to take place at a location other than the SRF identified in the plan	No	Yes
Include the location where the ship will be placed during recycling operations and a concise plan for the arrival and safe placement of the specific ship	No	Yes
Include information concerning the establishment, maintenance and monitoring of the safe-for-entry and safe-for-hot work conditions for the specific ship, taking into account features such as its structure, configuration and previous cargo, and other necessary information on how the ship recycling plan is to be implemented	Not fully – ship structure, configuration and previous cargo are not specifically mentioned but are reasonably included under the "*inter alia*" list of information to be considered	Yes
Include information on the type and amount of hazardous materials and of waste to be generated by the recycling of the specific ship, including the materials and the waste identified in the inventory of hazardous materials, and on how they will be managed and stored in the ship recycling facility, as well as in subsequent facilities	No	Yes
Where more than one SRF is used, SRPs should be prepared separately, in principle, for each SRF involved. The plans should identify the order of use and the authorised activities that will occur at those facilities	Partially – is less clear that SRPs should be separate	Yes

Table 3 shows that the content that is required to be included in the SRP under the legal text of the EU SRR is more than what is required under the legal text of the HKC. The EU SRR provisions have clearly been based on the IMO guidelines of MEPC.196(62) since the same content is reflected there. The difference is that the content from MEPC.196(62) is mandatory under the EU SRR, whereas under the HKC the full content is mandatory only when competent authorities authorising SRPs expect it to be.

A further difference in the SRP between both frameworks can also be seen in the approval process for the document. Under both the EU SRR and HKC, an SRP must be approved by the competent authority of the State where the SRF is located, prior to recycling of the ship. Under both frameworks this approval can take place either explicitly or tacitly, depending on the requirements of the state where the SRF is located. The approval principles of each framework are outlined below:

- **HKC**: When ratifying the Convention, a State is expected to declare whether it requires explicit or tacit approval of the SRPs before a ship may be recycled in SRFs it has authorised (Article 16(9)). In either case, the competent authority for SRFs appointed by that State should send a written acknowledgement of receipt of the SRP to the SRF, Ship Owner and Administration within three working days of its receipt. Thereafter:
  - where a State requires explicit approval of the SRP, the competent authority is required to send written notification to approve or deny it;
  - where a State requires tacit approval of the SRP, the acknowledgement receipt of an SRP should specify the end date of a 14-day review period. Where no such written objection has been notified in that period, the SRP is deemed to be approved.
- **EU SRR**: Details on the explicit or tacit procedure that applies per SRF are available on the European List[71]. Both are possible, however, in the case of tacit approval there is no mention of a default 14-day review period like in the HKC: the duration of this review depends on the requirements of the state where the ship recycling facility is located (Article 7(3)). It can be seen that in some cases explicit approval of the SRP is needed, such as the SRFs located in Italy and those in the Netherlands and Norway, while in others tacit approval is possible but not necessarily within a review period of 14 days: it is, for example, 30 days in Belgium (EC, 2025a).

[71] See column 5 of the European List of Ship Recycling Facilities.

7.2.3 Document of Authorisation for Ship Recycling

Under the HKC, SRFs recycling ships subject to the Convention must have a Document of Authorisation to conduct Ship Recycling (DASR). This document is not applicable under the EU SRR, but can be compared to the European List, which serves as confirmation that the ship recycling facility has been accepted as compliant with the EU SRR.

A DASR is required by Regulation 16 of the HKC. The authorisation is carried out by competent authorities designated by the HKC party State where the SRF is based and includes a review of documentation required by the Convention and a site inspection as discussed in Section 4.2. A template for the authorisation form is given in Appendix V of the Convention. It has fields for:

- The dimensions of ships it is authorised to accept (length, breadth, etc.).
- The kinds of hazardous materials that may be onboard a ship it is authorised to accept as well as any limitations. If Yes (Y), indicate in the Ship Recycling Facility Plan the responsible personnel authorised to carry out the removal, with the certificate number or other relevant information.

A DASR is valid for a period determined by the Party where the SRF is located, but this cannot exceed five years. The Competent Authority(ies) may, at its discretion, conduct a site inspection before it renews the DASR (MEPC, 2012b).

8 The Inventory of Hazardous Materials

The Inventory of Hazardous Materials (IHM) is a central element to both the EU SRR and HKC. It aims to identify hazardous materials within the structure or equipment of a ship, including their location and approximate quantity. It is intended to support both safe operations during the ship's lifetime as well as during the recycling process. Under both frameworks, the IHM must be endorsed by the ship's flag administration or RO acting on its behalf, who issue an inventory certificate (or statement of compliance) following an onboard survey (see the schedule of surveys in Section 7.1).

Under both regimes the IHM consists of the following parts:

- Part I – Hazardous materials contained in the ship's structure and equipment (mandatory during the ship's operational life).
- Part II – Operationally generated waste (only required prior to recycling).
- Part III – Stores (also only required prior to recycling).

Only Part I needs to be maintained throughout the ship's lifetime; parts II and III need to be added to the IHM only prior to recycling and for verification when the IRRC/RRC is issued. Both frameworks are consistent in this respect. There are also no differences between the frameworks in the procedures that apply when updating Parts II and III because both refer to the same set of IMO guidelines for this purpose (MEPC.379(80). There are, however, differences in the content of the IHM Part I under both frameworks discussed in Table 4.

The required content of the IHM Part I from each framework as set out in Table 4:

Table 4 – Required content of IHM Part I in EU SRR v HKC

EU SRR	Required from	Required content of IHM Part 1
New ships	From 31-12-2018	Should have onboard an IHM which identifies at least the hazardous materials referred to in Annex II of the EU SRR (in other words, the full list of 15 hazardous materials) contained in the structure or equipment of the ship, their location and approximate quantities. The installation of hazardous materials listed in Annex I is, in any case, prohibited or restricted. Any subsequent installation of hazardous materials in Annex II needs to be reflected in the IHM.

EU SRR	Required from	Required content of IHM Part 1
Existing ships	From 31-12-2020[72]	Should comply "as far as practicable" with the requirement above for new ships. At minimum, the IHM when compiled should identify at least the materials referred to in Annex I of the EU SRR (which is a shorter list of 5 hazardous materials which are strictly controlled). To support the inventory process, a plan had to be prepared describing the visual or sampling check by which the IHM was developed, taking into IMO guidelines. The new installation of hazardous materials listed in Annex I is, in any case, prohibited. Any subsequent installation of hazardous materials in Annex II needs to be reflected in the IHM.
HKC	**Required from**	**Content of IHM**
New ships	26-6-2025	Should have onboard an IHM identifying hazardous materials listed in Appendices 1 and 2 to the Convention (which is in total 13 hazardous materials) contained in the ship's structure or equipment, their location and approximate quantities. The installation or use of hazardous materials listed in Appendix 1 is, in any case, restricted. Any subsequent installation of hazardous materials in Annex II needs to be reflected in the IHM.
Existing ships	From 31-12-2020[73]	Should comply "as far as practicable" with the requirement above for new ships by date of the ship's next harmonised survey after 26 June 2025, and in any case before 26 June 2030[74] and before going for recycling. At minimum, the IHM when compiled should identify at least the materials referred to in Appendix I of the HKC (which is a shorter list of the 4 hazardous materials which are strictly controlled). To support the inventory process, a plan had to be prepared describing the visual or sampling check by which the IHM was developed, taking into account IMO guidelines. The new installation or use of hazardous materials listed in Appendix 1 is, in any case, restricted. Any subsequent installation of hazardous materials in Annex II needs to be reflected in the IHM.

As can be seen in the above descriptions, both regimes are consistent in requiring a lower minimum number of hazardous materials to be initially inventorised on existing[75] compared to new ships. For new ships, the IHM is developed at the design and construction stage. As such, shipyards are responsible for ensuring that prohibited hazardous materials are not installed and that controlled materials are properly identified in the IHM. To support this, Supplier's Declarations of Conformity (SDoCs) and Material Declarations (MDs) must be collected from equipment and material suppliers. For new ships, onboard sampling of hazardous materials is not required by either framework, although this may be done on a voluntary basis. For existing ships, a similar process applies. However, instead of relying only on documentary controls, both frameworks also require that an onboard visual or sampling check is carried out, which takes into account IMO guidelines (specifically,

72 Early application applied from 2016 in the case of ships actually going for recycling.
73 Early application applied from 2016 in the case of ships actually going for recycling.
74 IHM certificate for existing ships under the HKC is due - at the latest – by 26 June 2030 but the actual due date for a specific ship will depend on whenever it had its initial survey or it's last renewal survey before the Convention entered into force. Note that, prior to the entry into force of the HKC, flag administrations have been entitled to conduct surveys on ships in accordance with MEPC.222(64) and issue a "statement of compliance" to that effect and which may now be issued with a full certificate. As such it is expected that many non-EEA-flagged ships already have HKC certificates, especially if they were also trading in EEA ports where a very similar IHM requirement has been in place.
75 For the existing ships no inventory requirement was in force when entering the market.

MEPC.379(80). To control that this is actually done the guidelines for survey and certification of ships under the HKC (MEPC.222(64)) state that the visual/sampling plan describing how the IHM was prepared should be shared with the flag administration/RO when making a request for an initial survey.

The biggest difference in the IHM Part I between the frameworks is that the EU SRR requires more hazardous materials to be inventoried that the HKC. The HKC Appendix I lists the following materials:

- asbestos;
- ozone-depleting substances;
- polychlorinated biphenyls (PCBs);
- anti-fouling compounds and systems.

Whereas the EU SRR goes beyond this by adding a fifth material on the corresponding list, which is Annex 1 of the EU SRR[76]. The additional material is Perfluorooctane sulfonic acid (PFOS).

Similarly, the HKC Appendix 2 lists the following materials, beyond those already stated in Appendix 1:

- Cadmium and Cadmium Compounds;
- Hexavalent Chromium and Hexavalent Chromium Compounds;
- Lead and Lead Compounds;
- Mercury and Mercury Compounds;
- Polybrominated Biphenyl (PBBs);
- Polybrominated Diphenyl Ethers (PBDEs);
- Polychlorinated Naphthalenes (more than 3 chlorine atoms);
- Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro).

Whereas the EU SRR goes beyond this by adding an additional hazardous material in Annex II: Brominated Flame Retardant (HBCDD).

Guidelines on the IHM have also been established under each framework[77] within which some important differences can be noted:

- While onboard sampling is not required for new-build ships under both frameworks, EMSA guidelines for the EU SRR recommend shipbuilders to establish a quality assurance policy for performing random checking of materials provided by suppliers, noting that, in practice, there have been cases where random sampling checking proved that material declarations were not accurate

[76] However, a footnote specifies that this restriction does not apply to third-country-flagged ships.
[77] Meaning MEPC.379(80) for the HKC and EMSA guidance of 2018 for the EU SRR.

(EMSA, 2018). There is no such recommendation in the IMO guidelines but, again, neither are mandatory unless a flag administration requires so.

- Both sets of guidelines refer to drawing upon the assistance of specialist personnel (experts) when developing the IHM[78]. However, the EMSA guidance is more specific in recommending accreditation and certification standards for IHM experts and the kinds of training they should have. It is also more explicit about the risk the sampling activity brings to personnel involved or to other persons onboard the ship, recommending that all the work should be carried out according to general safety procedures and those defined in a risk assessment (EMSA, 2018).

There is also a procedural difference in the event of a flag change: Regulation 14.2.2 of the HKC states that an International Certificate on Inventory of Hazardous Materials ceases to be valid upon the transfer and a new certificate shall only be issued when the Party issuing the new certificate is fully satisfied that the ship is in compliance. This requirement is not specifically stated in the EU SRR.

Text box 9 – Significant gap and possible solutions: The absence of 2 hazardous materials in the required IHM for the HKC as compared to the EU SRR

According to the MEPC guidelines for the development of a Ship Recycling Plan (MEPC.196(62)), a ship's IHM is essential to the Ship Recycling Facility for planning and executing the removal and management of Hazardous Materials. Yet there is no obligation under the HKC for recycling facilities to carry out additional sampling of hazardous materials on the ship prior to starting recycling operations. The MEPC guidelines for safe and environmentally sound ship recycling (MEPC.210(63)) only suggest additional sampling and analysis during the recycling process, or in preparation for it, **if the Ship Recycling Facility deems it necessary.** As such, an IHM which inventorises a narrower range of hazardous materials - as is the case under the HKC as compared to the EU SRR - gives less assurance as to the presence of hazardous materials, putting ship recycling facility workers and the surrounding area at greater risk. This is a significant gap in the HKC.

Possible solutions to bridge the gap:

- Aligning the IHM of the HKC to that of the EU SRR to include PFOS and HBCDD would increase consistency of IHMs for ships, improving their reliability for ship recycling facilities. A process for amending the list of hazardous materials in Appendix 1 and/or Appendix 2 is given in Regulation 6 of the Convention.

[78] EMSA guidelines for the EU SRR IHM strongly recommend assistance by an IHM expert for safety and health protection reasons and in order to have a minimum assurance that the work is carried out by competent personnel, under a quality management system and in accordance with recommended guidance. Meanwhile (MEPC.379(80) states that knowledge and experience of specialist personnel (experts) is required.

- Concerning PFOS: the main application of PFOS on board ships is considered to be firefighting foams of the type AFFF[79] (EMSA, 2018). IMO has recently adopted amendments to SOLAS prohibiting the use or storage of fire-fighting media containing PFOS as of 1 January 2026 (IMO, 2023) so adding this as a restricted item in Appendix 1 of the Convention seems justified.
- Concerning HBCDD: the main application on board ships is considered to be expanded polystyrene used for cryogenic insulation, such as for liquefied gas tanks but also for refrigerator areas and similar (EMSA, 2018). Although the extent to which HBCDD is used in the latest types of LNG tanks is unknown, absence of this material in the HKC IHM could be significant, especially considering the growth of both LNG carriers and LNG fuelled vessels in the global fleet. There is also a prospect that significant numbers of elderly steam turbine-powered LNG carriers will be scrapped in the years ahead (Clarksons Research, 2025a). In 2016, EMSA estimated that the volume of expanded polystyrene could potentially range up to several thousand cubic metres, depending on type and size of the vessel. Since then, the maximum size of LNG cargo and fuel tanks as well as the number of ships with them has increased further. Based on the above, including HBCCD as a material to be inventorised in Appendix II of the HKC IHM seems justified.

[79] Aqueous Film Forming Foams.

9 Reporting requirements and access to information

9.1 Main reporting requirements

The following sections summarise the main reporting obligations under the legal texts of the EU SRR and HKC for each main actor, being:

- shipping companies (shipowner or ISM manager);
- authorised ship recycling facilities;
- Member States/Party States to the framework, split into two groups based on their responsibilities as:
  - ship flag states/administrations;
  - ship recycling states: this section includes general obligations as Party/Member State as well as obligations on competent authorities authorising ship recycling facilities.

A description of the main differences, if any, is given together with an assessment of whether the difference represents a gap. Note that this section covers main reporting obligations so the submission of documents that form part of a bigger process (such as an application form) are not repeated here.

9.1.1 Shipping companies

Table 5 shows the main reporting requirements for shipping companies stemming from the EU SRR and HKC.

Table 5 – Main reporting requirements for shipping companies stemming from the EU SRR and HKC

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by other framework
Notify intention to recycle a ship	Ship flag state	EU SRR, Art. 6.1(b)	Before recycling	Yes, HKC Reg. 24(1)
Provide the operator of the ship recycling facility with all ship-relevant information, necessary for the development of the ship recycling plan	Ship Recycling Facility	EU SRR, Art. 6.1(a)	Preparatory stage of ship recycling	Yes, HKC Reg. 8(4)
Provide the operator of the ship recycling facility with a copy of the (International) Ready for Recycling Certificate	Ship Recycling Facility	EU SRR, Art. 6.4	Before recycling	Not explicitly stated that the shipowner must share this. However, Reg 24(3) implies the SRF must, in any case, be in possession of it to report the planned start of recycling to its competent authority.

There are no additional reporting requirements for shipowners in the EU SRR as compared to the HKC, or vice versa. However, there are some practical differences in the content of the reports that have to be made. Under the EU SRR, when a shipowner notifies its flag state of its intention to recycle a ship, Article 6(1)(b) requires the SRF to be specified (presumably meaning the name). The notification should also include the ship's IHM and the ship-relevant information it has provided/intends to provide to the SRF to enable the development of the SRP. The latter are not required by the HKC.

9.1.2 Authorised ship recycling facilities

Table 6 shows the main reporting requirements for ship recycling facilities stemming from the EU SRR and HKC.

Table 6 – Main reporting requirements for ship recycling facilities stemming from the EU SRR and HKC

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by other framework
Submit Ship Recycling Plan for approval	Competent authority in Party State	HKC Reg. 9.4	Prior to authorisation	Yes, EU SRR Art. 7.3
Notify intent when preparing to receive a ship for recycling	Competent authority in Party State	HKC Reg. 24.2	Before receiving ship	Yes, EU SRR Art. 6(b)
Notify planned start of recycling (only after IRRC is issued). The template is in Appendix 6 of HKC	Competent authority in Party State	HKC Reg. 24.3	Before recycling starts	Yes, EU SRR Art. 13.2(b) and template in (EU) 2016/2324[80] However, the recipient is the ship's flag administration, not the authority where the SRF is located.
Submit a statement of completion of recycling. The template is in Appendix 6 of HKC	Competent authority in Party State	HKC Reg 25		Yes, EU SRR Art. 13.2(c) template in (EU) 2016/2322
Report of any incident, accident, occupational diseases, or chronic effects causing, or with the potential of causing, risks to workers' safety, human health and the environment[81]	Competent authority in Party State	HKC Reg. 23.1	anytime	No, not explicitly
Provide updated evidence without delay in the event of any changes to the information provided to the Commission and shall, in any event, three months prior to expiry of each five year period of inclusion on the European List, declare that: (a) the evidence that it has provided is complete and up-to date; (b) the ship recycling facility continues and will continue to comply with the requirements of Article 13	European Commission	EU SRR Article 15.6	anytime	No, although such an obligation may form part of the terms of authorisation between the SRF and the competent authority.

[80] Very minor differences in the field of the respective reporting templates can be seen.

[81] Reports shall contain a description of the incident, accident, occupational disease, or chronic effect, its cause, the response action taken and the consequences and corrective actions to be taken. (Reg 23.2).

It can be seen that the reporting obligations on authorised ship recycling facilities are largely consistent between the frameworks. The obligations mostly concern reports towards the competent authority that authorised them. There is however an inconsistency with regard to notifications SRFs should make regarding the planned start of ship recycling: under the HKC this is to be sent to the national competent authority responsible for the SRF, whereas under the EU SRR this is to be sent to the Flag Administration of the ship.

The reporting requirement of the EU SRR Article 15(6) is also not clearly reflected in the HKC. The article requires that facilities on the European List must provide updated evidence without delay in the event of any changes to the information provided to the Commission. There is no similar requirement in the HKC legal text requiring SRFs to proactively provide such information to their competent authority, although such obligations may form part of the terms of authorisation which Parties are required to establish with the SRF on the basis of HKC Regulation 16.5[82].

On the other hand, the HKC is clear that authorised ship recycling facilities have an obligation to report to their competent authority any incident or accident as per Regulation 23. Under the EU SRR there is no clear obligation for facilities to send such incident reports to the Commission, the overarching authority of the European List. Article 13(j) only requires that a facility report any such accidents or incidents if requested by its competent authority. It may be implicit that incidents or accidents be reported to the Commission on the basis of Article 15.6, however, this is not explicitly stated.

9.1.3 Flag administrations

Table 7 shows the main reporting requirements for maritime flag administrations stemming from the EU SRR and HKC.

Table 7 – Main reporting requirements for maritime flag administrations stemming from the EU SRR and HKC

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by other framework
Submit a list of the ships flying its flag to which an IRRC has been issued, including the name of the ship recycling company and the location of the ship recycling facility as shown in the ready for recycling certificate	European Commission	EU SRR Article 21(a)	Every 3 years	Yes, required annually by HKC Article 12(4)

[82] Section 9 of the MEPC.211(63) guidelines on the authorisation of facilities does state that, in case of a change of ownership of the facility, should notify the competent authority and confirm it will fully comply with all requirements. If, in this process, operations are changed at the facility which may affect the conditions on which initial authorisation was granted then the competent authority may suspend the DASR. However, this is a much narrower obligation than Article 15(6) of the EU SRR.

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by other framework
Submit a list of the ships flying its flag for which a statement of completion has been received	European Commission	EU SRR Article 21(b)	Every 3 years	No

Table 7 shows that there is no equivalent requirement in the HKC for maritime flag administrations to report a list of ships which were flying their flag and received a statement of completion of recycling. However, Regulation 25 of the HKC requires that competent authorities send a copy of the Statement of Completion to the Administration which issued the IRRC for the ship. So, should it be helpful for the IMO to receive this information on a periodical basis, the information is gathered via other procedures of the HKC.

9.1.4 Member States/Party States including competent authorities in their role as Ship Recycling State

Table 8 shows the main reporting requirements for EU Member States and/or HKC Party States which stem from the EU SRR and HKC.

Table 8 – Main reporting requirements for EU/Party States stemming from the EU SRR and HKC

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by another framework
Provide, if requested, information on which its decision to authorise a ship recycling was based	IMO and/or IMO Parties that request it	HKC Article 7	Upon request	There is no clear obligation for EU Member States authorities to provide their reasons for authorising facilities in their territory. However, Article 22 sets a general obligation to cooperate. Moreover, third-country SRF inspection reports are publicly available.
Acknowledge Ship Recycling Plan	SRF	HKC Regulation 9(4)	Variable	Yes, Article 7.3
Provide information concerning violations of this Convention – and actions taken towards ships and Ship Recycling	IMO	HKC Articles 12(6) and 12(7)	Annual	Yes, in principle covered by Article 21.1(c), which

Reporting requirement	Recipient	Framework/ Article	Frequency/ Timing	Also required by another framework
Facilities under the jurisdiction of that Party				requires reporting to Commission.
Provide a list of Facilities authorized in accordance with the Convention and operating under the jurisdiction of that Party	IMO	HKC Article 12(1)	Annual	Yes, EU SRR Article 14 requires MS to inform the Commission of authorised facilities.
Provide contact details for the Competent Authority(ies), including a single contact point, for that Party	IMO	HKC Article 12(1)	Annual	Not relevant to EU SRR except for facilities authorised by EU Member States. Article 18 and 19 of the EU SRR require each Member State to designate competent authorities and contact persons.
Submit a list of the recognised organisations and nominated surveyors authorised to act on behalf of that Party in the administration of ship recycling matters in accordance with the Convention, and the specific responsibilities and conditions of the authority delegated to the recognised organisations	IMO	HKC Regulation 16(3)/Article 12(3)	Annual	Not within EU SRR, however, at EU level Regulation (EC) No 391/2009 establishes common rules and standards for ship inspection and survey organisations
Submit an annual list of ships recycled within the jurisdiction of that Party	IMO	HKC Article 12(5)	Annual	No
EU Member States shall communicate to the Commission all information that may be relevant in the context of updating the European List. The Commission shall forward all relevant information to the other Member States.	European Commission	EU SRR Article 16(6)	Ad-hoc	No, specific to EU SRR European List

Table 8 presents a mostly consistent picture of the reporting obligations under the HKC and EU SRR. A shortcoming in the EU SRR is that while the HKC requires Party States to provide, if requested, information on which its decision to authorise a ship recycling was based, there is no direct equivalent to this in the EU SRR for facilities located in the EEA. Although it is the case that inspection reports for third-country facilities are made publicly available by the EU Commission, this does not hold for facilities located in the EEA because the Commission is not authorising them. As of March 2026, the IMO had not made public any information it may have received from Party State, considering what their decision to authorise a facility was based on. When this information is publicly available,

it can be seen to what extent it differs in detail/structure to the inspection reports made available under the EU SRR.

9.2 Provisions on transparency and access to information

Both frameworks have provisions on the communication of information. Article 12 of the HKC requires Party States to report a series of information to the IMO (see Table 8), which it "shall disseminate, as appropriate." The IMO has subsequently also clarified that the following reported information will, for the purpose of dissemination, be published on its website (MEPC, 2024):

- a list of Ship Recycling Facilities authorized in accordance with the Convention and operating under the jurisdiction of a Party;
- an annual list of ships flying the flag of a Party to which an International Ready for Recycling Certificate has been issued, including the name of the Recycling Company and location of the Ship Recycling Facility as shown on the certificate;
- an annual list of ships recycled within the jurisdiction of a Party.

Moreover, the full set of information required to be reported to the IMO by Parties under Article 12 is intended to be recorded in a dedicated module within the Global Integrated Shipping Information System (GISIS), however, the required module is not yet ready (IMO, 2025a). At minimum GISIS will be accessible to authorised users within Party States. Some modules are also open to the public, but it is unknown if this one will be.

The EU SRR also has provisions similar to the above, on the basis of which the European List has been communicated, as have the lists of designated competent authorities and contact persons and national provisions on penalties. However, in addition, Article 21(3) of the EU SRR requires the Commission to enter certain information from reports[83] received from Member States in an electronic database that is permanently accessible to the public.[84]

There are also obligations on the Commission to report to the European Parliament and to the Council on the implementation and functioning of the Regulation. Article 21(2) requires the Commission to publish a report on the application of the Regulation after receiving reports from the Member States.[85] Separately, there was a further obligation on the Commission to report on the application of the Regulation, by 5 years after the date of its application, under Article 30.4. The latter two obligations were reported on together in

[83] The report sent from Member States should contain the information listed in Article 21.1.
[84] However, it is not clear which database this should be.
[85] The report was due 9 months after receiving the reports from the Member States however considering the limited dataset received and the upcoming evaluation, the Commission decided to integrate this first report in the evaluation. The latter is available in SWD(2025) 40 final.

SWD(2025) 40 final published in February 2025. The obligation on the Commission to report (to an external audience) on the application of the Regulation can be seen as an element of transparency and access to information that is not strictly reflected in the HKC.

However, the biggest gap in the HKC as compared to the EU SRR in the area of transparency and access to information is the decision of the European Commission to publish inspection reports of third-country SRFs that are carried out on their behalf. As of March 2026, 55 inspection reports are available from 25 different facilities in 4 countries. These reports inform the reader of the grounds for which facilities have been approved on the European List and, for those that have not, the areas where non-compliance was not recorded. Although there is no clear basis in the EU SRR which requires the Commission to publish such reports, the decision clearly increases transparency in the facility approval process. However, these reports are of course only available for facilities located outside the EU, and in some cases, certain details are redacted. It is noted that HKC Article 7 requires a Party to provide, if requested, information on which its decision for authorisation was based to the IMO and the Party that requested it. At the time of writing, it remains to be seen how active HKC Parties will be in requesting such information and the extent to which the information may be subsequently shared by the IMO or that Party to a broader audience.

10 Enforcement provisions

The HKC and the EU SRR both leave the specifics of sanctions, including penalties, to be determined by national legislation. While the details of these national sanctions fall outside the scope of this analysis, both frameworks require that sanctions be sufficiently severe to act as a deterrent against violations[86].

This section therefore focuses not on the sanctions themselves, but on the mechanisms for checking the compliance of ships and ship recycling facilities within each framework, and whether gaps exist between the two frameworks in this regard.

10.1 Compliance of ships

The main means of checking that ships comply with the EU SRR and HKC is via flag state and port state control. Flag administrations (or their ROs) are responsible for ensuring that ships under their flag maintain an IHM and, when a decision is made to recycle the ship, that a final survey takes place in accordance with what is described in Section 7.1.2 above. In turn, port states may verify that the ship has a valid inventory certificate or IHM statement of compliance or, if the ship is scheduled to be recycled, that an (International) Ready for Recycling Certificate is on board. The main principles of flag and port state control are very similar in both frameworks, two differences can be noted:

1. Concerning port state control, the EU SRR contains the following provision in Article 11(3) that is not reflected in the HKC or its guidelines for the inspection of ships (MEPC.223(64)):

   "*A ship may be warned, detained, dismissed or excluded from the ports or offshore terminals under the jurisdiction of a Member State in the event that it fails to submit (…) a copy of the inventory certificate or the ready for recycling certificate, as appropriate and on request of those authorities*[87]" (OJEU, 2024).

[86] This is the language used in Article 10.3 of the HKC. Meanwhile the Article 22.1 of the EU SRR requires penalties to be effective, proportionate and dissuasive.

[87] A Member State taking such action shall immediately inform the administration concerned. Failure to update the inventory of hazardous materials shall not constitute a detainable deficiency, but any inconsistencies in the inventory of hazardous materials shall be reported to the administration concerned and shall be rectified at the time of the next survey.

Article 9(3) of the HKC is similar, under which Contracting Parties may warn or exclude ships from its ports if a violation of the Convention is detected. However, failure to submit the above documents is not specifically stated to be grounds for such a violation.

2. Article 9.1 and 9.2 of the HKC enable a Party with "sufficient evidence" that a ship is operating, has operated or is about to operate in violation of any provision in the Convention to request an investigation of the ship when it enters the port or offshore terminals of another Party. If the Party doing the inspection detects the ship to indeed be in violation of the Convention, it may take steps to warn, detain, dismiss, or exclude the ship from its ports, and in doing so inform the ship's flag administration and the IMO.

   There is no directly comparable provision in the EU SRR, although Article 22(2) does require Member States to cooperate with one another in order to facilitate the prevention and detection of potential circumvention and breach of this Regulation (OJEU, 2024)[88]. It has to be said, however, that neither the HKC, nor the 6 MEPC guidelines provide guidance on how Parties should interpret what constitutes "sufficient evidence" of a violation, so the level to which investigations are undertaken will likely vary from Party to Party. There is also a balance to be made with HKC Article 11, which requires that all possible efforts be made to avoid a ship being unduly detained or delayed.

10.2 Compliance of Ship Recycling Facilities

The practical modalities of checking Ship Recycling Facilities for compliance under both frameworks depend, firstly, on the mechanism(s) that have been established within each country to authorise ship recycling facilities. This is because the HKC requires each Party to establish a national mechanism to authorise ship recycling facilities (Regulations 15 and 16). Under the EU SRR, third country and EEA facility inclusion on the European List is also conditional on being authorised by national competent authorities.

Facility inspections and conditions for extension of authorisation:
The authorisation period under each framework in set at a maximum of 5 years, following which that authorisation can be renewed. During that period, under the HKC, if a Party establishes an audit scheme as part of its authorisation mechanism, the guidance in MEPC.211(63) is that at least one audit should be conducted in the middle of the authorisation validity period. But if no such audit scheme exists, there is no clear requirement under the HKC for audits or inspections to be proactively carried out at the ship recycling facility during the authorisation period.

[88] There are also other obligations in EU policies which require exchange of information and cooperation among Member States port state control authorities, for instance Article 25 of the Port State Control Directive

By contrast, the EU SRR explicitly requires third-country facilities to undergo a mid-term review during the authorisation period (Article 15.4) and to accept the possibility of inspections by or on behalf of the Commission both before and after inclusion on the European List. The mid-term review has, by March 2026, resulted in 10 mid-term inspection reports, based on those in the public domain. Significantly, the inspections can lead to the removal of facilities if compliance is no longer evidenced. As an example, the Commission removed a facility in Türkiye from the EU List in February 2026 following a subsequent inspection which could not confirm continued compliance with Article 13(1) point g[89].

The treatment of facilities at the end of an authorisation period is also different under each framework. For the EU SRR, third-country facilities are automatically removed from the European List at the end of the 5-year authorisation process if they fail to provide updated evidence of compliance at least three months before their five-year authorisation expires (Article 15.4(b)). The HKC is less explicit about what happens once the five-year period ends, as authorisation depends on mechanisms established by the Parties. For those who adhere to the MEPC.211(63) guidelines for the authorisation of facilities, the decision to conduct a site inspection before it renews authorisation is at the discretion of the competent authority (MEPC, 2012b). The HKC Regulation 16(5) is nonetheless clear that if a facility refuses inspection from its competent authority, then authorisation can be suspended or withdrawn.

Reactive compliance monitoring:
Both frameworks have provisions for reactive compliance monitoring when authorities are informed by facilities of incidents or accidents that may endanger worker safety, human health, or the environment. However, the effectiveness of these provisions in practice can be expected to depend on how diligently facilities report such incidents and how strictly authorities enforce corrective actions.

Under the HKC (Regulation 23), facilities must notify their competent authority of such occurrences, and the authority may then suspend or withdraw authorisation or require corrective action (Regulation 16). MEPC.211(63) suggests suspension of authorisation where conditions are not met, but reserves withdrawal for serious or repeated breaches.

[89] In particular, it was found that the facility cut the primary hull while on the shoreline without impermeable floor and without the use of a slag collector. Furthermore, the facility did not take sufficient measures to collect and contain all waste material generated during the ship recycling process for preventing its escape to the sea and the surroundings. https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14664-Ship-recycling-European-list-of-ship-recycling-facilities-15th-edition-_en

Under the EU SRR, facilities on the European List are also obliged to provide updated evidence without delay if information previously submitted changes (Article 15(6)), however the effectiveness of this as a compliance mechanism also relies on the diligence of facilities to communicate such changes.

Requests for investigation:
There are obligations under both frameworks which can require investigations on authorised facilities where authorities are presented with evidence of violations. The HKC requires Parties to investigate facilities under their jurisdiction if presented with sufficient evidence from another Party (Article 9(4)) and to report the outcome to the requesting Party and to the IMO. Article 10(1) of the HKC further requires Parties to investigate whenever informed of a violation. The EU SRR, however, goes further.

Article 23 of the EU SRR ("request for action") enables natural or legal persons likely to be affected by or having a sufficient interest in environmental decision-making relating to a breach of Article 13 in conjunction with Article 15 and 16(1)(b) (in other words the articles concerning the inclusion of third-country facilities on the European List) to request the Commission to take action with respect to such a breach or an imminent threat of such a breach.

According to Article 23.1 of the EU SRR, NGOs promoting environmental protection are eligible to request such action provided they meet the requirements of Article 11 of Regulation (EC) No 1367/2006 on the Aarhus Convention. Articles 23(2) and 23(3) clarify that any request for action must be accompanied by relevant information and data, but where these show, in a plausible manner, that a breach has occurred or that there is an imminent threat of such a breach, the Commission is required to consider the request. In such circumstances, the Commission is required to allow an opportunity to the concerned ship recycling company to make its views known with respect to the request for action and the accompanying information and data.

The absence of a specific "request for action" article in the HKC does not prevent NGOs or other affected stakeholders from making a request for action to Parties to the HKC, who then subsequently and with sufficient evidence request other Parties to investigate breaches of the Convention. However, Article 23 of the EU SRR provides a more direct channel for stakeholders to raise requests for action, when well-founded, without having to rely on Parties to take the concern on board in the context of the Convention. The absence of such a provision in the HKC is therefore considered a gap.

According to the European Commission, the “request for action” mechanism has been used by an NGO and proved to be effective to request to investigate the compliance of facilities following fatal accidents (EC, 2025b). Indeed, two facilities in Türkiye which were removed from the European List in 2022 were subject to a request to the Commission to take action (EC, 2025b). According to the Commission, one facility was de-listed due to a lack of transparency on ship dismantling operations and the second because it failed to sufficiently protect its employees’ working conditions (EC, 2025b).

11 Conclusions and recommendations

This analysis finds several gaps in the Hong Kong Convention as compared to the EU Ship Recycling Regulation, in particular regarding the requirements for ship recycling facilities. Some of the gaps stem from new elements added to the EU SRR, which cannot be traced back to the HKC from which it was based, or any of the 6 associated MEPC guidelines on ship recycling. Other gaps relate to the governance of the HKC itself since many of the Convention's substantive requirements are elaborated in MEPC guidelines instead of the legal text of the Convention itself. Although it is expected that Parties encourage the application of these guidelines and bring them to the attention of ship recycling facilities and shipowners/operators, the degree to which the guidelines are actually applied in practice is uncertain.

The degree to which HKC Parties require adherence to the MEPC guidelines, in particular when authorising ship recycling facilities, is highly important. Where Parties require full adherence to the MEPC guidelines before granting or renewing the authorisation of a ship recycling facility, the gaps between the HKC convention as such and the EU SRR are narrower. However, even if assuming full implementation of the MEPC guidelines, gaps remain in comparison with the EU SRR's more prescriptive, transparent and enforceable requirements.

Three gaps are considered particularly significant, as highlighted in Text Boxes 4, 8, and 9 of this report. Two of these relate to ship recycling facilities, and the third relates to ships:

1. **Authorisation mechanisms for ship recycling facilities:**
   The HKC provides limited detail on the practicalities of the mechanism that Parties are required to establish for authorising ship recycling facilities. As a result, Parties and their competent authorities have a large degree of freedom when authorising ship recycling facilities – as do organisations to whom they may delegate responsibility for authorising facilities. This means there can be a wide variation from facility to facility (especially between countries) concerning not only the documentation that has to be reviewed prior to authorisation but also the specific criteria that is considered mandatory by the authority and the form and frequency of facility inspections that should take place prior to and during authorisation.

This contrasts with the EU SRR, which sets out a far more structured process for the authorisation and monitoring of third-country facilities seeking inclusion on the European List.

Greater transparency of the mechanisms HKC Parties establish to authorise ship recycling facilities (including the specific criteria which the Party considers mandatory and how they have interpreted certain terms) could strengthen confidence among stakeholders that facilities are approved through a rigorous process. Clearer rules on the kind and qualifications of organisations that can be delegated responsibility for authorising ship recycling facilities are also recommended.

At the same time, national authorities responsible for approving ship recycling facilities within the EEA under the EU SRR could be encouraged to communicate the practicalities of the mechanisms they have established for ensuring facilities located in their territory comply with all the requirements of the EU SRR.

2. **Downstream waste management standards:**
   A second significant gap concerns the standards applied to the downstream management of waste from ship recycling facilities. Whereas the EU SRR, for third country facilities, requires downstream waste management standards that are broadly equivalent to international or EU standards, the HKC relies on national standards, which are nonetheless recommended to take into account international standards and requirements. National downstream waste management standards and enforcement capacities are expected to vary, and improper management of waste from ships could put large numbers of people and the environment at risk, well beyond the perimeter of any individual ship recycling facility. To bridge this gap, the HKC could be more specific about which international standards for downstream waste management are applicable and require Parties to communicate which standards they consider mandatory when authorising downstream waste management facilities.

3. **Scope of the Inventory of Hazardous Materials (IHM):**
   According to Regulation 9 of the HKC, the IHM prepared by the shipowner/manager is used by ship recycling facilities to plan how the type and amount of hazardous materials onboard the ship will be managed during the recycling process. There is no obligation for ship recycling facilities to carry out additional sampling of hazardous materials prior to recycling operations. Under the HKC, a narrower range of hazardous materials needs to be inventorised compared to the EU SSR, providing less assurance as to the presence of hazardous materials, putting ship recycling facility workers and the surrounding area at greater risk. As such, updating the IHM materials of the HKC to match those of the EU SRR, under the process that is already established in the Convention, seems justified.

Other identified gaps in the HKC, compared with the EU SRR, include less specific controls on waste leakage during the ship recycling process, less clearly defined provisions on workers' rights and safety, and (for the time being) less publicly available information on the identity and recycling methods used in ship recycling facilities authorised by HKC Parties. Some of the identified gaps in the HKC are also interlinked. For example, weaker requirements for the authorisation of facilities potentially mean fewer inspections take place there. As a consequence, the verification of a facility's actual procedures, to, for example, avoid leakage on the intertidal zone during cutting operations may be less scrutinised.

It is important to note that this analysis focused only on the provisions as they are stated in the EU SRR and the HKC frameworks. The national implementations of these frameworks were not in scope. The actual standards to be applied in practice at ship recycling facilities and on ships in scope depend on how competent authorities and other actors interpret and implement certain provisions – some of which remain ambiguous in both frameworks. Examples of terms in need of clarification, and other recommendations, are given below.

General clarification and transparency recommendations

Clarification of common terms

Some terms used in both the HKC and EU SRR are ambiguous. To start with, when an IHM is established, both frameworks allow for the full list of hazardous materials to be inventorised only "as far as practicable" through a visual/sampling check for existing ships. Neither framework defines this phrase. While it is recognised that there are good and practical reasons for why a full inventory may be more challenging on an existing ship than a new-build (including the health risks of disturbing certain hazardous materials), defining examples of when sampling is/is not practicable could avoid that the flexibility in the language is exploited and ships are recycled without proper knowledge of the hazards.

Ambiguity also arises with the requirement that ships "minimise" the amount of cargo residues, remaining fuel oil, and ship-generated waste before arriving at a recycling facility. Neither framework properly explains what constitutes adequate minimisation, which may lead to differing practices and expectations, in particular in the duration between the issuance of the ship's (International) Ready for Recycling Certificate and its arrival at the ship recycling facility.

Finally, the HKC uniquely refers to the need for "sufficient evidence" when Parties request investigations of ships or facilities suspected of violating the Convention. The lack of guidance on this term risks creating uncertainty or bottlenecks in enforcement. Now that the HKC has entered into force, clarifying what qualifies as sufficient evidence could improve transparency and facilitate timely investigations. This is particularly relevant given

that, under the EU SRR, stakeholders, including NGOs, already have explicit rights to request the Commission to take enforcement action against ship recycling facilities which have been proven to be effective in practice.

Updating and strengthening guidance documents and their references

Both the HKC and EU SRR rely on guidance documents which are, in many cases, over ten years old, and some of the references within them are outdated. For example, MEPC.210(63) cites the occupational health and safety standard OHSAS 18001, which was replaced in 2018, while the EU SRR Technical Guidance Note refers to a superseded exposure limit for asbestos. One of the main references cited in both frameworks is an ILO publication from 2004. Updating these references – and, where possible, incorporating best practices derived from inspections and audits conducted under both frameworks in the meantime and potentially new or improved methods of ship recycling – could substantially enhance their usefulness.

In the case of the HKC, references to MEPC or other guidance documents could also be made more specific. The analysis identified instances where the HKC requires that certain provisions “take into account” guidance, yet no relevant guidance could be found in any of the six MEPC documents (for example, regarding the qualifications of “organizations recognized” by competent authorities to authorise facilities). In the event of amendments to the HKC, explicit cross-referencing to the appropriate MEPC resolutions would improve coherence and ease of application.

Further consideration could also be given to enhancing existing HKC provisions on worker safety and training. While the development of specific training programmes for land-based workers might not be fully within the remit of the IMO alone, the existing provisions in the HKC could be made more specific. For example, Regulation 22(1) requires all workers to receive “appropriate training and familiarisation” prior to performing any recycling operations, but the concept of familiarisation is not elaborated. Drawing inspiration from how familiarisation is implemented onboard ships under the ISM Code could provide a useful precedent. Similarly, HKC Regulation 22(3) encourages cooperation between authorised ship recycling facilities in providing worker training programmes that are regularly reviewed and include participant evaluations. To the extent that formalised training programmes have, in the meantime, been developed in the industry, examples of the most rigorous standards could be identified as best practice.

Promote access to information

The HKC includes provisions requiring Parties to report information to the IMO and certain elements of this reporting will, according to the IMO, be made publicly available. Section 3.2 covered how the process of information dissemination from the IMO has started but (as of March 2026) appeared to be still under development.

Beyond fulfilling existing requirements, greater clarity could be provided on the expected structure, scope, and content of the reports submitted by Parties under the HKC and disclosed to a wider public. For instance, Article 12(1) of the HKC requires each Party to provide a list of authorised Ship Recycling Facilities. To make this information more useful, Parties could also be required to include a minimum set of additional details**,** such as the maximum draught or size of ships the facility can accommodate, the categories of hazardous materials it is authorised to manage, and basic information on the methods of recycling used. Making this kind of information publicly accessible could strengthen due diligence possibilities by shipowners and managers, and enable flag administrations or recognised organisations to verify the suitability and authorisation status of facilities before issuing a ship's Ready for Recycling Certificate.

A List of sources used in gap analysis

EU SRR – legal texts, guidelines and secondary legislation included in the gap analysis
Regulation (EU) No 1257/2013, consolidated text as amended by Decision (EU) 2018/853 and Regulation (EU) 2024/1157 including recitals and Annexes
Secondary legislation in the form of: – Commission Implementing decisions establishing the European List of ship recycling facilities (where available and useful for interpreting certain requirements, inspection reports for facilities/applicant facilities outside the EU were also be consulted) – Commission Implementing Decision (EU) 2016/2325 on the format of the certificate on the inventory of hazardous materials – Commission Implementing Decision (EU) 2016/2321 on the format of the ready for recycling certificate – Commission Implementing Decision (EU) 2016/2324 on the format of the report of planned start of ship recycling – Commission Implementing Decision (EU) 2016/2322 on the format of the statement of completion of ship recycling – Commission Implementing Decision (EU) 2015/2398 on information and documentation related to an application for a facility located in a third-country for inclusion in the European List of ship recycling facilities – Commission Communication - Technical guidance note under Regulation (EU) No 1257/2013 on ship recycling
EMSA Guidance on inspections of ships by the port States in accordance with Regulation (EU) 1257/2013 on ship recycling
EMSA Best Practice Guidance on the Inventory of Hazardous Materials
Commission Staff Working Document SWD(2025) 40 final of 19.2.2025 - Evaluation of the EU SRR

HKC – legal texts, guidelines and secondary legislation included in the gap analysis
Hong Kong Convention – the text adopted in 2009 including 21 articles, 25 regulations and 7 Appendixes
6 sets of guidelines adopted by MEPC – Resolution MEPC.211(63) Guidelines for the authorisation of ship recycling facilities – Resolution MEPC.196(62) Guidelines for the Development of the Ship Recycling Plan – Resolution MEPC.210(63) Guidelines for Safe and Environmentally Sound Ship Recycling – Resolution MEPC.222(64) Guidelines for the survey and certification of ships under the Hong Kong Convention – Resolution MEPC.223(64) Guidelines for the inspection of ships under the Hong Kong Convention, adopted by resolution – Resolution MEPC.379(80) Guidelines for the development of the Inventory of the Hazardous Materials

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