

HONG KONG CONVENTION COMES INTO FORCE



THE HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS, 2009 (COMMONLY KNOWN AS THE HONG KONG CONVENTION), CAME INTO FORCE ON 26 JUNE 2025.

THE INTERNATIONAL MARITIME ORGANIZATION (IMO) HAS STATED THAT THE AIMS OF THIS CONVENTION ARE TO ENSURE THAT WHEN SHIPS ARE RECYCLED, THEY POSE NO UNNECESSARY RISK TO HUMAN HEALTH AND SAFETY, OR THE ENVIRONMENT¹.

TO ACHIEVE THIS AIM, BOTH SHIPOWNERS AND SHIP RECYCLING FACILITIES WILL HAVE ACTIONS TO TAKE FOR COMPLIANCE.

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APPLICATION

The Hong Kong Convention (HKC) applies to all ships² of 500 gt and above when flagged with, or visiting a port that is a party to the convention. It also applies to all ship recycling facilities operating under the jurisdiction of a party to the convention.

At the time of writing there are 24 contracting states, and the current list can be found here³.

SHIP RECYCLING FACILITY (SRF)

For an SRF to meet the requirements of the convention it will have to obtain valid authorisation from a competent authority following survey. Authorisation will be demonstrated by having a valid "Document of Authorization to conduct Ship Recycling" (DASR), and this will have a maximum validity of five years.

SHIPOWNERS

The immediate requirements for shipowners after 26 June 2025 are:

- **Completion and verification of the 'Inventory of Hazardous Materials' (Parts I, II, and III) along with an 'International Ready for Recycling' certificate, when the ship is to be recycled**
- **The need for applicable ships in operation to have an 'Inventory of Hazardous Materials' (Part I) and certification to show verification of the inventory in compliance with the Convention by the required dates, advised below.**

INVENTORY OF HAZARDOUS MATERIALS (IHM)

Ships that have been trading to countries where the European Union Ship Recycling Regulation (EU SRR) is in force will be familiar with the requirements for an inventory of hazardous materials (IHM). While the HKC introduces a similar requirement to the EU SRR, it does not replace the EU SRR, and the formal verification and certification procedure for the HKC will still be required.

The IHM is split into Parts I, II, and III, and the IMO has provided substantial guidance⁴ on the creation of an IHM. Part I is to be prepared either during a new⁵ ship's construction, and for existing ships already in operation. IHM Part I for existing ships must be completed if being recycled by 26 June 2030, at which point the survey should be harmonised with other statutory surveys. This may mean that many shipowners will look to align earlier than 2030, as each ship's renewal surveys become due.

Part I of the inventory should record if any of the specific hazardous materials that are listed in appendices 1 and 2 of the regulation are present on the ship. There are 13 hazardous material types in total. It is a live document to be maintained and updated until the ship is recycled. Upon satisfactory completion of the IHM Part I, the ships should be subject to an initial survey on board whereupon certification can be issued to demonstrate verification and compliance. This survey will be carried out by the flag state or a recognised organisation, for example a classification

society.

For ships that are flagged by a party to the convention, an 'International Certificate on Inventory of Hazardous Materials' will be issued. Ships that are flagged in states that have not ratified the convention will require a 'Statement of Compliance of IHM'. Renewal surveys will be required at least every five years, with additional surveys required where a substantial change to the ship takes place.

READY FOR RECYCLING

IHM Parts II and III are only required to be completed when a ship is to be sent for recycling. Part II should detail the quantity of operationally generated wastes and Part III will detail ships stores present on board. When Parts II and III have been prepared, the contents will be verified during an onboard survey, the Final Survey. Also, during this survey, it will be confirmed that the ship-specific Ship Recycling Plan is present and correct, and that the nominated Ship Recycling Facilities hold a valid DASR. Upon successful completion, an "International Ready for Recycling Certificate" will be issued. Note that this certificate has a maximum validity of three months.

POTENTIAL CONFLICT WITH BASEL CONVENTION⁶

The Basel Convention (BC) governs and restricts the international movement of hazardous waste, and ships being sent for recycling are considered hazardous waste. As such, there is some concern that shipowners may breach the requirements of the Basel Convention when sending ships for recycling, despite complying with the HKC.

This potential conflict has been discussed on many occasions, including during IMO's Marine Environment Protection Committee 82nd session in November 2024 where provisional guidance was issued in a circular, "HKSRC.2/Circ.1"⁷. This circular was noted at the recent BC, 17th Conference of the Parties (COP) in April and May 2025, with a request made for comments from parties to be submitted by 15 November 2025. The intention is to prepare a draft decision in time for the 18th COP, scheduled for April 2027. This unfortunately means that there is no consensus before the HKC comes into force. It therefore remains important that shipowners seek legal advice sufficiently in advance when arranging for a ship to be recycled.

It is hoped that with the Hong Kong Convention now coming into force, the procedure for ship recycling will become safer and offer improved environmental outcomes whilst providing certainty to shipowners when following the recycling process.

1. <https://www.imo.org/en/about/Conventions/pages/the-hong-kong-international-convention-for-the-safe-and-environmentally-sound-recycling-of-ships.aspx>
2. Does not apply to ships operating only in domestic waters, warships, naval auxiliaries, or other ships owned or operated by a Party and used, for the time being, only on government non-commercial service.
3. <https://www.imo.org/en/About/Conventions/Pages/StatusofConventions.aspx>
4. [https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPC-Documents/MEPC.379\(80\).pdf](https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPC-Documents/MEPC.379(80).pdf)
5. This means a) a building contract placed on or after 26 June 2025, or b) if no contract, keel laid (or similar stage of construction) on or after 26 December 2025, or c) delivered on or after 26 December 2027
6. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal
7. Available from IMODOCS website <https://docs.imo.org/Search.aspx?keywords=HKSRC.2%2F-Circ.1>