

24 August 2022, İzmir

Dear Sir/Madam,

I am reaching out to attract your attention to a grave environmental threat.

Unfortunately, against all objections and common sense, former Brazilian aircraft carrier Sao Paulo (formerly French Naval vessel FOCH) purchased by the Turkish company Sök Denizcilik from Brazil in April 2021, has begun its journey from the Port of Rio de Janeiro to İzmir Aliağa Shipbreaking Facilities for dismantling on August 4.

Nae Sao Paulo is no longer an operational carrier, it is considered as hazardous waste and it is no longer a ship. The need for using the tow vessel Alp Centre to transport the ship is a clear evidence of this remark. In this respect, the import of Nae Sao Paulo evidently contradicts with a number of domestic and international regulations.

The United Nations [Izmir Protocol](#), also known as the Protocol for the Prevention of Pollution Resulting from the Transboundary Movements and Disposal of Hazardous Wastes in the Mediterranean, was signed under the auspices of Türkiye in İzmir in 1996 and entered into force in 2011.

Likewise, the [Basel Convention](#) on the Control of Transboundary Transport and Disposal of Hazardous Wastes also prohibits the importation of hazardous waste and transit between countries. Sao Paulo's current voyage is in violation of both protocols.

According to Grieg Green, a Norwegian company specialized in environmental friendly and sustainable ship and offshore recycling, decommissioning and Inventory of Hazardous Materials (IHM), Nae Sao Paulo contains a significant amount of hazardous and harmful waste, including asbestos and radioactivity, however, it may have greatly underestimated the quantities of asbestos, toxic paints, radioactive substances, and Polychlorinated Biphenyls (PCBs). In 2006, Greenpeace commissioned an expert in the field of hazardous material surveys on marine vessels, to assess the sister ship Clemenceau. The estimate was 760 metric tons of asbestos, in contrast to Grieg Green's IHM estimating just 9.6 tons. In a [letter](#), Grieg Green admitted that figure could be significantly off the true amount.

According to the towing plan, Sao Paulo will likely pass through the Gibraltar Strait and very likely move through United Kingdom, Spain and Morocco's waters in a few weeks' time. We have an obligation to our region, to each other and to our world to recognize this calamity and take action. **Hereby with this letter, we would kindly ask your solidarity and support in order to highlight the points of violation of UN Izmir Protocol under Barcelona Convention and Basel Convention.**

We have to acknowledge this imminent danger as a global environmental crisis and collectively pursue all options to stop the aircraft carrier Sao Paulo's current voyage into the Mediterranean. **This is a call-to-action for our shared future.** We politely invite you to alert your central government on the possible imminent transit of Sao Paulo through your territorial waters as it progresses on its transboundary movement from Brazil to Turkey for scrapping.

Yours sincerely,



Tunç Soyer  
Mayor of İzmir Metropolitan Municipality

**Subjects of violation regarding NAE SÃO PAULO**

**1. SÃO PAULO Under Injunction:** There is an "ORDER TO RETURN THE EX-NAE SÃO PAULO TO RIO DE JANEIRO" that has been issued by the Brazilian Federal Court of Justice at Rio De Janeiro. The ship is moving in defiance of Brazilian law. Article 4,7,a of the Convention calls for each Party to: "Prohibit all persons under its national jurisdiction from transporting or disposing of hazardous wastes or other wastes unless such persons are authorized or allowed to perform such types of operations". Clearly, the exporter under Brazilian jurisdiction is no longer authorized to undertake the export due to the injunction.

**2. Export without Notification and Consent of Transit States:** The Transboundary Movement of the SÃO PAULO from Brazil to Türkiye, is not possible without moving through transit states. Under the Basel Convention Article 6,4, all transit states must be notified prior to export. According to the Department of Environmental Quality in the Brazilian Institute of Environmental and Renewable Natural Resources (IBAMA), it was asserted by IBAMA that this was not needed if the ship did not stop in a port; however, this is not correct. The definitions of "transboundary movement," "transit state," and "area under the national jurisdiction" make it clear that transit includes passage through territorial waters. Therefore, at least Spain, Morocco, the UK, Malta, Italy, and Tunisia should all be notified, and their consent should precede any movement.

**3. Export to a Party that has Prohibited the Import:** Türkiye has a national ban on importing hazardous wastes of all kinds. This prohibition has been notified to the Basel Secretariat. Furthermore, Türkiye is Party to the Izmir Protocol, which also signifies that Türkiye must ban all imports to it of hazardous wastes. The Izmir Protocol (an Article 11 Basel Agreement) was also notified to the Basel Secretariat. As an exporting state Party, Brazil must, by virtue of Article 4,1,b, prohibit all exports to Türkiye.

**4. Toxic Waste Quantification Discrepancies:** We have expressed our concerns at length that the Inventory of Hazardous Materials (IHM) is highly suspect with respect to predicted levels of asbestos, toxic paints, radioactive substances, and PCBs. The Convention in Article 9,1, d stipulates that a shipment that does not conform in a material way to the documentation is illegal traffic. Further, it is impossible to have confidence in the Ship Recycling Plan submitted to IBAMA by SÖK, if the quantification is not correct. There are far too many questions and uncertainties, and this led to the injunction cited in paragraph 1 above.