THE
ISSUE BRIEF 2.0
BY GREENPEACE South Asia
NOVEMBER 2025

Below Deck: The Truth Beneath What You Sea (Mediterranean Shipping Company – MSC)

Executive Summary

Between 2015 and 2025, the Mediterranean Shipping Company (MSC) became the world's largest container carrier. Alongside rapid expansion, MSC faced repeated scrutiny over safety incidents, environmental compliance, liability strategies, and end-of-life vessel management.

The catastrophic sinking of MSC ELSA 3 off Kerala in May 2025 crystallized these concerns. The ageing, Liberian-flagged vessel with a history of deficiencies sank carrying fuel, hazardous cargo, and plastic pellets. The incident triggered severe oil and nurdle pollution, devastated coastal livelihoods, and led to landmark litigation in India. [1–6]

Across the decade, MSC's global fleet experienced multiple high-profile accidents — container fires, cargo losses, collisions, and oil spills. The company's consistent recourse to international liability limitation regimes, denial of negligence, and early settlements reveals a pattern of legal containment designed to minimise accountability. [7–12]

Inspection and scrapping data suggest MSC disproportionately assigns older vessels to Global South trades and disposes them in South Asian shipbreaking yards. This pattern, involving use of flags of convenience and ship disposals in high-risk recycling locations, indicates a form of regulatory arbitrage, where weaker enforcement environments coincide with the company's late-stage asset operations. [1,15,16, 17]

This research draws on port inspection records, detention databases, investigations, court filings, and verified media sources from 2015–2025. The findings highlight systemic gaps in MSC's safety culture, environmental governance, and liability frameworks, reinforcing the urgency for stronger international regulation and fair compensation mechanisms for affected coastal communities.

Introduction

MSC, headquartered in Geneva, operates one of the most extensive maritime fleets in the world. By 2025, MSC controlled more than 750 vessels, accounting for nearly 20% of global container capacity and surpassing its main rivals in scale and reach. This dominance has been achieved through a dual growth strategy: commissioning ultra-large newbuilds to consolidate control over mainline trade routes, while acquiring large numbers of second-hand vessels to expand its feeder and regional operations, especially in the Global South.

While this rapid expansion has reinforced MSC's central role in global supply chains, it has also

generated persistent concerns about the company's compliance culture, environmental record, and corporate governance. The widespread use of ageing ships, coupled with a heavy reliance on flags of convenience such as Liberia and Panama, has raised questions [2,5,17,41] about the adequacy of inspection regimes, crew safety, and accountability for pollution incidents. Over the past decade, several port state control authorities and civil society investigations [1,2,17,42] have identified repeated cases of technical deficiencies, emission violations, and safety lapses across MSC's fleet, with many of these incidents involving older tonnage deployed on lower-regulation routes.

The environmental and social implications of these practices have been most visible in coastal regions of the Global South. In South Asia in particular, MSC's operations have intersected with fragile ecosystems and densely populated fishing communities that are highly vulnerable to maritime pollution. The catastrophic sinking of MSC ELSA 3 off the coast of Kerala in May 2025 brought these issues into sharp focus. The ageing, Liberian-flagged vessel, already flagged for prior deficiencies, sank while carrying fuel, hazardous cargo, and plastic pellets. The incident caused severe oil and nurdle pollution, destroyed livelihoods, and triggered landmark litigation in India.[1-2], [5-6]

The MSC ELSA 3 disaster was not an isolated event but part of a broader trend. Over the last decade, MSC's global fleet has been linked to multiple high-profile accidents, such as container fires, cargo losses, and oil spills. Critics argue that the company's legal responses, including the use of liability limitation regimes, denial of fault, and confidential settlements, appear primarily designed to minimize external financial exposure. While these approaches do not necessarily preclude internal efforts to improve compliance, the lack of transparent remediation measures may raise the question whether systemic issues are being substantively addressed. This has prompted growing scrutiny from regulators, environmental organisations, and coastal states seeking accountability for the cumulative environmental damage caused by large shipping operators.

This report therefore examines MSC's operational, environmental, and legal record between 2015 and 2025. It combines global analysis with a particular focus on South Asia, where many of the company's ageing vessels are operated, detained, or dismantled. Drawing on port inspection records, investigations, international detention databases, corporate filings, and verified media sources, the study traces trends in safety performance, environmental compliance, liability management, and shipbreaking practices.

The findings aim to bolster better management of vessels, improve regulatory framework minimizing oversight, seek more transparency and accountability, as well as call for fair compensation to affected parties. While this report focuses on the actions and accountability of MSC as a case study, its findings are equally intended to highlight systemic regulatory and enforcement gaps, particularly in high-risk regions, that allow such incidents to occur with limited oversight or remedy.

Greenpeace India in front of the MSC head office, Mumbai, demanding MSC to speak up

Plastic nurdles from MSC Elsa 3 washed up on shores of Manavalakurichi, Tamil Nadu

Methodology

This desktop investigation is based on an open-source intelligence (OSINT) approach, complemented by the review of proprietary maritime intelligence data (such as Lloyd's List Intelligence vessel reports), official legal documentation (court filings and regulatory records), and restricted internal briefings from NGOs and industry stakeholders (including Greenpeace and others). Together, these sources provide a triangulated evidence base that combines publicly available information with specialized and semi-restricted intelligence to enhance the accuracy and depth of findings and mitigate bias. Sources included:

- **Port State Control (PSC) inspection records, IMO GISIS, and Equasis.**

- **Court filings (Kerala High Court admiralty petitions, Adml.S 12-25).**
- **Trade press (Lloyd's List Intelligence, Maritime Executive, SWZ Maritime).**
- **NGO investigations (Greenpeace, NGO Shipbreaking Platform).**
- **Academic and government studies (CMLRE, Kerala University).**

The focus is on incidents involving MSC-operated vessels and the company's post-incident actions. This includes detentions, collisions, pollution events, and scrapping practices. However, the methodology is shaped by the limitations of OSINT. Internal documents from private entities like MSC remain inaccessible, and media coverage varies geographically—major incidents in Europe or North America often receive more attention than those in South Asia or Africa. To counter this, regional and local sources were used extensively when analyzing Global South cases.

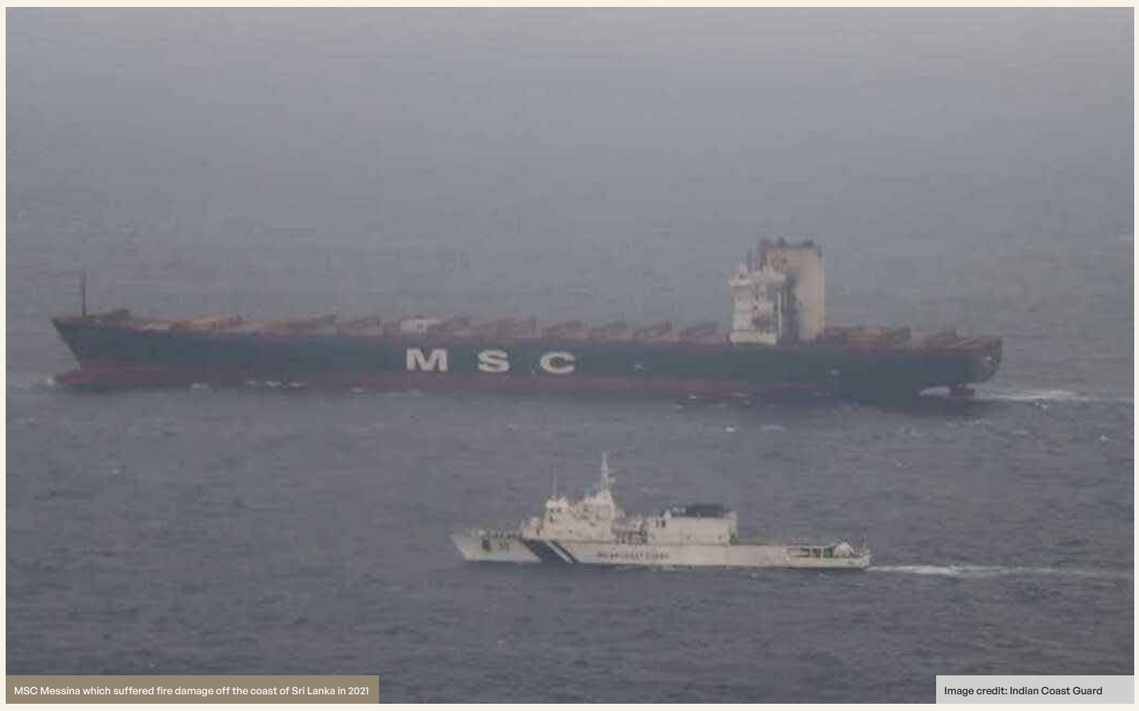
Source reliability was assessed based on type: regulatory data and court documents were treated as high-confidence, while journalistic and NGO reports were evaluated for consistency and cross-referenced against other sources. Critical commentary from NGOs (e.g. Greenpeace, NGO Shipbreaking Platform) was included where factual claims were corroborated. MSC's own statements were also reviewed, with appropriate caution regarding their public relations framing.

Where feasible, triangulation was used to validate key findings—for example, the causes and impacts of the MSC ELSA 3 sinking were confirmed via reported scientific assessments, local news, and official statements. Likewise, inspection records were compared across multiple platforms, and legal developments were traced through filings, news reports, and public commentary by legal experts.

Bias was mitigated through systematic cross-verification of all sources.

NGO materials, though advocacy-driven, provided valuable community-level and field-based data often unavailable through official channels. Corporate filings and public statements were treated with caution due to their liability-limiting and reputational framing. Media coverage was assessed for geographic and editorial bias, and findings were incorporated only when substantiated by other independent and credible sources. This multi-source validation ensured a balanced interpretation of events, reducing the influence of advocacy, corporate, or regional bias on the overall analysis.

All research respected ethical standards: no private data was accessed, and no speculative conclusions were drawn without supporting evidence. Gaps in the data—such as the absence of internal maintenance logs—are noted as limitations. Ultimately, the report combines quantitative metrics (e.g. incident counts, detentions, fines) with qualitative analysis (e.g. legal strategy, risk patterns) in a structured and transparent manner.



MSC Messina which suffered fire damage off the coast of Sri Lanka in 2021

Image credit: Indian Coast Guard

MSC ELSA 3 – Inspection, Detention, and Compliance History

The MSC ELSA 3 stands out as a case study of how ageing vessels within MSC's fleet accumulate risk over time. Built in the late 1990s and integrated into MSC's operations in 2015, the ship's inspection record shows a steady accumulation of safety and technical deficiencies across multiple jurisdictions. These ranged from faulty life-saving appliances and fire systems to machinery leaks and navigational failures—each individually rectified, but collectively painting a picture of systemic neglect. By the time of its sinking in 2025, the ELSA 3 had become emblematic of broader concerns about MSC's use of older tonnage in regions with weaker oversight.

Recorded compliance failures

The vessel's inspection history provides critical insight into how risk accumulates over time within ageing fleets. The MSC ELSA 3 (IMO 9123221) had a long operational life spanning over 25 years, marked by a recurring pattern of safety, machinery, pollution prevention, and fire-related deficiencies. From its early inspections in European ports to later inspections in Asia and Africa, Port State Control (PSC) records show a consistent accumulation of technical issues that reflect poor upkeep and aging infrastructure. The vessel changed ownership

The MSC ELSA 3 stands out as a case study of how ageing vessels within MSC's fleet accumulate risk over time. Built in the late 1990s and integrated into MSC's operations in 2015, the ship's inspection record shows a steady accumulation of safety and technical deficiencies across multiple jurisdictions. These ranged from faulty life-saving appliances and fire systems to machinery leaks and navigational failures—each individually rectified, but collectively painting a picture of systemic neglect. By the time of its sinking in 2025, the ELSA 3 had become emblematic of broader concerns about MSC's use of older tonnage in regions with weaker oversight.

Recorded compliance failures

The vessel's inspection history provides critical insight into how risk accumulates over time within ageing fleets. The MSC ELSA 3 (IMO 9123221) had a long operational life spanning over 25 years, marked by a recurring pattern of safety, machinery, pollution prevention, and fire-related deficiencies. From its early inspections in European ports to later inspections in Asia and Africa, Port State Control (PSC) records show a consistent accumulation of technical issues that reflect poor upkeep and aging infrastructure. The vessel changed ownership multiple times and was eventually flagged to Liberia by MSC in 2015 — a known flag of convenience with a variable enforcement track record.[5], [18]

Across its lifetime, inspections recorded multiple serious issues: a 2010 detention in Rotterdam with 21 deficiencies [6], [19], and fire safety and navigation issues at ports in Asia and Africa from 2015 through 2024.[6], [19] While many of these were officially rectified, the pattern illustrates a strategy of

The MSC ELSA 3 (IMO 9123221), a feeder built in 1997, accumulated repeated deficiencies [6], [19]:

2010: Detained in Rotterdam with 21 deficiencies.

2015: Hong Kong PSC flagged firefighting and bridge equipment.

2017: Aqaba PSC noted gangway and electrical faults.

2021–22: Abuja MoU inspections highlighted oil accumulation in engine rooms.

2022: Chittagong noted winch and capstan faults.

2023: Tuticorin flagged nine deficiencies (lifeboats, radar, autopilot, machinery).

2024: Mangalore flagged compass, signal lamp, rescue boat gear.

Beyond PSC, the ship also collided with the bulk carrier Katina near Hodeidah, Yemen in 2016.[21]

In May 2025, it capsized and sank off Kerala after developing a 26° list and blackout, consistent with long-term technical decline.[22]

Collectively, these inspection findings and incident records reveal a vessel trapped in a cycle of deferred maintenance and reactive compliance. Deficiencies were repeatedly identified, patched, and re-emerged in subsequent inspections, suggesting that technical upkeep was driven by minimal regulatory requirements rather than preventive maintenance or systemic investment. The gradual redeployment of MSC ELSA 3 from European and Mediterranean routes to South Asian waters mirrors a broader operational trend within MSC, where older and risk-prone vessels are transferred to lower-regulation environments in the final stages of their service life. The ship's ultimate capsize in 2025 can thus be understood as the culmination of long-term structural decline, inadequate oversight by both flag and port states, and a broader culture of cost minimisation over safety assurance.

The environmental and human impacts of the disaster were significant. The widespread release of oil and nurdles devastated coastal ecosystems, disrupted fisheries, and imposed heavy cleanup costs on local authorities. Coastal communities reported losses of livelihood, contamination of fishing grounds, and reduced water quality, with long-term ecological recovery still uncertain months after the incident. Despite interim compensation rulings by the Kerala High Court, gaps in liability enforcement and compensation mechanisms highlight the persistent imbalance between corporate responsibility and community-level consequences.

These findings outline not only the vessel's recorded compliance failures but also the structural patterns of neglect and risk externalisation that defined MSC ELSA 3's operational decline.

The evidence underscores how cumulative technical failures, weak enforcement, and profit-driven fleet management practices converged to produce a predictable and preventable maritime disaster.

Operational Journey and Relocation Rationale

The vessel's shifting ownership, flag history, and trade routes provide insight into the economic and regulatory factors shaping its final deployment. The vessel cycled through multiple names and flags before MSC reflagged it to Liberia in 2015 — a classic flag-of-convenience choice.[2], [5], [18] From 2017 it operated mainly in South Asia, and by 2025 it was assigned to the Kerala Shuttle Service (Vizhinjam–Kochi).[1]

The relocation appears economically motivated: extracting residual value from an ageing vessel in weaker regulatory markets prior to scrapping. Its sinking caused severe ecological and social damage, sparking litigation exceeding ₹9,531 crore. The Kerala High Court subsequently directed the shipping company to pay ₹1,262.6 crore in compensation for environmental damage.[3-4]

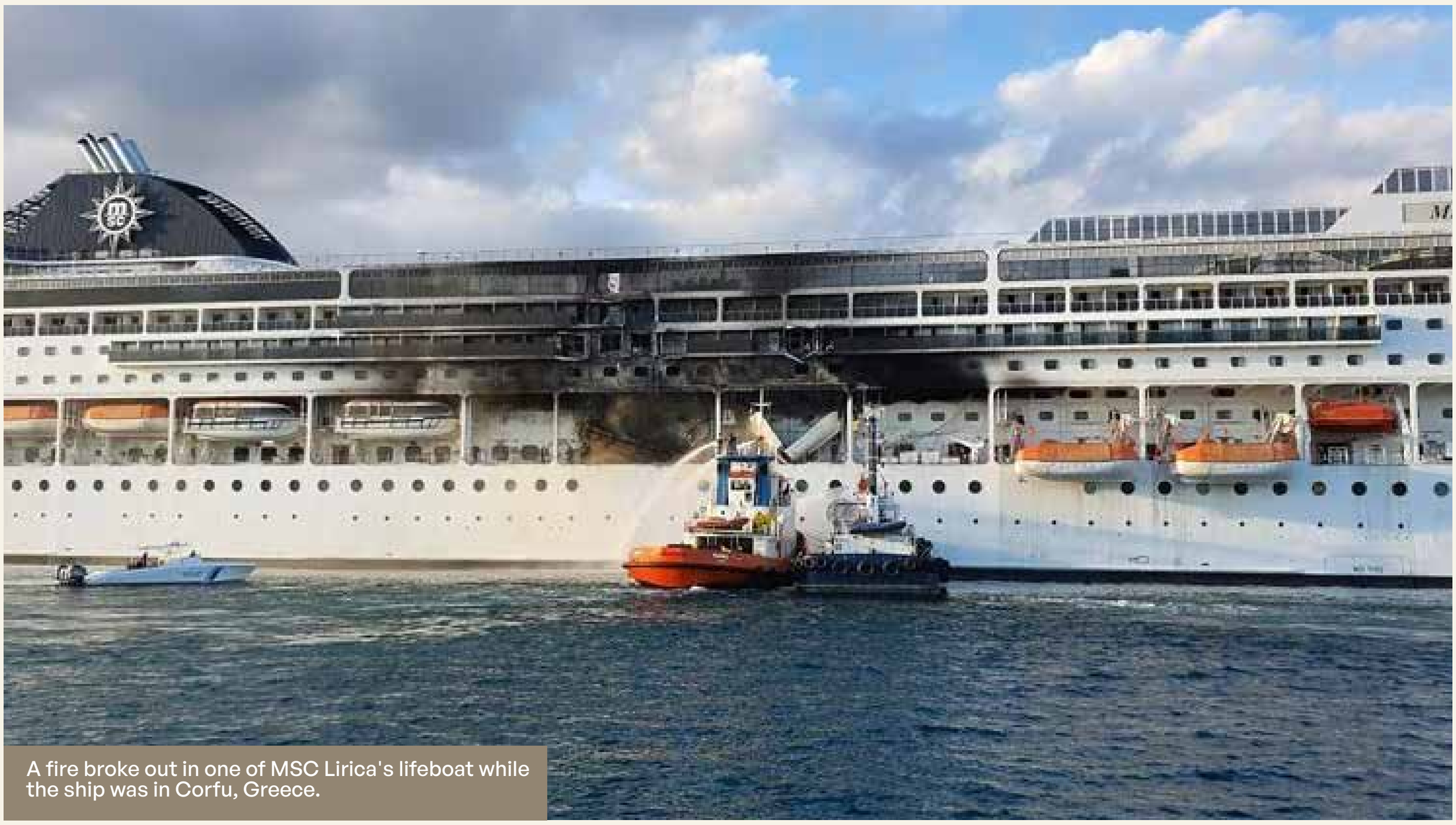
Table 1. Selected Inspections of MSC ELSA 3 (2015–2024)

Year	Port / MoU	Key Deficiencies	Outcome
2015	Hong Kong / Tokyo MoU	Fire pump; bridge visibility	Rectified
2017	Aqaba / Riyadh MoU	Gangway safety; electrical faults	Not detained
2022	Chittagong / IOMOU	Winch/Capstan faults	Rectified
2023	Tuticorin / IOMOU	9 deficiencies (Life Saving Appliances /LSA, radar, autopilot)	No detention
2024	Mangalore / IOMOU	Compass; signal lamp; rescue boat gear	Rectified

Inspection and Detention History of MSC ELSA 3 (1997–2024)

Table 2 below provides a **comprehensive inspection history for MSC ELSA 3 (IMO 9123221) covering its entire operational lifetime (1997–2025),** beyond the 2015–2024 window. The operational relocation of MSC ELSA 3 to South Asia cannot be understood in isolation from its long record of technical and regulatory failings. While the vessel's assignment to the Vizhinjam–Kochi shuttle service in 2025 was the final step in its commercial deployment, its condition had been shaped by more than two decades of inspections, detentions, and recurring deficiencies across different maritime jurisdictions. A full review of its Port State Control and detention history reveals persistent weaknesses in fire safety, pollution prevention, and lifesaving equipment that were repeatedly flagged but never fully resolved.[1] This lifetime compliance record illustrates how ageing ships, despite incremental repairs, accumulate risk until structural failure becomes inevitable.

The following table consolidates the vessel's inspection history from its commissioning in 1997 through to its last recorded checks in 2024, setting the stage for understanding why its ultimate sinking was less an isolated accident than the foreseeable endpoint of long-term neglect.



A fire broke out in one of MSC Lirica's lifeboat while the ship was in Corfu, Greece.

Table 2. Lifetime Inspection with Deficiency Records of MSC ELSA 3

Year	Port of inspection	PSC Organisation	Detention	Type of inspection	Deficiency Categories
2000	Barcelona	Paris MoU	N		Structural Safety
2000	Valencia	Paris MoU	N		Structural Safety
2000	Algeciras	Paris MoU	N		Structural Safety
2008	Dunkirk	Paris MoU	N	More detailed inspection	ISM related deficiencies, Life saving appliances , MARPOL annex I, Propulsion & aux., Ship's certificates and documents
2008	Rotterdam	Paris MoU	N	More detailed inspection	Crew certificates, Fire Safety measures, Life saving appliances, Propulsion & aux., Safety of navigation, Structural Safety
2008	Hamburg	Paris MoU	N	More detailed inspection	MARPOL annex I, MARPOL annex V, Radiocommunications, Safety of navigation
2009	Bilbao	Paris MoU	N	More detailed inspection	Accident prevention (ILO147), Crew certificates, ISM related deficiencies, Radiocommunications, Safety of navigation
2009	Rotterdam	Paris MoU	N	More detailed inspection	Accident prevention (ILO147), Fire Safety measures, Life saving appliances, Mooring arrangements (ILO 147), Safety of navigation
2009	Rotterdam	Paris MoU	N	More detailed inspection	Fire Safety measures, Load lines, Mooring arrangements (ILO 147), Operational deficiencies, Safety of navigation, Working spaces and accident prevention
2010	Rotterdam	Paris MoU	Y	More detailed inspection	Accommodation, Alarm signals, Fire Safety measures, Life saving appliances, Load lines, Operational deficiencies, Working spaces and accident prevention
2010	Hamburg	Paris MoU	N	More detailed inspection	Accident prevention (ILO147), Cargoes, ISM related deficiencies, MARPOL annex I, Radiocommunications, Working spaces and accident prevention
2011	Dunkirk	Paris MoU	N	More detailed inspection	Fire Safety measures, MARPOL annex I, Operational deficiencies
2011	Iquique	Vina Del Mar MoU	N	Initial inspection	Propulsion & aux.
2011	Callao	Vina Del Mar MoU	N	Initial inspection	MARPOL annex III, Propulsion & aux.
2012	La Plata	Vina Del Mar MoU	N	More detailed inspection	Fire Safety measures, Propulsion & aux., Structural Safety
2012	Dock Sud	Vina Del Mar MoU	N	Re-inspection	Fire Safety measures, Propulsion & aux., Structural Safety
2015	Hong Kong Marine Department	Tokyo MoU	N	Initial inspection	Fire safety, Life saving appliances, Safety of Navigation
2017	Aqaba	Mediterranean MoU	N	Initial inspection	Labour Conditions, Water/Weathertight conditions
2022	Chittagong	Indian Ocean MoU	N	Initial inspection	Working spaces and accident prevention
2022	Singapore	Tokyo MoU	N	Initial inspection	Fire safety, ISM, Life saving appliances, MLC, 2006 Accommodation, recreational facilities, food and catering, Pollution prevention - MARPOL Annex I, Pollution prevention - MARPOL Annex IV, Water/Weathertight conditions
2023	Tuticorin	Indian Ocean MoU	N	Initial inspection	Life saving appliances, Propulsion & aux., Safety of navigation,Safety of navigation, Working spaces and accident prevention, Working spaces and accident prevention
2024	Manglore	Indian Ocean MoU	N	Initial inspection	Life saving appliances, Propulsion and auxiliary machinery, Safety of navigation, Safety of navigation

Note: This table synthesizes all available inspection records from Equasis/Lloyd's List & MoU reports, plus reported incidents.[19] Some PSC entries between 2000–2008 are fragmentary, but key recurring issues (fire safety, oily water, navigation, lifesaving appliances) are confirmed.

This inspection and relocation record demonstrates how MSC ELSA 3's final deployment to South Asia was not an isolated commercial decision but part of a broader economic and regulatory logic. As the vessel aged and accumulated maintenance costs, it was progressively moved away from heavily regulated European ports toward regions offering lower operating expenses, limited inspection frequency, and more lenient flag-state oversight. Liberia's flag of convenience provided legal flexibility and reduced compliance pressure, while South Asian feeder routes allowed residual value to be extracted before the vessel's eventual disposal.

This trajectory reflects MSC's wider strategy of cascading older tonnage into markets with weaker enforcement capacity, where risks can be externalised onto coastal environments and local communities.

The case of MSC ELSA 3 thus illustrates how operational relocation functions both as a cost-containment measure and as a structural feature of the company's fleet management system—linking economic efficiency with regulatory avoidance in the years preceding the 2025 disaster. At the same time, the incident underscores broader weaknesses in maritime governance and environmental enforcement across flag states and port authorities, particularly in regions where inspection regimes and legal recourse mechanisms remain under-resourced.

Observations Summary

- **Pattern of recurring deficiencies:** Fire safety, lifesaving appliances, oily water management, and navigation equipment failures appear repeatedly over two decades.

- **Geographic shift:** Early inspections concentrated in Europe (Paris MoU), but from 2015 the pattern shifts heavily to South Asia and West Africa, consistent with "cascading" older tonnage into weaker enforcement markets.

- **Regulatory oversight limitations:** Repeated deficiencies across multiple MoUs without long-term corrective action highlight gaps in flag-state responsibility and the limited deterrent power of Port State Control regimes, particularly for vessels under flags of convenience such as Liberia.

- **Corporate maintenance culture:** The persistence of identical deficiencies across years and jurisdictions indicates that compliance was treated as a procedural obligation rather than a substantive safety priority, reflecting MSC's wider fleet management approach toward ageing vessels.

- **Last years (2015–2024):** Continuous low-grade deficiencies in Asia and Africa — not catastrophic in isolation, but cumulatively pointing to systemic neglect.

- **Final fate (2025):** The vessel sank off Kerala with fuel and nurdles onboard — an outcome consistent with years of incremental degradation and under-maintenance.

Fleet Incidents and Compliance History

Overall, MSC's global fleet has demonstrated a recurring vulnerability to major safety and environmental incidents over the past two decades. These range from structural failures and collisions to large-scale container losses, engine-room fires, and cruise ship accidents. A review of cases shows that older vessels and operations in the Global South are disproportionately represented in serious events, while high-profile accidents in Europe and North America have drawn sharper regulatory responses and faster settlements.

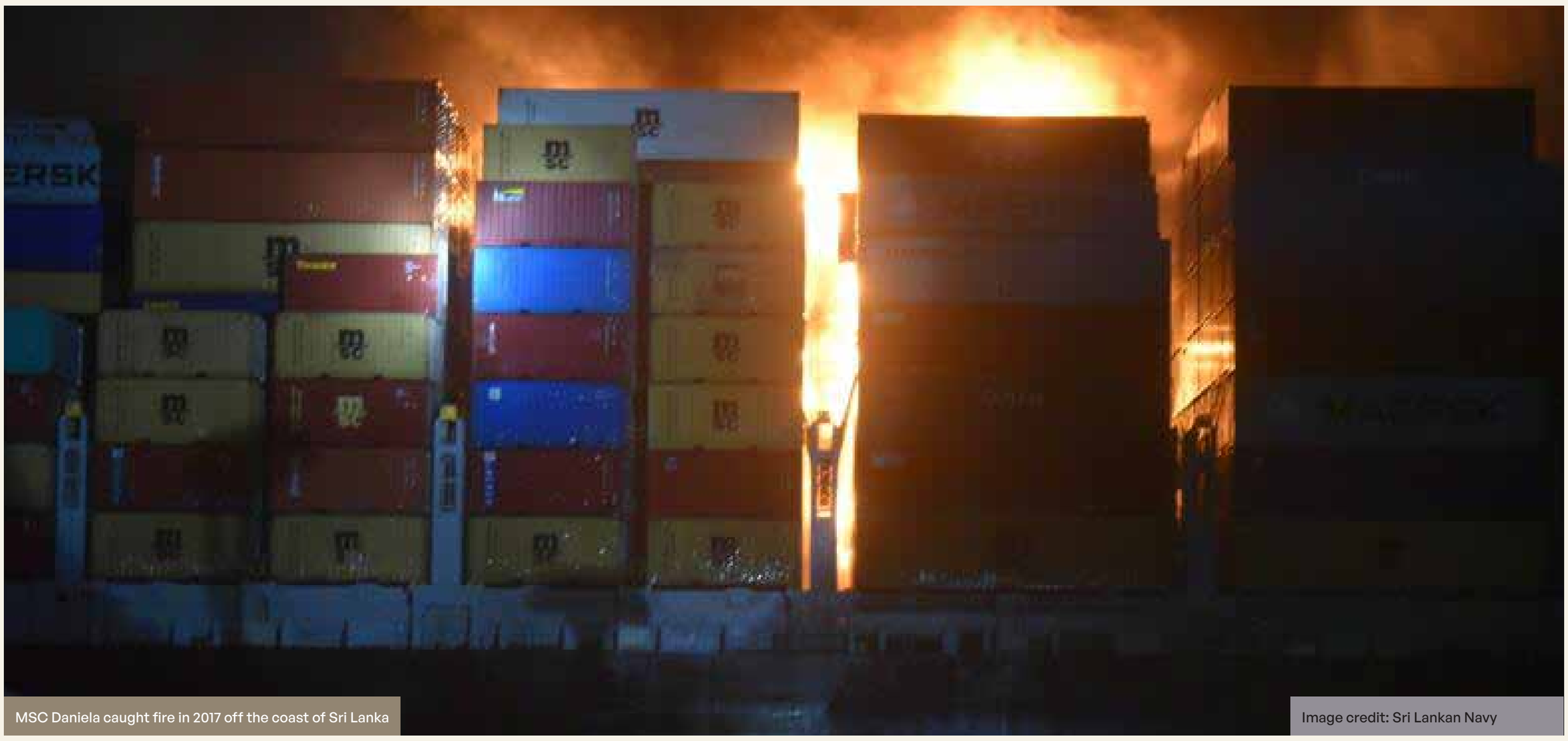
The pattern underscores two interlinked trends:

The heightened risks associated with MSC's ageing vessels,

&

The uneven enforcement of maritime safety standards across jurisdictions.*

Against this backdrop, RQ3 presents a chronological account of MSC's incident history to illustrate the scope and impact of these failures.



MSC Daniela caught fire in 2017 off the coast of Sri Lanka

Image credit: Sri Lankan Navy

Fleet-wide incident history

Between 2007 and 2025, MSC's fleet experienced a series of significant incidents, ranging from container fires and oil spills to cargo losses and collisions, that collectively reveal systemic weaknesses in safety management and environmental compliance.
These events demonstrate that the failures observed in MSC ELSA 3 were part of recurring fleet-wide trends shaped by ageing vessels, high operational pressure, and uneven regulatory enforcement.

The following section outlines these major incidents in detail, drawing on accident databases, court filings, and verified maritime records to assess MSC's risk profile and accountability practices over the decade:

Table 3. Incident History of MSC Fleet (2007 - 2025)

Year	Vessel (Type)	Incident & Location	Impact and Aftermath
2007	MSC Napoli (Container)	Severe structural damage in heavy weather; beached as "place of refuge," Lyme Bay, UK (English Channel).	117 containers lost; ~3 200–3 500 t Heavy Fuel Oil (HFO) + other oils onboard; shoreline debris / limited oiling on UK/FR coasts; large, multi-agency response; highlighted "place of refuge" policy [23].
2008	MSC Sabrina (Container)	Grounding in St. Lawrence River near Trois-Rivières, Quebec (Canada)	Stuck ≈ 1 month; cargo lighted to refloat; General Average declared; no casualties reported [24].
2010	MSC Chitra (Container)	Collision with MV Khalijia-III off Mumbai, India; oil/chemicals + container loss.	Large spill; shoreline contamination; damages assessed at ~₹ 514–515 crore; protracted compensation actions and enforcement against MSC / P&I [25].
2012	MSC Flaminia (Container – chartered)	Mid-Atlantic cargo-hold explosion / fire involving divinylbenzene.	3 fatalities; major fire & salvage; years of litigation with shared liability among carrier, shipowner and cargo interests [26].
2016	MSC Monica (Container)	Grounding in the St. Lawrence Seaway (Canada).	Rudder malfunction caused drift off course; vessel unable to refloat under own power; external assistance required; illustrates recurring St. Lawrence groundings [27].
2017	MSC Daniela (Container, ≈14 000 TEU)	Large fire ≈ 120 nm off Colombo, Sri Lanka.	No fatalities; cargo damage; multi-day fire-fighting by Sri Lanka Navy / Indian Coast Guard; environmental risk monitored by MEPA; scrutiny over Dangerous Goods (DG) handling [7][28].
2018	MSC Armonia (Cruise)	Allision with pier at Roatán, Honduras.	Pier damage; no injuries; minor ship damage; added to bridge / engine control concerns on MSC cruise fleet [29].
2019	MSC Zoe (Container)	Container loss in North Sea storm (Wadden Sea NL/DE).	270–342 containers overboard; extensive beach pollution (plastics / goods); MSC pledged cleanup and paid ≈ € 3.4 million compensation to Dutch state [8][30].
2019	MSC Opera (Cruise)	Loss of control / engine-room systems; collision with dock and river cruiser River Countess, Venice (Italy).	4–5 injuries; dock damage; spurred "big ships" ban; civil and criminal proceedings with multi-million euro settlements [9].
2021	MSC Lucia (Container)	Piracy / armed boarding in Gulf of Guinea approaches.	Crew briefly seized; naval forces intervened; highlights security risks on Indian Ocean lanes [31].
2021	MSC Messina (Container)	Engine-room fire mid-Indian Ocean between Sri Lanka and Malacca Strait.	1 crew member missing; tow to Singapore; engine-room origin; no pollution reported ashore [12][32].
2021	MSC Danit (Container)	Alleged role in Orange County (California) pipeline rupture (anchor drag during storm while at anchor).	≈ 25 000 gal spill; complex litigation; MSC joined global settlement (~$ 45 million); illustrates anchorage risk and legal exposure [10][33].
2021	MSC Lirica (Cruise)	Fire while laid up at Corfu (Greece) – lifeboat/external area.	No injuries; fire controlled; localized topside damage [34].
2025	MSC World Europa (Cruise, LNG-powered)	Propulsion / technical failures on early Mediterranean voyages.	Itinerary disruptions and passenger compensation; teething issues on newbuild class; no casualties [35].
2025	MSC ELSA 3 (Container)	Capsize / sinking off Kerala coast (Vizhinjam – Kochi leg) during onset monsoon; cargo included hazmat and plastic pellets ("nurdles").	Major marine pollution and fishery impact; Kerala filed high-value claim; interim court security and arrest orders under Adml.S 12-25; ongoing salvage / oil removal [1][3-4][36].

Legal Strategies and Liability – Patterns of Response in MSC Incidents

The aftermath of major MSC-related incidents reveals a consistent legal and reputational risk strategy. The company routinely seeks to minimize financial exposure by invoking international liability limitation regimes, leveraging flags of convenience, and asserting distancing from ownership or operational control when accidents occur. This has enabled MSC to cap or contest large-scale environmental and human damages even in high-profile disasters.

However, the MSC ELSA 3 case in India has strained this model. Following the vessel's sinking and the resulting environmental catastrophe along Kerala's coast, fishing communities, local officials, and environmental NGOs engaged swiftly across legal, environmental, and public domains. Demonstrations erupted in Pulluvila, Valiyathura, and other coastal towns in June–July 2025, calling for cleanup, accountability, and compensation. Protest banners, street marches, and human chains drew local and international media attention, while Instagram posts from Greenpeace South Asia and local residents documented nurdle accumulation, oil contamination, and community responses in real time.[20]

This grassroots pressure—combined with a detailed

scientific impact assessment [15] and state litigation—led the Kerala High Court to take an unusually firm position. The court issued an interim order (Adml.S 12-25) [12] directing MSC to deposit ₹1,227.62 crore in damages, following an earlier demand of ₹9,531 crore. [4], [13] The court also conditionally arrested a sister ship (MSC Akiteta II) at Vizhinjam Port as leverage pending compliance with the ruling.[13]

This case stands in contrast to MSC's legal responses in Europe or North America, where the company has often settled quietly (e.g., MSC Danit oil spill, California),[10] or invoked limited liability frameworks without substantial public scrutiny. It highlights how community participation, judicial independence, and strategic litigation can challenge traditional corporate shielding tactics. MSC's public communications typically emphasise cooperation with authorities, rapid containment, and remediation efforts while avoiding direct acknowledgment of fault.

MSC's Legal Strategy

MSC employs a consistent legal playbook:

Limitation of liability: e.g., capping MSC ELSA 3 liability at ₹132 crore (~$16m USD) against Kerala's ₹9,531 crore (~$ 1.07 billion USD) claim. [3-4], [11], [13], [18]

Denial/deflection: e.g., MSC Danit denied responsibility in California pipeline spill but settled.[10]

Settlements: e.g., MSC Zoe €3.4m cleanup contribution.[8]

The Kerala High Court directed MSC to pay ₹1,227.62 crore in interim compensation. Meanwhile, MSC (or its owners) has declared a liability limit of ~₹132 crore via a public notice under the international limitation regime. The Kerala High Court broke precedent by arresting MSC sister ships (MSC Palermo, MSC Akiteta II) to secure claims, and revising interim security to ₹1,227.62 crore. [13-14]

Table 4. Legal Milestones in MSC ELSA 3 Case

Date (2025)	Event	Outcome	Source
Jun 12	PIL filed	Court orders IMO compliance review	[1], [4]
Jun 24	Salvage dispute	MSC terminates T&T Salvage; delays oil recovery	[37]
Jul 7	Arrest order	MSC Akiteta II arrested	[13]
Aug 12	Arrest order	MSC Palermo arrested	[14]
Sep 25	Interim order	Security set at ₹1,227.62 crore	[13]

Fleet Management Strategy

MSC's Fleet Management and Regulatory Risk: Flags, Compliance, and Global Deployment

Patterns observed across fleet registry and inspection data suggest that MSC's reliance on open registries, especially Liberia, Panama, and the Marshall Islands, is not incidental but embedded within its commercial model. These flag states provide low-cost registration, minimal taxation, and flexible labour and environmental regimes, allowing MSC to optimise profitability while insulating itself from stringent legal accountability. This system has effectively produced a two-tier fleet structure: new, technologically advanced vessels operating on high-visibility routes in Europe, East Asia, and North America, and older, maintenance-intensive ships redeployed to South Asia, West Africa, and Latin America.

Within this lower-tier fleet, compliance tends to be reactive rather than preventive. Port State Control data reveal recurring deficiencies in safety, pollution prevention, and crew welfare standards that are typically resolved only after official notice or monetary penalties. Such cyclical remediation reflects a cost-minimisation strategy rather than a genuine safety culture, exposing weaker jurisdictions to disproportionate environmental and social risks. This strategy is made possible not only by corporate decision-making but also by persistent structural gaps in international maritime regulation and the enforcement limitations of many flag and coastal states. Greater scrutiny of this regulatory asymmetry is essential to address long-term systemic risk.

Together, these practices reveal an operational history that maximizes efficiency and market share while externalizing risk to weaker regulatory environments.

Patterns

A closer examination of MSC's fleet composition and registration choices provides insight into the company's underlying management strategy, the focus of the fifth research question. MSC's average fleet age in 2023 was 16.8 years, the oldest among major carriers.[16] The company uses Liberia, Panama, and Madeira as preferred registries, and cascades older ships into South Asia, Africa, and Latin America.[2], [16]

This model maximizes commercial use of older tonnage but shifts risks to weaker jurisdictions. The resulting geographical and regulatory segmentation of the fleet reveals a calculated balance between efficiency and accountability, where the economic life of each vessel is maximised even as operational and environmental risks are displaced to jurisdictions with less capacity for enforcement.

This fleet structure has significant implications for environmental governance and maritime accountability. The extension of vessel lifespans through redeployment in weaker regulatory environments increases the likelihood of machinery failure, oil spills, and waste management breaches, while simultaneously reducing the effectiveness of global oversight mechanisms. By maintaining operational control through management subsidiaries while dispersing legal responsibility through flags of convenience and layered ownership, MSC effectively insulates itself from direct liability for environmental harm. This model blurs the boundary between compliance and avoidance, embedding regulatory asymmetry into the company's global logistics operations. As vessels near the end of their commercial life, many are transferred to shipbreaking destinations in South Asia, continuing the cycle of externalised environmental and social risks. This is not illegal, as the weaker jurisdictions allow such practices. However, since geographical impacts are not limited to one jurisdiction or another, there is a need for more stringent frameworks to be adopted across jurisdictions, which will then enforce higher standards across the fleet.

Community members in Kerala along with Greenpeace India demand MSC to pay for damages

Shipbreaking Policy aand Practices

Shipbreaking and End-of-Life Practices – MSC's Policies and Global South Impact

The final stage of a vessel's life cycle is as revealing of corporate priorities as its operation. Despite publishing policies aligned with the Hong Kong Convention,[38] MSC has consistently sold ageing ships to South Asian beaching yards, where conditions are hazardous for both workers and the environment (Table 5.). This contradiction between stated commitments and observed practices underscores the tension between cost savings and corporate responsibility.

Shipbreaking and Global South Trends

Global South Deployment and Regulatory Arbitrage

This section analyses MSC's shipbreaking policy, its implementation in practice, and the preferred destinations of its end-of-life vessels. It also considers whether MSC has institutionalised a corporate trend of relocating ageing or problematic ships to the Global South to avoid stricter regulation and oversight.

A broader trend emerges when MSC's operations are viewed in their entirety: the systematic relocation of older, problematic vessels to routes in the Global South and their ultimate disposal in those same regions. This pattern reflects regulatory arbitrage—exploiting weaker enforcement environments to prolong vessel use and minimize end-of-life costs. While common across the shipping industry, MSC's scale makes its practices particularly significant for global maritime governance.

Despite commitments to Hong Kong Convention-aligned recycling, MSC sold at least 14 vessels to Alang, India, for beaching in 2023.[17] NGO Shipbreaking Platform named MSC the "worst corporate dumper" of 2023. Some of these ships departed directly from EU ports, prompting concerns about possible breaches of the EU Waste Shipment Regulation.[17]

List of MSC Vessels Reported for Beaching / Scrapping (2023-2024)

Merging a number of sources we can compile a list of vessels reported for beaching / scrapping (Table 5) between 2006-2024.

Between 2006 and 2022, MSC sold 102 container and general cargo ships to the Alang demolition chain, with an average scrapping age of ~29 years. NGO Shipbreaking Platform reports that MSC "scrapped no less than 14 of its old container ships in Alang, India, in 2023," though it did not publicly list all vessel names [17]. TradeWinds / Shipbreaking Platform named MSC the "worst corporate dumper" in 2023, citing the demolition of 14 ships in Alang [39]. Kuehne + Nagel (MyKN) / Lloyd's List identify MSC Grace F (IMO 8918057) and MSC Tia II (IMO 9193680) among those sold to Alang in 2023 [40]. The same source notes that most of the 14 vessels were built during the 1980s [40]. According to PortNews, in 2023 MSC sold six containerships to cash buyers for demolition — naming MSC Lucia, MSC Floriana, MSC Pilar, MSC Veronique, MSC Nora II, and MSC Giovanna [44]. A Maritime Executive article further adds that MSC has more recently sold MSC Floriana and MSC Giovanna, departing from Europe en route to Indian yards [41].

Based on the available Shipbreaking #71 and PortNews data, the 18 MSC vessels scrapped between 2023 and the first half of the year 2024 alone represent an estimated combined light-displacement tonnage (LDT) of approximately 250,000 tons, and—at an average market price of about USD 540 per ton—correspond to a total steel value of roughly USD 135 million.

In total, MSC has sold 125 ships for scrapping in South Asia between 2006 and 2024 (Table 5).

The pattern confirms MSC's long-term reliance on South Asian recycling facilities and underscores the need for greater transparency in its end-of-life fleet management.

Community members in Kerala along with Greenpeace India demand MSC to pay for damages

Table 5. Merged MSC Vessels Scrapped (2006-2024) - Chronological Order

No.	Vessel Name (aliases)	IMO	Year Built / Age	Year Scrapped / Sold	Category	Flag / Deflagging	Length	LDT tonnage	Beaching / Destination (Yard)	Price (USD/t)	Source
1	MSC Leanne		1983 / 23	2006	Container ship	Panama	184	10000	India		[43]
2	MSC Nuria		1977 / 29	2006	Container ship	Panama	248	21974	India	400	[43]
3	MSC Alice	7359852	1976 / 32	2008	Container ship	Panama	252	22000	India	560	[43]
4	MSC Katrina	7706938	1979 / 29	2008	Container ship	Panama	203	14359	India		[43]
5	MSC Anastasia	7020542	1970 / 39	2009	Container ship	Panama	181	8600	India	262	[43]
6	MSC Athina	7909592	1981 / 28	2009	Container ship	Panama	287	24388	Pakistan		[43]
7	MSC Clorinda	7820394	1981 / 28	2009	Container ship	Panama	221	15600	India		[43]
8	MSC Cristiana	8119716	1984 / 25	2009	Container ship	Panama	184	15116	India		[43]
9	MSC Deila	7602065	1979 / 30	2009	Container ship	Panama	186	11027	India	235	[43]
10	MSC Denisse	7435292	1977 / 32	2009	Container ship	Panama	203	13574	India	270	[43]
11	MSC Edna	7434432	1978 / 31	2009	Container ship	Panama	252	15463	India	285	[43]
12	MSC Eliana	7025877	1970 / 39	2009	Container ship	Panama	187	10720	India		[43]
13	MSC Emilia	7026522	1970 / 39	2009	General cargo ship	Panama	153	5998	India		[43]
14	MSC Federica	7347512	1974 / 35	2009	Container ship	Panama	209	12180	India		[43]
15	MSC Gabriella	8120820	1983 / 26	2009	Container ship	Panama	158	7137	India	320	[43]
16	MSC Giulia	6930403	1970 / 39	2009	Container ship	Panama	181	8670	India		[43]
17	MSC Ilaria	7511618	1977 / 32	2009	Container ship	Panama	180	10106	India		[43]
18	MSC Immacolata	7614367	1979 / 30	2009	Container ship	Panama	169	8221	India	327	[43]
19	MSC Jessica	7820461	1980 / 29	2009	Container ship	Panama	202	12705	India		[43]
20	MSC Katherine Ann	8300975	1985 / 24	2009	Container ship	Panama	184	9683	India		[43]
21	MSC Lauren	7820409	1982 / 27	2009	Container ship	Panama	221	15235	India	245	[43]
22	MSC Laurence	7510420	1977 / 32	2009	Container ship	Panama	222	15235	India	245	[43]
23	MSC Lucia	7708754	1978 / 31	2009	Container ship	Panama	186	8394	India	290	[43]
24	MSC Manu	7800318	1978 / 31	2009	Container ship	Panama	258	23182	India		[43]
25	MSC Mee may	7015274	1970 / 39	2009	Container ship	Panama	181	8533	Pakistan	290	[43]
26	MSC Michele	7033044	1970 / 39	2009	Container ship	Panama	181	8600	India	262	[43]
27	MSC Rosa M	7602053	1978 / 31	2009	Container ship	Cyprus	186	11433	India	280	[43]
28	MSC Selin	7822548	1981 / 28	2009	Ro Ro	Panama	173	10560	India	262	[43]
29	MSC Serena	7502904	1977 / 32	2009	Container ship	Panama	240	16750	India	323	[43]
30	MSC Stefania	6921969	1969 / 40	2009	Container ship	Panama	212	12828	India	230	[43]
31	MSC Veronique	7510418	1976 / 33	2009	Container ship	Panama	222	10116	India	256	[43]
32	MSC Idil	8012877	1983 / 27	2010	Container ship	Panama	136	4438	India	364	[43]
33	MSC Nikita	7820942	1980 / 30	2010	Container ship	Panama	257	17286	China	240	[43]
34	MSC Pilar	8124400	1984 / 26	2010	Container ship	Panama	190	13169	India	363	[43]
35	MSC Sariska	7107780	1971 / 39	2010	Container ship	Panama	153	8500	India		[43]
36	MSC Sena	8511328	1986 / 24	2010	Container ship	Panama	244	14783	India	395	[43]

Table 5. Merged MSC Vessels Scrapped (2006-2024) - Chronological Order

No.	Vessel Name (aliases)	IMO	Year Built / Age	Year Scrapped / Sold	Category	Flag / Deflagging	Length	LDT tonnage	Beaching / Destination (Yard)	Price (USD/t)	Source
37	MSC Alpana	7711567	1978 / 33	2011	Container ship	Panama	204	13580	Bangladesh		[43]
38	MSC Aurelie	7708950	1979 / 32	2011	Container ship	Panama	250	16854	India	540	[43]
39	MSC Carole	7906928	1980 / 31	2011	Container ship	Panama	178	8901	Bangladesh		[43]
40	MSC Chitra	7814838	1980 / 31	2011	Container ship	Panama	231	14700	India	472	[43]
41	MSC Damla	7820966	1980 / 31	2011	Container ship	Panama	257	17028	India		[43]
42	MSC Magali	7819357	1980 / 31	2011	Container ship	Panama	231	17703	India		[43]
43	MSC Paola	7416868	1978 / 33	2011	Container ship	Panama	202	9820	India	526	[43]
44	MSC Shaula	7416856	1977 / 34	2011	Container ship	Panama	201	9920	India	452	[43]
45	MSC Sultan	7383877	1976 / 35	2011	Container ship	Liberia	204	13678	India		[43]
46	MSC Amy	9003483	1992 / 20	2012	Container ship	Panama	157	6417	India		[43]
47	MSC Anihita	8413291	1985 / 27	2012	Container ship	Panama	210	12876	India	505	[43]
48	MSC Brooke	9007506	1992 / 20	2012	Container ship	Panama	152	6260	India		[43]
49	MSC Carina	8512401	1986 / 26	2012	Container ship	Panama	241	15802	India	514	[43]
50	MSC Chelsea	8128925	1983 / 29	2012	Container ship	Panama	164	7845	India		[43]
51	MSC Clara	8511304	1986 / 26	2012	Container ship	Panama	244	15137	India		[43]
52	MSC Dymphna	8608195	1988 / 24	2012	Container ship	Malta	241	12774	India	430	[43]
53	MSC Hailey	8818180	1994 / 18	2012	Container ship	Panama	236	17009	India	486	[43]
54	MSC Hanne	8618449	1989 / 23	2012	Container ship	Panama	206	15000	India	493	[43]
55	MSC Hina	8201686	1984 / 28	2012	Container ship	Panama	203	10000	India	480	[43]
56	MSC India	8918069	1991 / 21	2012	General cargo ship	Liberia	155	7555	India	423	[43]
57	MSC Jeanne	7814826	1979 / 33	2012	Container ship	Panama	231	14778	India	508	[43]
58	MSC Leila	8520408	1987 / 25	2012	Container ship	Panama	158	7900	India		[43]
59	MSC Nora	8511299	1986 / 26	2012	Container ship	Panama	244	15137	India		[43]
60	MSC Oslo	8618451	1989 / 23	2012	Container ship		206	15267	India		[43]
61	MSC Patricia	9000209	1990 / 22	2012	General cargo ship	Panama	165	7560	India	375	[43]
62	MSC Peggy	8208672	1984 / 28	2012	Container ship	Panama	207	13845	India	480	[43]
63	MSC Roberta	8511287	1986 / 26	2012	Container ship	Panama	244	15137	Bangladesh		[43]
64	MSC Samantha	8013766	1982 / 30	2012	Container ship	Panama	210	13179	India	468	[43]
65	MSC Shirley	8516603	1986 / 26	2012	Container ship	Panama	133	4056	India		[43]
66	MSC Sukaiyna	8310530	1987 / 25	2012	Container ship	Panama	198	10462	India		[43]
67	MSC Tia	8212635	1984 / 28	2012	Container ship	Panama	261	21263	India		[43]
68	MSC Tina	8512243	1986 / 26	2012	Container ship	Panama	241	15806	India	487	[43]
69	MSC Agata	8119376	1982 / 31	2013	Container ship	Panama	174	8550	India		[43]
70	MSC Annick	8609589	1988 / 25	2013	Container ship	Panama	159	6763	India	440	[43]
71	MSC Brianna	8410952	1986 / 27	2013	Container ship	Panama	245	15416	India		[43]
72	MSC Carla	8419714	1986 / 27	2013	Container ship	Panama	241	13552	India	450	[43]

Table 5. Merged MSC Vessels Scrapped (2006-2024) - Chronological Order

No.	Vessel Name (aliases)	IMO	Year Built / Age	Year Scrapped / Sold	Category	Flag / Deflagging	Length	LDT tonnage	Beaching / Destination (Yard)	Price (USD/t)	Source
73	MSC Gianna	7925493	1983 / 30	2013	Container ship	Panama	209	12768	India	446	[43]
74	MSC Imma	7925508	1983 / 30	2013	Container ship	Panama	209	11624	India		[43]
75	MSC Lana	8130019	1983 / 30	2013	Container ship	Panama	218	11959	India		[43]
76	MSC Natalia	8410940	1986 / 27	2013	Container ship	Panama	244	15301	India	454	[43]
77	MSC Normandie	8119388	1983 / 30	2013	Container ship	Panama	174	9127	India	424	[43]
78	MSC Ayala	8413033	1985 / 29	2014	Container ship	Panama	215	12492	India		[43]
79	MSC Clementina	8511316	1986 / 28	2014	Container ship	Panama	244	15137	India	462	[43]
80	MSC Corinna	8208684	1984 / 30	2014	Container ship	Panama	207	14360	India	494	[43]
81	MSC Elena	9051480	1994 / 20	2014	Container ship	Panama	202	12714	India	480	[43]
82	MSC Isabelle	8414740	1985 / 29	2014	General cargo ship	Panama	113	3590	India	414	[43]
83	MSC Jade	8419726	1986 / 28	2014	Container ship	Panama	241	13784	India	485	[43]
84	MSC Jenny	8709169	1988 / 26	2014	Container ship	Panama	245	15137	India	461	[43]
85	MSC Anna	8414752	1985 / 30	2015	General cargo ship	Panama	113	3938	India	307	[43]
86	MSC Carole	8618308	1989 / 27	2016	Container ship	Panama	294	23080	India	295	[43]
87	MSC Jilhan	8502717	1986 / 30	2016	Container ship	Panama	161	5936	India	276	[43]
88	MSC Leanne	8618310	1989 / 27	2016	Container ship	Panama	294	23451	India	295	[43]
89	MSC Lieselotte	8201674	1983 / 33	2016	Container ship	Panama	203	10655	India	307	[43]
90	MSC Manu	8613322	1989 / 27	2016	Container ship	Panama	294	23450	India		[43]
91	MSC Perle	8209729	1983 / 33	2016	Container ship	Panama	166	7566	India	295	[43]
92	MSC Alice	8714190	1988 / 29	2017	Container ship	Panama	242	13865	India	390	[43]
93	MSC Antonia	8408832	1985 / 32	2017	Container ship	Panama	188	8616	India	332	[43]
94	MSC Claudia	8803410	1989 / 28	2017	Container ship	Liberia	292	19441	India	372	[43]
95	MSC Didem	8517891	1987 / 30	2017	Container ship	Panama	241	14703	India	350	[43]
96	MSC Eugenia	9000493	1992 / 25	2017	Container ship	Panama	275	22078	India	340	[43]
97	MSC Giorgia	8408818	1985 / 32	2017	Container ship	Panama	188	8657	India	404	[43]
98	MSC Noa	8419702	1986 / 31	2017	Container ship	Panama	241	13770	India	337	[43]
99	MSC Mirella	8709640	1989 / 30	2019	Container ship	Panama	178	11 197	Bangladesh	440	[43]
100	MSC Ronit	8905878	1990 / 29	2019	Container ship	Panama	177	7 407	Bangladesh	470	[43]
101	MSC Chiara	8420892	1987 / 36	2023	Container ship	Panama	199	13 933	India	537	[43]
102	MSC Denisse	8509375	1988 / 35	2023	Container ship	Panama	199	14 349	India	575	[43]
103	MSC Erminia	9043756	1993 / 30	2023	Container ship	Panama	277	17 694	India	500	[43]
104	MSC Federica	8715869	1990 / 33	2023	Container ship	Panama	294	23 740	India	515	[43]
105	MSC Floriana	8521397	1985 / 38	2023	Container ship	Panama	187	8 773	Alang, India	525	[43]
106	MSC Giovana	8505836	1987 / 36	2023	Container ship	Panama	178	11 197	India	600	[43]
107	MSC Grace F	8918057		2023					Alang, India		[43]
108	MSC Jasmine	8420907	1986 / 37	2023	Container ship	Panama	199	13 977	India	580	[43]

No.	Vessel Name (aliases)	IMO	Year Built / Age	Year Scrapped / Sold	Category	Flag / Deflagging	Length	LDT tonnage	Beaching / Destination (Yard)	Price (USD/t)	Source
109	MSC Kerry	9062960	1995 / 28	2023	Container ship	Panama	240	15 580	India	545	[43]
110	MSC Lana II	9193719	1999 / 24	2023	Container ship	Liberia	194	10 351	India	515	[43]
111	MSC Levina	8608200	1989 / 34	2023	Container ship	Panama	241	12 858	India	565	[43]
112	MSC Lucia	8413887	1985 / 38	2023	Container ship	Panama	189	8 911	Alang, India		[43]
113	MSC Maria	9067544	1993 / 30	2023	General cargo ship	Panama	125	3 952	India	547	[43]
114	MSC Nicole	8509387	1989 / 34	2023	Container ship	Panama	198	13 961	India	521	[43]
115	MSC Nora II	9163207	1999 / 24	2023	Container ship	Panama	194	10 611	Alang, India	592	[43]
116	MSC Pilar	8715871	1990 / 33	2023	Container ship	Panama	294	23 740	Alang, India	544	[43]
117	MSC Rita	9289116	2005 / 18	2023	Container ship	Panama	325	30 712	India	550	[43]
118	MSC Tia II	9193680		2023					Alang, India		[43]
119	MSC Veronique	8618293	1989 / 34	2023	Container ship	Panama	297	23 190	Alang, India	550	[43]
120	MSC Eagle F	9190092	2000 / 24	2024	General cargo ship	Liberia	143	6 878	India	505	[43]
121	MSC Jemima	9051478	1994 / 30	2024	Container ship	Liberia	202	13 677	India	525	[43]
122	MSC Nilgun	9051492	1994 / 30	2024	Container ship	Panama	202	12 553	India	565	[43]
123	MSC Rossella	9065443	1993 / 31	2024	Container ship	Panama	243	13 305	India	575	[43]
124	MSC Sophie	9073062	1993 / 31	2024	Container ship	Panama	243	13 616	India	565	[43]
125	MSC Uma (ex-Neptun, ex-CMA CGM Cortes, ex-Cap Vincent, ex-Neptun, ex-Kota Perdana, ex-Neptun)	9163192	Built 1998 / Age 26 yrs	2024	Container ship	Deflagged Madeira > Liberia (May 2023)			Alang, India (Jan 13 2024)	525 $ / ton	[43]

Conclusions

Over the course of a decade, the record of Mediterranean Shipping Company (MSC) reveals a striking duality. On the one hand, MSC has become the world's largest container carrier, a dominant force in global logistics, celebrated for its rapid growth and strategic reach. On the other hand, its trajectory has been punctuated by repeated compliance failures, environmental disasters, and legal evasions that expose a systemic imbalance between commercial expansion and responsibility.

The documented history shows a clear pattern. MSC has often deployed ageing and technically vulnerable vessels on routes in the Global South, where oversight is weaker and local communities often lack the resources to enforce full accountability. These older ships, exemplified by the MSC ELSA 3, accumulate technical deficiencies and operate under flags of convenience, a system that provides legal and financial insulation for the parent company while shifting risk to coastal populations and fragile ecosystems. When incidents occur, as they did with MSC Chitra in Mumbai, MSC Zoe in the North Sea, and MSC ELSA 3 off Kerala, the consequences are severe: oil and chemical spills, plastic pellet pollution, destroyed fisheries, and long-lasting social and environmental damage.

MSC's responses to such crises demonstrate a calculated legal posture rather than a proactive ethic of care. The company routinely invokes international conventions to cap compensation far below the real cost of damages, deploys one-ship ownership structures to blur liability, and delays substantive engagement until pressed by courts or public outrage. The contrast is stark: in European waters, where scrutiny is intense, MSC has funded full clean-ups and settled claims quickly; in South Asia or Africa, its stance has been silence, denial, or minimal gestures until compelled by governments. This asymmetry underscores a wider problem in international maritime governance — liability and enforcement are unevenly distributed, leaving weaker jurisdictions and their communities to bear disproportionate costs.

End-of-life management amplifies this imbalance. MSC's official commitment to "sustainable

recycling" is belied by the steady flow of its ships to South Asian beaching yards, facilities notorious for unsafe labor practices and environmental contamination. While MSC points to certificates of compliance and audits, the reality documented by NGOs is that toxic ships continue to be dismantled on tidal beaches, with workers and local ecosystems paying the price. The company's choices reflect a structural preference for cost savings over responsible disposal, using loopholes in waste export law and the flexibility of flags of convenience to shift burdens onto the Global South.

The MSC ELSA 3 disaster of 2025, however, may mark a turning point. The unprecedented lawsuit filed in Kerala, alongside the conditional arrest of an MSC sister ship, signals that coastal states in the Global South are beginning to challenge the liability-limiting strategies long used by global carriers. If India's courts uphold claims far beyond traditional tonnage limits, it could set precedents that reshape accountability frameworks worldwide. Similarly, the growing scrutiny of MSC's shipbreaking practices by European regulators and NGOs may close off the escape valves that have allowed companies like MSC to externalize costs for decades.

In sum, MSC's record between 2015 and 2025 demonstrates not isolated failings but a systematic corporate model: maximize global market share through aggressive fleet expansion, contain liability through legal and structural shields, and externalize environmental and social costs onto weaker jurisdictions. The consequences — from Kerala's devastated fisheries to polluted beaches in the Wadden Sea — show that this model is unsustainable.

Whether MSC adapts voluntarily, or is forced to reform by mounting legal, regulatory, and reputational pressures, remains to be seen. What is clear is that MSC's decade-long trajectory embodies the broader governance challenges of global shipping: how to align economic power with social responsibility, and how to ensure that the costs of trade are not borne disproportionately by those least able to bear them.

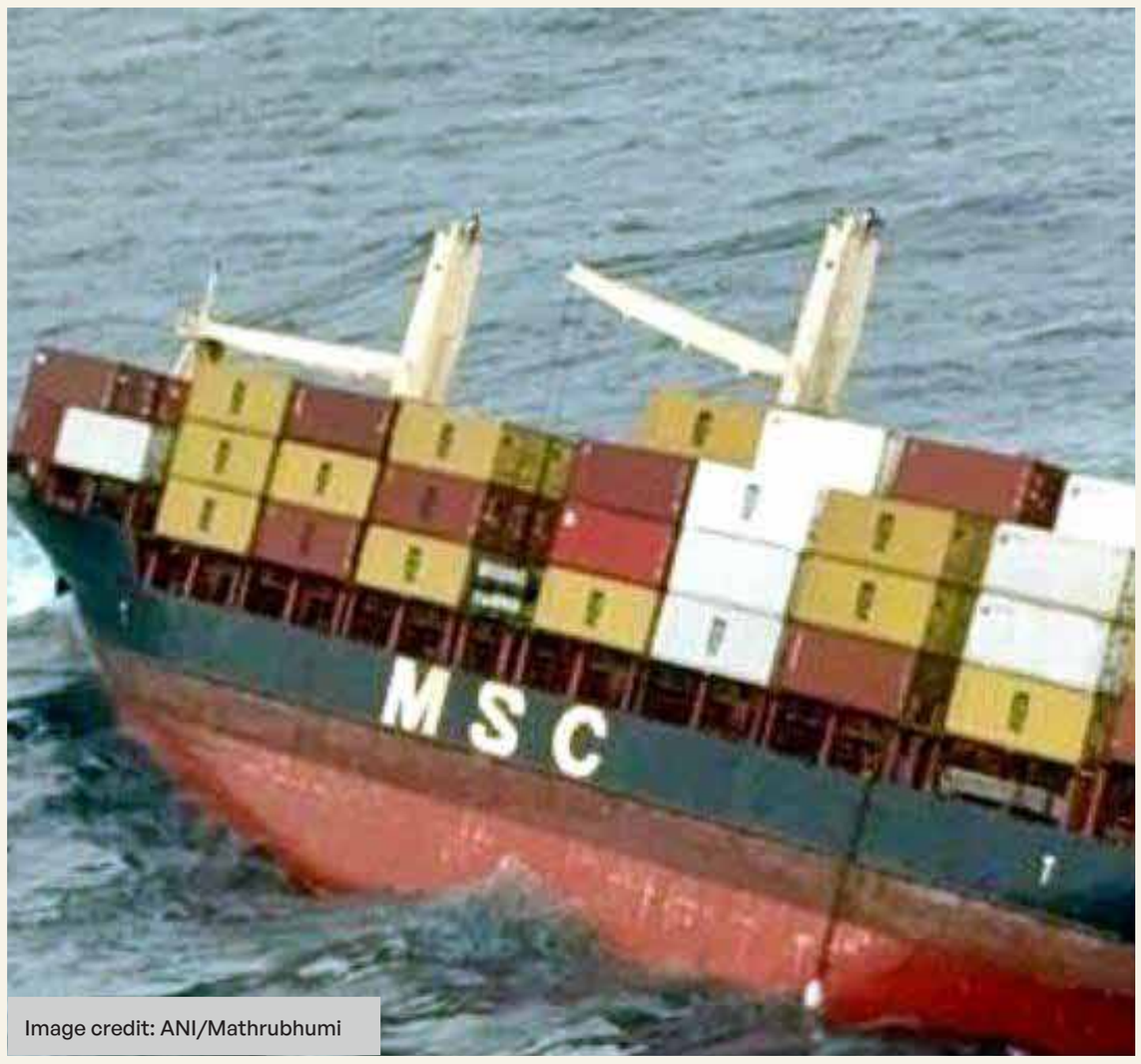


Image credit: ANI/Mathrubhumi

Summary

The evidence from 2015–2025 shows MSC systematically:

- ***Deploying older vessels in regions with weaker enforcement.***
- ***Using flags of convenience to limit accountability.***
- ***Minimizing compensation via liability limitation and settlements.***
- ***Relying on South Asian beaching for disposal of end-of-life ships.***

The MSC ELSA 3 disaster catalysed new legal strategies in India that could influence global accountability frameworks.

References

[1] KSDMA - Kerala State Disaster Management Authority, “Ship Wreck – MSC ELSA 3.” Accessed: Oct. 10, 2025. [Online]. Available: https://sdma.kerala.gov.in/ship-wreck-msc-elsa-3/

[2] Greenpeace South Asia, “The Issue Brief on MSC ELSA 3 Shipwreck,” greenpeace.org. Accessed: Oct. 10, 2025. [Online]. Available: https://www.greenpeace.org/static/planet4-india-stateless/2025/07/ac5543ac-issue-brief-by-greenpeace-newspaper_print_with-qr_compressed.pdf

[3] K. M. Seethi, “Shipwreck and Showdown: The MSC Elsa-3 Case and the Test of India’s Maritime Law and Coastal Protection - The Wire,” The Wire. Accessed: Oct. 10, 2025. [Online]. Available: https://thewire.in/environment/shipwreck-and-showdown-the-msc-elsa-3-case-and-the-test-of-indias-maritime-law-and-coastal-protection

[4] Mathrubhumi, “Ship-sinking incident: Kerala HC asks MSC to pay Rs 1,200 crore,” Mathrubhumi.com. Accessed: Oct. 10, 2025. [Online]. Available: https://english.mathrubhumi.com/news/kerala/kerala-high-court-ship-sinking-fine-in-crore-and-updates-r1yxr221

[5] P. Manoj, “MSC ELSA-3 sinking: A shipwreck that exposed systemic fault lines,” infra.com. Accessed: Oct. 12, 2025. [Online]. Available: https://infra.economictimes.indiatimes.com/news/ports-shipping/exposing-systemic-flaws-the-sinking-of-msc-elsa-3-and-its-lessons-for-global-shipping/121897743

[6] Lloyd’s List, “MSC sued in India for $1.1bn over oil spill :: Lloyd’s List,” Lloyd’s List. Accessed: Oct. 10, 2025. [Online]. Available: https://www.lloydslist.com/LL1154138/MSC-sued-in-India-for-11bn-over-oil-spill

[7] The Maritime Executive, “Photos: 14,000 TEU Box Ship Catches Fire Off Sri Lanka,” maritime-executive.com. Accessed: Oct. 10, 2025. [Online]. Available: https://maritime-executive.com/article/photos-14000-teu-box-ship-catches-fire-off-sri-lanka

[8] M. Buitendijk, “Shipping company MSC Zoe pays 3.4 million euros to Dutch state | SWZ|Maritime,” SWZ Maritime. Accessed: Oct. 10, 2025. [Online]. Available: https://swzmaritime.nl/news/2021/01/28/shipping-company-msc-zoe-pays-3-4-million-euros-to-dutch-state/

[9] A. Giuffrida, “Cruise ship crashes into tourist boat in Venice, injuring five people | Italy | The Guardian,” The Guardian. Accessed: Oct. 10, 2025. [Online]. Available: https://www.theguardian.com/world/2019/jun/02/cruise-ship-crashes-into-tourist-boat-in-venice-injuring-five-people

[10] L. J. Nelson and H. Fry, “Cargo ship companies to pay $96.5 million in O.C. oil spill - Los Angeles Times,” LA Times. Accessed: Oct. 10, 2025. [Online]. Available: https://www.latimes.com/california/story/2023-03-02/shipping-firms-will-pay-pipeline-company-nearly-100-million-over-anchor-strikes-in-o-c-oil-spill

[11] The Hindu Bureau, “Sinking of MSC ELSA 3: HC permits publishing of details of admiralty suit,” The Hindu. Accessed: Oct. 10, 2025. [Online]. Available: https://www.thehindu.com/news/national/kerala/sinking-of-msc-elsa-3-hc-permits-publishing-of-details-of-admiralty-suit/article69961500.ece

[12] Riviera News, “Fire-damaged MSC Messina reaches Singapore for repairs,” riviera. Accessed: Oct. 10, 2025. [Online]. Available: https://www.rivieramm.com/news-content-hub/news-content-hub/fire-damaged-msc-messina-reaches-singapore-for-repairs-66567

[13] K. S. Jennath, “Kerala High Court Says State Can Maintain Admiralty Suit Over MSC ELSA 3 Sinking But Slashes Security For Release Of Arrested Sister Vessel,” Ikivelaw.in. Accessed: Oct. 10, 2025. [Online]. Available: https://www.livelaw.in/high-court/kerala-high-court/kerala-high-court-state-admiralty-suit-msc-elsa-compensation-305173

[14] K. S. Jennath, “Kerala High Court Orders Conditional Arrest Of MSC ELSA 3’s Sister Ship MSC Palermo Over Maritime Suits Claiming ₹2.6 Crore In Damages,” livelaw.in. Accessed: Oct. 10, 2025. [Online]. Available: https://www.livelaw.in/high-court/kerala-high-court/kerala-high-court-mv-msc-palermo-elsa-3-300698

[15] K. Perumal, P. Kolandhasamy, and C. Thavasimuthu, “Environmental impact of nurdle spill from MSC ELSA 3 on the Kanyakumari Coast, Southern India,” Mar Pollut Bull, vol. 222, p. 118615, Jan. 2026, doi: 10.1016/J.MARPOLBUL.2025.118615.Accessed: Oct. 10, 2025. [Online]. Available: https://www.sciencedirect.com/science/article/pii/S0025326X25010914

[16] HJ, “Aging containership fleet has not driven an increase in vessel scrapping,” Linerlytica. Accessed: Oct. 10, 2025. [Online]. Available: https://www.linerlytica.com/post/aging-containership-fleet-has-not-driven-an-increase-in-vessel-scrapping/

[17] NGO Shipbreaking Platform, “Press Release - Platform publishes list of ships dismantled worldwide in 2023,” NGO Shipbreaking Platform. Accessed: Oct. 10, 2025. [Online]. Available: https://shipbreakingplatform.org/platform-publishes-list-2023/

[18] IMO, “GISIS - Marine Casualties and Incidents - MSC ELSA 3,” IMO. Accessed: Oct. 12, 2025. [Online]. Available: https://gisis.imo.org/Public/MCIR/Occurrence.aspx?Reference=C1000776

[19] Equasis, “Equasis - ShipInspection MSC ELSA 3 (IMO 9123221),” Equasis. Accessed: Oct. 10, 2025. [Online]. Available: https://www.equasis.org/EquasisWeb/restricted/ShipInspection?fs=DetailsPSC

[20] Greenpeace South Asia, “MSC ELSA 3 Shipwreck Pushes Kerala Fishers Into Debt and Distress, Reveals Greenpeace India report - Greenpeace South Asia,” greenpeace.org. Accessed: Oct. 10, 2025. [Online]. Available: https://www.greenpeace.org/southasia/publication/19486/msc-elsa-3-shipwreck-pushes-kerala-fishers-into-debt-and-distress-reveals-greenpeace-india-report/

[21] P. Hancock, “MSC ELSA 3 - Shipwreck Log,” Shipwreck log. Accessed: Oct. 12, 2025. [Online]. Available: https://shipwrecklog.com/log/2016/08/msc-elsa-3/

[22] W.E. Cox, “Casualty Notice - MSC ELSA 3 - Capsizing.” Accessed: Oct. 10, 2025. [Online]. Available: https://www.wecoxclaimsgroup.com/casualty-notices/casualty-notice-msc-elsa-3-capsizing/

[23] ITOPF, “MSC NAPOLI, United Kingdom, 2007,” ITOPF. Accessed: Oct. 10, 2025. [Online]. Available: https://www.itopf.org/in-action/case-studies/msc-napoli-united-kingdom-2007/

[24] M. Lambert, “Example of General Average | M/V MSC Sabrina - March 2008,” traderiskguaranty.com. Accessed: Oct. 10, 2025. [Online]. Available: https://traderiskguaranty.com/trgpeak/general-average-msc-sabrina-story/

[25] A. Mukherji, “Khalijia-Chitra oil spill damage worth Rs514cr | Mumbai News,” Times of India. Accessed: Oct. 10, 2025. [Online]. Available: https://timesofindia.indiatimes.com/city/mumbai/khalijia-chitra-oil-spill-damage-worth-rs514cr/articleshow/10060004.cms

[26] Wikipedia, “MSC Flaminia - Wikipedia.” Accessed: Oct. 11, 2025. [Online]. Available: https://en.wikipedia.org/wiki/MSC_Flaminia

[27] The Marine Executive, “MSC Ship Aground in St. Lawrence Seaway,” maritime-excutive.com. Accessed: Oct. 11, 2025. [Online]. Available: https://maritime-executive.com/article/msc-ship-aground-in-st-lawrence-seaway

[28] Sri Lanka Navy, “SLN, ICG and Indian Navy combine to douse fire onboard MV Daniela.” Accessed: Oct. 11, 2025. [Online]. Available: https://news.navy.lk/eventnews/2017/04/04/201704041955/

[29] A. Faul, “Massive cruise ship crashes into dock in Honduras - ABC News,” ABC News. Accessed: Oct. 11, 2025. [Online]. Available: https://abcnews.go.com/International/cruise-ship-crashes-dock-honduras/story?id=54390794&

[30] NL Times, “Shipping company pays €3.4 million compensation for overboard containers | NL Times,” NL Times. Accessed: Oct. 11, 2025. [Online]. Available: https://nltimes.nl/2021/01/29/shipping-company-pays-eu34-million-compensation-overboard-containers

[31] MSC, “MSC Statement on MSC LUCIA Incident | MSC,” msc.com. Accessed: Oct. 11, 2025. [Online]. Available: https://www.msc.com/en/newsroom/press-releases/2021/october/msc-statement-on-msc-lucia-incident

[32] Asian News International, “Indian Coast Guard Rushes To Help Container Ship On Fire In Indian Ocean,” NDTV. Accessed: Oct. 11, 2025. [Online]. Available: https://www.ndtv.com/india-news/indian-coast-guard-rushes-to-help-container-ship-on-fire-in-indian-ocean-2472383

[33] M. Hand, “MSC part of $45m settlement for Southern California pipeline spill,” Seatrade Maritime. Accessed: Oct. 11, 2025. [Online]. Available: https://www.seatrade-maritime.com/containers/msc-part-of-45m-settlement-for-2021-southern-california-pipeline-spill

[34] S. J. Young, “Fire in MSC Lirica’s Lifeboat Was Extinguished; No Crew Injuries | Travel Agent Central,” travel Agent Central. Accessed: Oct. 11, 2025. [Online]. Available: https://www.travelagentcentral.com/cruises/fire-msc-lirica-s-lifeboat-was-extinguished-no-injuries

[35] Pax Global Media, “Power failure leaves massive MSC ship adrift, coast guard steps in,” Pax News. Accessed: Oct. 11, 2025. [Online]. Available: https://www.paxnews.com/news/cruise/power-failure-leaves-massive-msc-ship-adrift-coast-guard-steps

[36] M. Rodrigo, “Twin ship disasters in India threaten widespread pollution on Sri Lankan coasts,” Mongabay. Accessed: Oct. 11, 2025. [Online]. Available: https://news.mongabay.com/2025/06/twin-ship-disasters-in-india-threaten-widespread-pollution-on-sri-lankan-coasts/

[37] M. Viswanathan, “Oil extraction from sunken MSC ELSA 3 hits dead end as shipping firm drops salvage contractor,” The New Indian Express. Accessed: Oct. 10, 2025. [Online]. Available: https://www.newindianexpress.com/cities/kochi/2025/Jun/24/oil-extraction-from-sunken-msc-elsa-3-hits-dead-end-as-shipping-firm-drops-salvage-contractor

[38] International Maritime Organisation (IMO), “The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships,” IMO. Accessed: Oct. 11, 2025. [Online]. Available: https://www.imo.org/en/about/conventions/pages/the-hong-kong-international-convention-for-the-safe-and-environmentally-sound-recycling-of-ships.aspx

[39] A. Corbett, “Shipping’s ‘worst corporate dumper’ revealed by shipbreaking NGO,” TradeWinds. Accessed: Oct. 12, 2025. [Online]. Available: https://www.tradewindsnews.com/sustainability/shipping-s-worst-corporate-dumper-revealed-by-shipbreaking-ngo/2-1-1593553

[40] myKN, “MSC sells more aged containerships for scrap but recycling market remain ‘on life support,’” myKN. Accessed: Oct. 11, 2025. [Online]. Available: https://mykn.kuehne-nagel.com/news/article/msc-sells-more-aged-containerships-for-scrap-24-Jun-2024

[41] The Maritime Executive, “MSC Criticized for South Asian Demolition Sales,” maritime-executive.com. Accessed: Oct. 11, 2025. [Online]. Available: https://maritime-executive.com/article/msc-criticized-for-south-asian-demolition-sales

[42] NGO Shipbreaking Platform, “Annual Lists of Scrapped Ships,” NGO Shipbreaking Platform. Accessed: Oct. 11, 2025. [Online]. Available: https://shipbreakingplatform.org/annual-lists/

[43] Robin Des Bois, “Shipbreaking Bulletin of information and analysis on ship demolition #71,” robindesbois.org. Accessed: Oct. 11, 2025. [Online]. Available: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://robindesbois.org/wp-content/uploads/shipbreaking71.pdf

[44] Port News Editorial Staff, “MSC scrapping some of its ships again,” PortNews. Accessed: Oct. 11, 2025. [Online]. Available: https://www.portnews.it/en/msc-scrapping-some-of-its-ships-again/