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**United Nations
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Programme**

**Ad Hoc Open-Ended Expert Group
on Marine Litter and Microplastics
Fourth meeting**
Virtual meeting
9-13 November 2020
Item 5 of the provisional agenda*
**Consideration of potential response
options pursuant to subparagraph
10(d) of United Nations Environment
Assembly resolution 3/7**

**Submissions on potential options for continued work for
consideration by the United Nations Environment Assembly
(Provisional document)**

Note from the Secretariat

1. The ad hoc open-ended expert group on marine litter and microplastics (AHEG) was established through the United Nations Environment Assembly resolution 3/7 paragraph 10, which requested the group to, amongst other things, through subparagraph 10(d):
“To identify potential options for continued work for consideration by the United Nations Environment Assembly”
2. The expert group’s mandate was extended through resolution 4/6 paragraph 7.
3. Pursuant to subparagraph 7(d) of UNEA resolution 4/6 and paragraph 10 of UNEA resolution 3/7, it was requested that “an opportunity should be given to update submissions of response options discussed at the second meeting of the expert group in time for the fourth meeting” at AHEG-3¹. The Chair of AHEG thereafter sent a letter on 11 December 2019, inviting member States and stakeholders to provide submissions of potential response options through the AHEG web portal.
4. By the deadline of 15 August 2020, the Secretariat received 14 submissions from member States and Specialized Agencies, and 6 submissions from Major Groups and Stakeholders. Original and unedited submissions are available on the AHEG web page². The Secretariat invited AHEG members who had contributed submissions to send pre-recorded presentations to elaborate on

¹ Paragraph 59 of the meeting report of AHEG-3:
<http://wedocs.unep.org/bitstream/handle/20.500.11822/31115/K1905085%20-%20UNEP-AHEG-2019-3-6%20-%20SECOND%20ADVANCE%20FOR%20CLIENT%20ONLY.pdf?sequence=1&isAllowed=y>

² All submissions are available at <https://papersmart.unon.org/resolution/potential-response-options-submissions>

their submissions, the pre-recorded presentations were voiced over in all UN official languages and made available online³.

5. This document provides a compilation of submissions the Secretariat has received on response options, all submissions are presented in this document as received without any changes.

³ <https://environmentassembly.unenvironment.org/submissions-potential-response-options-documents-and-recordings>

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MEMBER STATES

AFRICAN GROUP

SUBMISSION BY THE AFRICAN GROUP ON POTENTIAL RESPONSE OPTIONS TO COMBAT MARINE PLASTIC LITTER AND MICROPLASTICS FROM ALL SOURCES

Context

Since the creation of the ad-hoc open-ended expert group on marine litter (AHEG) in 2017, through UNEA resolution 3/7, UN member states have explored barriers and options for tackling the problem of marine plastic pollution.

African States have contributed actively to these discussions, both individually and as a group. And as we pointed out in a joint African Group statement at the Third AHEG meeting in Bangkok in November 2019, the problem of marine litter and microplastics is a threat to our region as it has serious economic, ecological and social consequences that can derail our progress towards a sustainable development future.

In the Durban Declaration, adopted at the 17th African Ministerial Conference on Environment (AMCEN) in November 2019, African States also committed to “supporting global action to address plastic pollution which will require further work to engage more effectively on global governance issues on plastic pollution, including reinforcing existing agreements and the option of a new global agreement on plastic pollution that takes a comprehensive approach to addressing the full lifecycle of plastics”.

Purpose

This submission further develops the views of the Group regarding possible global response options, including by considering some of the elements that could form part of a new and strengthened global governance structure to address the problem of plastic pollution.

Regional situation

Africa is a leader in taking action on management of plastics, and nearly half of all States in Africa have introduced legislation aimed at tackling plastic pollution, including by prohibiting certain leakage-prone products like plastic bags. However, this has come with some challenges such as influx of plastics from other regions through porous borders, inadequate enforcement and loss of jobs. The effects of these efforts have been further limited by the lack of a dedicated and coherent international regulatory framework. Tackling plastic pollution requires a comprehensive and multilayered approach.

In short, and as also stated at the Third AHEG meeting in Bangkok in November 2019, there is a limit to how much we can achieve on national level alone, and that is not only the case for African States. Plastic pollution is a transboundary issue, not just because millions of tons end up in the ocean every year, beyond national jurisdiction, or because plastic that is discharged in one country can end up as litter or even as precipitation in another country.

The entire value-chain of plastic is transboundary, with global trade in raw materials, global trade in manufactured products and global trade in collected plastic waste.

A stronger global response is therefore needed to enable the success of national initiatives. The

voluntary initiatives that have been put in place over the past decades have fallen short, and the Regional Seas Conventions and Action Plans are not set up to deal with global supply chains, design standards or recycling requirements. Partly as a result of this, a growing number of States, including the African Group, have, over the past two years, signalled an interest in exploring the option of a new legally binding agreement.

Possible elements in a new global governance architecture or agreement

1. **Shared vision:** Building on the zero-vision agreed to in UNEA resolution 3/7, the international community should articulate a clear goal of eliminating all discharge of plastic into the ocean, directly or indirectly, based on the principle of precaution and in recognition of the devastating impact plastic pollution has on ecosystems and livelihoods.
2. **Reduction targets:** Based on an agreed calculation method, the international community should set a clear and measurable reduction target, to be reached by a certain year. The common reduction target should also be translated into national reduction targets, in an equitable manner, based on the principle of common but differentiated responsibilities. It will be important to ensure, however, that the sum of national commitments are sufficient to achieve the common objective, something that other environmental issues have struggled with. Moreover, we believe that urgency is needed in the near-term in line with SDG 14.1 (“by 2025, prevent and significantly reduce marine pollution of all kinds, particularly from land-based activities, including marine debris and nutrient pollution”).
3. **National action plans:** In order to improve long-term planning, predictability for business, and promote transparency, the new global governance architecture should facilitate the development of national action plans, which would serve as planning tools in efforts to achieve the national reduction targets. National action plans are also useful in terms of adapting policy measures and regulatory interventions to local and national context.
4. **Monitoring and reporting:** A new global governance architecture should provide for an agreed measurement, reporting (covering plastic production, use and management at the national and international level in order to measure progress toward a safe circular economy for plastics and the elimination of leakage.) and verification scheme for tracking marine litter and microplastics discharge and the progress made to eliminate them at a national and international level.
5. **Scientific body:** Monitoring of national discharge should be supplemented by the establishment of a dedicated international scientific body with a mandate to assess and track the extent of the problem, and collect state-of-the-art knowledge to provide inputs for decision-making and implementation.
6. **Implementation support:** A new global governance structure or agreement must include a system for supporting States in their efforts to achieve their reduction targets. This should include a financial mechanism and a scheme for transfer of technology and expertise.

7. **Common rules and regulations:** The international community should strive to develop common calculation methods, definitions, standards and regulations for an efficient and coordinated global effort to combat plastic pollution. To the extent that certain policy measures, such as banning primary microplastics in cosmetics or phasing out of certain single-use plastic items, are considered meaningful by a majority of States, the new global governance architecture should provide a platform for adopting uniform regulatory measures applicable to all States. Particular attention should be given to those categories of plastic products that are most prone to leakage and that pose a particular risk to the environment, including single-use plastics, fishing gear and primary microplastics.

Suggestions for national or local response options

1. Regulatory or governance measures:

- Subscribe to the provisions of the National Coastal Plans and add to them a section related to marine litter in the context of the protection and preservation of the coastal ecosystems.
- Introduce taxes on the disposal of waste in the natural environment.
- Pooling efforts and creating synergies between various partners, and establishing national agencies dedicated to the coast with an entity dedicated to the issue of marine and microplastic waste if necessary.

2. Operational measures:

Carry out collection campaigns at the beaches throughout the year and raise awareness among municipalities to introduce this waste as part of the National Household Waste Collection Programs, taking into account the collection time which must be before high tides to prevent litter from ending up at sea.

- Promote improved waste management systems (upstream sorting, recycling and recovery).
- Encourage managers in the private sector to set up companies dedicated to the recycling and recovery of plastic products through subsidies, and / or public / private partnerships.
- Strengthen reception facilities in ports and involve fishermen in the collection of waste at sea.
- Encourage coastal communities to obtain the “Blue Flag” label by improving waste management in their beaches.
- Make sure to cover all the beaches with the waste collection service (ideally selective),

3. Awareness raising measures:

- Strengthen the capacities of developing countries in general and of African countries in particular in terms of fundraising for pilot and development projects aimed at implementing the aforementioned operational measures in their countries, while creating job opportunities and improving the standard of living of the population.
- Continue and strengthen efforts to raise awareness among citizens of the impacts of marine litter in order to reduce their production upstream.
- Strengthen and perpetuate efforts to raise awareness and educate the environment on the issue of marine litter at beach level, for the benefit of all the public and schools.
- Encourage the development of ICT tools and information and awareness-raising materials for the general public, especially for young people.
- Support managers of marinas to obtain the “Blue Flag” label

Conclusion

UNEA-5 delivers the solution to move this forward by providing the negotiation mandate for a new legally binding instrument to combat plastic pollution.

The African Group is committed to engaging constructively in the discussions on this issue going forward, and we welcome the recent establishment of a Group of Friends on marine plastic pollution in New York. We also have high expectations for an ambitious outcome from 5th session of United Nations Environment Assembly, which should pave the way for strengthened global action to address the problem of plastic pollution.

EUROPEAN UNION AND ITS MEMBER STATES

Submission by the European Union and its Member States on potential response options to combat marine plastic litter and microplastics from all sources

The issue of plastic marine litter and microplastics has been on the United Nations Environment Assembly (UNEA) agenda since its very first session in 2014. The Ad-hoc open-ended expert group on marine litter (AHOEEG) was established in 2017 by UNEA Resolution 3/7. The AHOEEG was tasked with identifying potential response options for combating marine plastic litter and microplastics from all sources.

At its first meeting in May 2018, the AHOEEG agreed that the status quo was not an option. The outcomes of the 2nd AHOEEG discussions on governance concluded that the overall approach to solving the problem of plastic pollution should be comprehensive and holistic, transparent as well as evidence-based. Such an approach, as the outcome paper highlighted, should address sea and land-based sources, support the circular economy model and cover the full life-cycle of plastics. Finally, it was stated that the overall goal should be the elimination and prevention of plastic waste and marine litter by envisaging immediate as well as sustained, long-term action¹¹.

As no consensus on global response options was found, UNEA Resolution 4/6 extended the mandate of the AHOEEG. It requested from the expert group, building on its previous work, to carry out a stocktaking exercise of current activities, identify technical and financial resources and mechanisms, encourage partnerships and analyse the effectiveness of existing and potential response options and activities with regard to marine litter and microplastics at all levels in order to determine their contribution to solving the recognized global problem. During the 3rd meeting of the AHOEEG in Bangkok it was agreed that a discussion on potential response options would take place during the following AHOEEG meeting and this was reflected in the last agenda proposal by the Chair. Accordingly, the Chair of the AHOEEG invited participants, through a letter dated 11 December 2019, to provide submissions on potential response options.

The EU and its Member States consider that the next two AHOEEG meetings should both continue elaborating on the findings of the AHOEEG to date and identifying concrete potential response options.

This submission aims to develop further some of the elements of possible global response options, notably with regard to the need for a new global framework for plastics. It is a contribution to the discussion under item 5 of the agenda as tabled by the Chair during the 3rd AHOEEG meeting. This discussion should be the focus of work of the next two AHOEEG meetings, where breakout sessions should be organised over several days to allow for fruitful and dynamic exchanges.

The EU and its MS would once again like to recall that urgent action is needed at all levels of governance and in parallel to the discussions on global response options. We stress the importance for the AHOEEG to deliver on the group's original and extended mandate and complete the work that was initially supposed to be completed before UNEA4 – notably, identification of a range of options at various levels – during the remaining two AHOEEG meetings before UNEA5.

The EU has already taken decisive policy and legislative steps in addressing plastic pollution within its jurisdiction. The European Green Deal - the EU's growth strategy – is based on a circular economy

¹ https://papersmart.unon.org/resolution/uploads/governance_summary_for_posting_final_lowith_annex_.pdf

model that allows the economy to grow within the planetary boundaries, complemented by the precautionary principle of environmental policy. Even if we now have ambitious policies and legislation in this area, we recognize that action at national or regional level will not be sufficient to deal with a problem, which is transboundary in scale and nature and, as such, demands global action.

It is important to bear in mind that plastic pollution is not solely a problem of the seas and oceans but rather a growing general environmental challenge with some estimates pointing to plastic pollution of soils between four and 23 times greater than in the seas². An effective response should consist in supporting a full implementation of existing efforts and addressing remaining governance and policy gaps. In our view, the remaining gaps requiring action at a global level exist along the full life-cycle of plastics but are most prominent in the upstream part of it. Addressing the gaps should result in the prevention of waste generation and decrease of leakage of plastics into the environment.

A global response based on a resource efficient and circular approach to plastics would give the necessary leverage to national authorities wishing to effectively address the challenges they face, in particular countries that are primarily consumers of plastic products. It would also help them to make their economic strategies less linear. This long-term strategic shift to a resource efficient and, as far as possible, circular economy could in turn facilitate availability of financial and technical resources necessary to implement it.

In a nutshell, the global response needs to be truly holistic in several ways. It should build on existing efforts, be multi-layered (action at all levels) and address all stages of the life-cycle of plastic- from sustainable production (including design of materials and products) and consumption (including distribution and use of products) - to environmentally sound waste and wastewater management (including waste collection). Finally, all stakeholders should be fully associated with the process.

The ultimate aim of any response option at the global level should be to provide the necessary enabling policy and regulatory environment supportive to a significant reduction and eventual elimination of the discharge of plastics and microplastics into the environment. The international community needs to provide a coordinated and ambitious response that has a clear vision and objectives, sets priorities and targets, gives cohesion and context to numerous existing initiatives, while avoiding duplication of efforts, and most importantly fills identified gaps in a coordinated and structured manner.

The EU and its Member States would therefore like to put forward elements of a global response option for further discussion at the AHOEEG meetings:

- *Establishing a common vision and objectives*

A global response option to tackling the problem of plastic pollution would start from establishing a common vision at a global scale. A starting point for setting such a vision has been laid out by UNEA 3. In UNEA resolution 3/7 the assembly has stressed the importance of long-term elimination of discharge of litter and microplastics into the oceans and of avoiding detriment to marine ecosystems and the human activities dependent on them. It further urged all actors to step up actions to, by 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution. UNEA 4 failed to develop that vision further, but adopted a number of resolutions, which touch upon areas relevant for our work, not least Resolution 4/9 on Addressing Single-use Plastic Products Pollution, Resolution 4/1 on Innovative Pathways to Achieve Sustainable Consumption and Production and 4/7 on Environmentally Sound Management of Waste, which all contain important elements to be borne in mind in the course of our work. We therefore need to work further on developing shared objectives in order to further specify the

² The Plastic Atlas 2019, Heinrich Böll Foundation, p.21

vision, which will help identify areas in need of global action.

- *Action at local, regional, national and global level*

Any effective global response option should promote the continuation of already established frameworks and efforts at global, regional, national and local levels. Any new global framework should be flexible enough to take into account national circumstances as well as region-specific challenges, which may differ significantly. One way to do this could be through a commitment to establish national action plans in which countries would set themselves targets and identify measures for tackling plastic pollution thereby committing to taking action best suited to their individual context. This structure would thus allow for the accounting of nation-specific challenges and facilitate tailor-made solutions, including support necessary to implement them.

- *Building on existing instruments*

With regard to environmentally sound management and transboundary movement of plastic waste, significant progress at international level has been made with the amendment of annexes to the Basel Convention (BC) and other action related to plastic waste, including the establishment of a Partnership on plastic waste and development of technical guidelines on the environmentally sound management of plastic waste. At the regional seas' level a large number of regional sea organisations have established comprehensive regional Marine Litter Action Plans and monitoring and assessment activities. UNCLOS provides the overall legal framework for the conservation and sustainable use of oceans and their resources. Under the MARPOL Convention, the IMO has adopted an Action plan to enhance existing regulations and introduce new supporting measures to reduce marine plastic litter from ships. The London Convention and Protocol regulate the dumping of wastes at sea. FAO activities supported by GESAMP provide guidance on fishing gear. These commitments should continue to be implemented and strengthened within the mandates of the respective agreements and organizations. Any new governance framework should take into account these existing instruments and efforts, making the best use of what we already have.

- *Closing the gap - addressing the full lifecycle of plastics with a focus on prevention of plastic pollution*

Addressing the problem throughout the life-cycle will only be possible by promoting pathways to sustainable production and consumption, including a circular economy approach, which includes sustainable design and production of materials and products and their sustainable use, recovery of used materials for further use, thereby preventing plastic pollution from occurring in the first place. Existing instruments and initiatives, although numerous and important in contribution they make, have still left a gap or cannot efficiently tackle, especially the upstream side of the plastic pollution problem, as identified in the 2018 UNEP report³. Filling this gap would require addressing this upstream side of the plastics life- cycle but also other stages of the life-cycle where needed.

In this context the following elements should be considered:

³ [UNEP \(2018\). Combating Marine Plastic Litter and Microplastics: An Assessment of the effectiveness of relevant international, regional and sub-regional governance strategies and approaches – Summary for Policy Makers.](#)

Sustainable production of the plastic value chain presents a major challenge, necessitating a special emphasis on **how primary materials and actual products (including packaging) are designed and produced**. The new governance framework could address sustainability and responsible production of primary materials, such as plastic pellets, including their trade. It should help make products more sustainable – long-lived, reusable and recyclable. It would be necessary to address product design to increase reusability and recyclability as well as recycled material content, and help prevent plastic from becoming waste. Product design aspects should also make products contain/generate less or no microplastics. This should also encompass addressing a range of plastic compounds, hazardous chemical additives and quality specifications, including increasing transparency throughout the value chain with regard to information on compounds and additives used in plastics. Moreover, there is a need to strengthen markets for recycled materials rather than virgin plastics. Industry and the already ongoing worldwide standardization efforts could contribute to this stream of work through the proposed multi-stakeholder platform. Work and progress on these issues made by the Partnership for plastic under the Basel Convention should be taken into account when discussing response option and the way to address them under the new governance framework. It is also worth exploring whether and how the OECD could contribute to the standard harmonisation efforts.

- **Sustainable consumption** plays a role in reducing the use of unnecessary and environmentally harmful plastics and it will be crucial for reducing plastic pollution leaking into the environment. Information about the lifecycle and sustainability of products should therefore be easily and readily available to consumers, also in e-commerce, so that they can make informed choices. Actions such as awareness raising campaigns, labelling and/or certification schemes should be considered in this regard. Further efforts are also needed to encourage consumers to adopt sustainable consumption practices, including by moving towards more sustainable uses, such as avoiding plastic products when possible, reusing them and, if this is not possible, switching to sustainable alternatives. In addition, it will be important to improve the use of plastics in other areas such as the use of fishing gear in order to reduce the loss of plastics in the seas and oceans. Again, both the multi-stakeholder platform and Partnership for waste could have a role to play and their efforts should not duplicate.
- There will however always be residual waste that needs to be properly managed. **Environmentally sound waste management**, including sustainable practices for sorting, collection and treatment of waste and wastewater, therefore needs to be a part of the solution. Clean-up actions could be considered, where necessary and effective. The current revision of plastic waste management guidelines under the Basel convention is an opportunity to further strengthen existing streams of work. The Basel Partnership for plastic waste will address this question in a multi-stakeholder format and will launch pilot projects. It will be important to take into account the progress and effectiveness of these actions in order to understand if and what aspects of environmentally sound waste management described above need to be further strengthened or built upon and how to do it. This should also help avoid duplication and invest efforts where existing instruments prove insufficient or impossible to tackle due to their mandate.
- Any global response must be based on **sound science and a compilation of the knowledge** regarding plastic pollution. The work of the regional seas conventions (RSC) on **monitoring and assessment** makes a fundamental contribution, which could be strengthened through expanding their responsibility for managing global data based on harmonised monitoring and assessments. Other scientific bodies such as GESAMP can also provide important input.

- *Structures*

The implementation of a holistic approach as described above will require structures that provide venues for interaction and policy development, with clear roles and efficient coordination mechanisms in order to fulfil such tasks. Such structures will need to be able to accommodate both the need for a full participation and contribution of economic and civil society stakeholders as well as the need for intergovernmental and multilateral interaction. Once the elements described above become more articulated following the discussions in the next AHOEEG, the following step could be a discussion on how these elements could complement each other. Therefore, the EU and its Member States reserve the right to update the below considerations before the final meeting of the AHOEEG. There may be reflection on structures as set out below:

- There are a number of instruments and various actors (existing regional and multilateral instruments, scientific work, multi-stakeholder platform and governments) that could be a part of this, but there is still a need for efficient **coordination to exchange on progress and best practices** between them in order to streamline efforts to avoid duplication of effort and to provide a basis for informed decision-making by the governments and the international community at the global level.
- **The Multi-stakeholder platform** – as established by UNEA Resolution 4/6 could play a role in this. **It should** provide a cooperation platform for industry, academia, civil society, governments and other stakeholders together with governments with a view “to take immediate action towards the long-term elimination, through a life-cycle approach, of discharges of litter and microplastics into the oceans” but it is yet to begin functioning effectively. Industry plays a key role and can make important contribution in solving the plastic pollution problem. With the trade of plastic products or the use of plastic packaging being at a very large scale, solutions for the plastic challenge at the source cannot be feasible without more actions from the private sector. The industry needs to scale-up its efforts that will produce meaningful impact and the platform should be an opportunity for the industry to strengthen their commitments and take more responsibility. The platform should enable active contributions from its members to the work-streams described above in this note. Given that the number of potential members would be vast, the platform could be broken into manageable substructures (e.g. working groups) to make it more efficient in fulfilling its tasks. The activities/actions to be carried out under the platform should have sufficient political visibility and support, including at UNEA sessions.
- In addition to stakeholder commitment, government action (policy and regulatory) was identified as a critical enabler already at the 2nd AHOEEG. Indeed, it will be essential for the efforts at the global level to be underpinned by strong political leadership that will carry the initiative and give it the much needed political visibility and strength. The issue of marine litter has become a broader issue of plastic pollution touching upon several streams of work/clusters: sustainable consumption and production, chemicals and waste, marine litter, plastic pollution of soil, drinking water and other compartments, and all of them should be a part of the overall solution. Yet, there is no **dedicated single venue for governments** at the **global level** to meet and discuss, across all these clusters on the basis of the stakeholders’ input and scientific advice, medium and long-term goals and targets, monitor progress in implementation and agree on joint action and commitments along the life-cycle of plastics.

The AHOEEG will at its last meeting have to consider and provide options on what structural responses the global governance system needs to provide here, if we are to fulfil the mandate given by UNEA 3 and 4.

- Finally, **resource mobilisation** should be an integral part of any global action. Plastic pollution has different impacts around the world, meaning countries face diverse challenges in their responses. Identifying areas in need of and facilitating adequate support will be critical for countries to reach the targets they would set themselves.

NORDIC COUNCIL



Norwegian Ministry
of Climate and Environment

**Att: H.E. Amb Jillian Dempster, Ambassador of New Zealand to UNEP
Chair of the Ad Hoc Open Ended Expert Group on marine litter and microplastics**

Submission – Nordic Report on the scope, content and conceptual approaches to a new global agreement to combat marine plastic litter and microplastics.

Submission by Denmark, Norway, Sweden, Finland and Iceland

Further to your letter dated 11 December 2019 requesting input on Submission of potential response options, pursuant to paragraph 10 (d) of UNEA resolution 3/7 – by 1 February 2020.

The Nordic Council of Ministers for Environment and Climate have contributed towards the global policy discussions on marine litter and microplastics under the auspices of the United Nations Environment Assembly over the past few years through,

Nordic Ministerial Declaration on the call of a new global agreement to combat marine plastic litter and microplastics (30.april 2019). The Nordic Ministers also called for a report to look into the possible elements that could be included in a new global agreement on marine litter and microplastics. Further, the Nordic Council of Ministers also provided financing to the implementation of the §9 and 10 of the UNEA-3 resolution, as well as the assessment of effectiveness fo relevant international, regional and sub-regional governance strategies and approaches presented to UNEA-4 in 2017.

The Nordic report on elements in a new global agreement was requested to inform future decision-making, by sketching out the possible elements and approaches to a new global agreement taking into account the full life-cycle of plastics.

The final report will be launched at the SDG 14 conference hosted by Portugal and Kenya on 2-6 June 2020 in Lisbon.

It is the intention that the drafting of the report will inform and contribute to the discussions under the Ad Hoc Open Ended Expert Group. Thus it is our request that this work will be considered as a submission to the fourth meeting of the Ad Hoc Open-Ended Expert Group on marine litter and microplastics (AHEG-4), under proposed agenda item 5 "Consideration of submissions on potential response options pursuant to paragraph 10 d) of United Nations Environment Assembly resolution 3/7."

IRAN

Submission of potential response options, pursuant to paragraph 10 (d) of UNEA Resolution 3/7

- i. To explore all barriers to combating marine litter and microplastic, including challenges related to resources in developing countries;**
 - a. Legislative gaps in combating land – based and sea – based litter and microplastic:
 - i. A limited mandate on disposing garbage from land _ based sources into coastal area
 - ii. Potential legislative gaps in disposing litter and waste water from different industries into the coastal area pertaining to removing the existing garbage and preventing new pollutions
 - iii. Lack of strategy framework for marine pollution
 - iv. Potential legislative gaps on production and use of land-based materials causing marine litter
 - v. Mandate all vessels to carry GPS to facilitate location logging of lost gear for later retrieval
 - vi. Mandate reporting of gear loss and facilitate sharing of this information to reduce gear conflict
 - vii. Seeking a mandate for Prohibition of Discharge in the Marine Environment
 - viii. Potential legislative gaps relevant to cargo residues include:
 1. A lack of a strict requirement for shippers to declare whether or not cargoes they ship are “harmful to the marine environment” (HME) – this is within the Guidelines, but not mandatory; and
 2. There is no list of solid bulk cargoes or assessment of individual cargoes that are HME: this causes potential variance in assessment. This list (potentially, as with dumping, a ‘reverse list’ which specifies cargoes that are not harmful) may be developed outside legislation and subsequently referenced
 - b. Lack of proper information and reporting from land _ based sources disposed to coastal environment
 - c. Technology: Such as satellite monitoring systems like Clean Sea Net focus primarily on detecting oil discharges, lack of proper technologies to replace plastics and microplastic to environmental friendly materials.
 - d. Financial; Lack of adequate financial resources to combat different items of litters and microplastic originated from land or sea.
- ii. To identify the range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches;**
 - a. At national level, movements of stakeholders and NGOs can be assumed as positive responses especially in sites such as Hormozgan and Bushehr Provinces.
 - b. At regional level a good example was set in coastal areas of the Caspian Sea with the cooperation of 5 states in a project name Caspian Sea Action Plan.

- c. At Global level a good example has already been started with the cooperation of Oman, India, the United Arab Emirates, Pakistan and Iran that Australia is head of project, in line with the Risk Assessment Plan for Plastic Waste Accumulated Areas in the North Coasts of the Persian Gulf and Oman Sea (South Coast of the Country)
- iii. To identify environmental, social and economic costs and benefits of different response options;**
- a. Clean up of some areas for example in Nayband Bay with the help of the stakeholder and planting of Mangrove trees with the help of Local communities.
 - b. Applying Ecosystem-Based Management strategies in coastal wetlands of the Persian Gulf, Gulf of Oman, Caspian Sea and Domestic wetlands. The plan was a part of a larger project which aimed to manage wetlands through different sectors especially local communities by educating and performing restoration criteria.
- iv. To examine the feasibility and effectiveness of different response options;**
- a. Raising awareness of the public especially those involved such as stakeholders, NGOs and local communities
- v. To identify potential options for continued work for consideration by the United Nations Environment Assembly;**
- a. Improve dumping and dumping sites with best available techniques or technologies
 - b. Having litter and microplastic collection site in inshore and offshore areas
 - c. Installing litter and microplastic facilities in inshore and offshore areas
 - d. Clean up of microplastic floating in sea water vial employing advance collecting devises and new machinery
 - e. Replacement of plastic by environment friendly material such as biodegradable material textile bags and so on.
 - f. Caring on in a national bases of identification chemical properties, sources effect, fate and control of marine litter and microplastic
 - g. Implementation of marine litter and microplastic action plan

JAPAN

Submission of potential response options Japan As of Feb 25, 2020

[Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries]

1. There is a lack of scientific knowledge globally in common, such as:
 - Monitoring capacity
 - International harmonization of monitoring methodology
 - Sources, pathways and fate of plastic waste leakage toward the development of global land and sea-based source inventories
 - Impacts to ecosystems
2. Capacity of policy formulation and implementation including 3R and sound waste management practices in developing countries is insufficient.
3. There is no “one-fits all” solutions for this issues as plastics are widely used in every aspect of economic activities and daily life according to diverse national circumstances. It is necessary for each country to identify issues based on scientific knowledge, and formulate and implement most appropriate tailored actions.

[Range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches:]

[Feasibility and effectiveness of different response options above]

1. National :

As a major premise, every member state should make its best efforts to combat marine litter and microplastics, according to their circumstances and jurisdiction. National measures should cover entire life-cycle of plastics based on circumstances and capabilities of each countries. It should be recognized that many member states have already developed their national action plans, however, there are still many member states who have not developed such plans.

2. Regional and International :

Regional and international frameworks should have a role to support and facilitate each countries' national plans and measures against marine litter and microplastics.

Here, the following points are important for regional/international frameworks to function effectively:

- Sharing a long-term global/regional vision
- Understanding the importance of comprehensive life-cycle approach
- Allowing all countries to have opportunities to share information and learn best-practices and knowledge to strengthen their national measures
- Promoting international cooperation to support countries that need capacity building
- Strengthening scientific knowledge and innovative solutions

There are existing regional and/or multilateral frameworks and initiatives that are currently functioning to combat marine plastic litters and micro- plastics. In order to move forward effectively and efficiently, it would be strongly recommended with the viewpoint of efficiency to learn from such existing frameworks and initiatives as a crucial first step.

Such frameworks and initiatives include G20/G7, ASEAN/EAS and Regional Seas Programme as follows:

<ASEAN>

- For ASEAN and related groups, ASEAN+3 welcomed the “ASEAN+3 Marine Plastic Debris Cooperative Action Initiative.” Also, EAS (East Asia Summit) adopted the “East Asia Summit Leaders’ Statement on Combating Marine Plastic Debris” which states to strengthen waste management, 3R, raising awareness, research and education, regional and international cooperation.

<G20>

- For G20, G20 leaders share, and call on other members of the international community to also share, as a common global vision, the “Osaka Blue Ocean Vision” that we aims to reduce additional pollution by marine plastic litter to zero by 2050. The G20 leaders also endorsed the G20 Implementation Framework for Actions on Marine Plastic Litter, which encourages voluntary actions by the G20 members in accordance with national policies, approaches and circumstances, and their information sharing and continued updating.
In addition, the G20 members will engage in collaborative actions among the G20 members and outreach activities beyond the G20 in the fields of the promotion of international cooperation and innovative solutions, scientific information and knowledge sharing, and multi-stakeholder involvement and awareness raising.
- At present, fifty-nine countries, including developing countries and rising economies such as members of FEALAC and ASEAN, have already shared the vision, and 20 members have provided their actions.
- Based on the framework, the first follow-up meeting was held in Tokyo in October 2019. Based on the information provided from the G20 members, a report summarizing each member’s policies, measures, achievements, challenges and best practices was prepared for initial information sharing. The meeting looked forward to continuous updates and sharing of information.

<Strengthening of scientific knowledge>

On floating microplastics, Japan, with the work of experts, has published the “Guidelines for Harmonizing Ocean Surface Microplastic Monitoring Methods” in May 2019 as one of the activities of G7.

The guideline provides recommendations such as:

- to collect samples when sea conditions are as calm as possible
- to use a flowmeter to calculate the tow distance (if the tow distance is affected by a water surface current and not equivalent to that calculated between the start and end positions)
- to compare results of particles in the size range of 1 – 5 mm

Japan held an international expert meeting in February 2020 to revise the guidelines in line with the G7/G20 initiatives. A revision is under preparation.

(URL:http://www.env.go.jp/en/water/marine_litter/guidelines/guidelines.pdf)

【Potential options for continued work for consideration by the United Nations Environment Assembly】

UNEA/UNEP should work proactively to implement the resolution of UNEA4 (4/6 “Marine Plastic Litter and Microplastics.” This should include UNEP to strengthen scientific and technological knowledge through convening existing relevant science advisory initiatives and to strengthen coordination and cooperation by establishing a multi-stakeholder platform, in addition to holding Ad Hoc Open-Ended Expert Group meetings.

In the consideration of AHOEEG, following points are important to build ground for further work by UNEA5:

- Consideration of all possible response options without prejudging possible outcomes at the UNEA5
- Collection of relevant information and good practices of functioning frameworks and initiatives at the regional and international scale through holding regional meetings
- Consideration of possibilities to strengthen and expand well-functioning types of frameworks/initiatives.

MALAYSIA

As a nation, Malaysia plans to progressively eliminate the discharge of plastic and micro plastics into natural environment by 2030 through the adoption of a circular plastics economy which is enabled through good governance, education, innovation and financing mechanisms. To realise this vision, Malaysia has rolled out a Roadmap Towards Zero Single-Use Plastics 2018-2030.

At larger international scale, there are several proposal of recommended response options to assist with the objective in addressing marine litter and microplastics. A collective vision to end ocean plastics supported by firm international action which can be explored through exhausting existing mechanisms and if there is still a need, a new instrument can be considered. There is also a need to establish a strategic and centralized platform for information, knowledge and best practices sharing. This sharing platform could also be used to share, guide and collaborate on research, innovation and scientific studies that could help to develop and contribute solutions to the issues. Another initiative to help boost the solutions are by having collaboration of nations in developing capacity building to tackle the issue, providing international financing mechanisms, recycling initiatives and to establish a global extended producer responsibility initiative.

Meanwhile, on the regional scale, some of the response options recommended is to establish a regional sharing platform on knowledge, best practices, collaborative network in research and strengthening economic gains. This is important is driving a new plastic economy. Every stakeholder's initiatives and objectives should be streamlined to avoid duplication of activities and addressing the gaps to ensure effective implementation. There is also a need to map and monitor the flow and source of marine litter at regional level while continuing the cooperation on science and management of waste between countries (G2G). The involvement of non-state actors is important in complementing efforts of governments in addressing the issue.

In advocating behavioural change towards better managing plastic and plastic waste, mainstreaming Communication, Education and Public Awareness (CEPA) in all stakeholder engagements and public outreach programmes is important. A dedicated outreach and CEPA should be targeted to the industry players as well as consumers.

Ministry of Environment and Water, Malaysia

MYANMAR

Myanmar's Submission of potential response options

I. Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries:

1. Myanmar is one of the top 20 countries (Rank 17) in terms of mismanaged plastic with the quantity of marine plastic debris up to 0.07 - 0.18 million metric tons per year (Jambeck and et al, 2015). Much plastic is not recycled but disposed in open dumps or landfills; this ends up in rivers and is later transported to oceans. The Ayeyarwaddy, one of the 15 worst polluted rivers in Asia (Rank 9), discharges more than 0.03 MMT per year into the ocean (Lebreton, et al,2017).

2. Plastic pollution is a global problem that needs to be addressed in a sustainable manner and the major barriers to combating marine litter and microplastics in Myanmar are as follows:

i. Base line data and material flow analysis

The consequences of production and consumption have caused an increase in plastic waste in Myanmar. Increasing the amount of plastic waste leads to the higher cost of waste collection and creates a burden on the budget of the local government. Due to the lack of available/reliable data on waste generation and management (including marine litter data and recycling sectors/activities), it is difficult for policy makers to develop evidence-based policies to tackle marine litter/plastics issues. Identifying the flow and stock of plastic waste in Myanmar will be useful for the relevant authorities who need to make careful plans/decisions on waste management policy.

ii. Plastic Waste Management Action Plan

The Government of Myanmar endorsed and issued the National Waste Management Strategy and Master Plan (2018-2030) with technical support by UN Environment and IGES/CCET. It emphasizes the importance of holistic waste management promotion, actions to maximize proper collection, disposal of industrial waste, medical waste and other policies and a monitoring framework.

There are gaps and challenges in implementing plastic waste management in order to combat marine debris. Development and implementation of a long-term and robust strategy are necessary to prevent marine pollution and promote circular economy approaches.

The Plastic Policy Option and Action Plan will be developed with the help of the World Bank, the Ministry of Environment Japan (MOEJ) and the Asian Development Bank (ADB) to reduce and prevent plastic pollution for a better ecosystem and human health, improve plastic waste management systems and develop plastic laws, rules and regulations, and directives that are applicable within Myanmar contexts.

iii. Behavioral Change

Stakeholder awareness should lead to efficient and effective involvement in managing marine plastic debris due to the huge number of stakeholders spread out in all regions. In Myanmar, awareness raising and capacity building for local government and communities are conducted by the government, NGOs and other organizations. Behavioral change is a necessary component of long-term solutions to the challenge of eliminating plastic waste from the world's oceans and waterways.

iv. Public Sector Engagement

An integrated approach across the value chain is needed to tackle marine debris issues. There are innovative ways in which the private sector can support the waste system in many areas such as reducing inputs into the system, enhancing collection rates for used plastics and creating value for waste reuse. Therefore, promoting collaborative actions with private sector and industrial associations is necessary to implement measures to address marine debris issues.

v. Financial Resources and Technical Assistance

In tackling marine litter and microplastics, Myanmar is in need of financial and technical assistance. Although it has many development partners – such as the World Bank, MOEJ, ADB, the Embassy of The Netherlands, etc. – new and innovative financial mechanisms and technical assistance are still necessary to address marine plastic pollution sustainably based on the national context and circumstances.

3. Based on our national context, the following areas cannot be addressed domestically but may effectively be addressed globally:

i. Legislation and a governance framework

Legislation and a governance framework at the international level is needed for combating marine litter and microplastics, with support by other countries to ensure the effectiveness of new national measures to address plastic pollution and regulation on the import and export of plastic materials (including fossil-based plastics), products and waste.

ii. Monitoring and managing transboundary plastic waste

There are limitations in effective management for transboundary plastic waste in our country because monitoring and reporting of transboundary plastic waste flows, especially in international waters, is a major challenge.

iii. Technical cooperation and financial mechanisms

Technical cooperation and financial mechanisms, including capacity building and

technology transfer, are important for solutions of alternative materials to plastic.

iv. Regional and global coordination and cooperation

As Myanmar believes that more collaboration, attention and resources are needed to combat marine debris, strengthening coordination and cooperation at the regional and international level is one of the key success factors for tackling marine litter and microplastics.

II. The range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches

1. Myanmar is committed to the implementation of the 2030 Sustainable Development Agenda along with the mainstreaming of environmental issues into national and sub-national development planning through the implementation of the National Environmental Policy and Master Plan, Climate Change Strategy and Action Plan, Green Economy Policy Framework, National- and City-level Waste Management Strategy and Action Plan, National Land-use Policy and National Biodiversity Strategic Action Plan. Toward the achievement of Target 14.1 of the 2030 Agenda for Sustainable Development, Myanmar will develop the Plastic Waste Management Action Plan to prevent plastic from entering into the marine environment. This will contribute to the Bangkok Declaration on combating marine debris and the ASEAN Framework of Action on Marine Debris.

2. Myanmar has recognized that the marine litter and microplastic issues are among the most threatening global challenges for sustainable development in our society. In order to address this issues, financial resources, capacity building and technology transfer are crucial. As also stated at the Third AHEG meeting in Bangkok in November 2019, there is a limit to how much we can achieve on national level alone. Plastic pollution is a transboundary issue, beyond national jurisdictions, because plastic that is discharged in one country can end up as litter or even as precipitation in another country.

3. The existing global legal framework pertaining to marine plastic pollution is fragmented and ineffective. Currently, none of the global treaties have detailed provisions explicitly aimed at preventing leakage of plastic into the ocean. Some of them cover part of the problem, but most marine plastic pollution sources remain largely unregulated.

4. The challenges of marine litter and microplastics are global and the solutions require initiatives within national and regional priority frameworks. Therefore, Myanmar supports building international frameworks within UNEA in order to help member countries address plastic pollution. The potential mechanisms for national, regional and international response options on plastic pollution are as follows;

i. Policy Support and Planning

a. The International Framework should have a common vision and commitments that are

specific, measurable and time-bound.

- b. All parties commit to adopt and implement a national action plan setting goals and targets, which can follow the recommendations of UN SDG 14.1.
- c. Goals and targets should be differentiated between developed and developing nations.

ii. Public sector engagement

- a. Public-Private Partnerships can be a mechanism to facilitate cooperation between governments and private sector.
- b. Engage with the private sector, including the informal waste sector, and promote investment in waste treatment facilities and other infrastructure for waste management and material recovery.

iii. Research, Innovation and Capacity Building

- a. Strengthen regional, national and local capacities to develop and implement national action plans/initiatives.
- b. Enhance scientific knowledge, transfer marine technology and promote innovative solutions to combat marine debris.
- c. Enhance science-based decisions and policies through the establishment of an intergovernmental scientific panel drawing on the knowledge and scientific research of all relevant institutions.
- d. Consolidate knowledge and manpower by mapping out existing committees so as to prevent duplicates and over expenditure of funding.

iv. Public Awareness, Education and Outreach

- a. Promote public awareness on the status and impacts of marine debris and microplastics.
- b. Encourage behavior change programs or strategies on using single use plastic.
- c. Create a knowledge sharing platform or strengthen existing ones to promote innovative technology.

v. Monitoring, evaluation and reporting

- a. Establish a mechanism for monitoring and reporting of transboundary plastic waste flows, especially in international waters.
- b. Strengthen coordination and cooperation between various existing scientific platforms to harmonize reporting needs, data collection methods and to prevent future duplications and divergences where possible.
- c. Develop minimum standards for countries on reporting related to their national, regional and global commitments.

vi. Funding Mechanism

- a. Set up a global fund to support the efforts of countries to reduce plastic pollution.
 - b. Countries' access to the global fund can be based on common but differentiated responsibilities and should consider national circumstances.
 - c. Countries with greater means can potentially pledge funding.
 - d. Eligibility to access the funds should extend even to land-locked countries to stop the leakage from rivers and waterways into the ocean.
5. Clean-up of plastic waste is one of the options to reduce plastic pollution but does not increasing quantities of plastic entering the environment. Thus, reducing inputs of plastic to the environment must be prioritized and the following are potential policy measures covering the life cycle of plastics:
- i. **Production**
 - a. Regulate certain types, composition and production methods of plastics.
 - b. Introduce incentives for innovative, new products.
 - ii. **Consumption**
 - a. Create a labelling mechanism to promote better consumer choices.
 - b. Reduce consumption of unnecessary single use plastic.
 - iii. **Waste management**
 - a. Create an international financial mechanism for waste management and recovery.
 - b. Set international standards on waste management practices, including the export and import of recycled waste.
 - c. Implement Extended Producer Responsibility schemes to support private sector participation.
 - d. Set national targets for waste avoidance, diversion and recovery.
 - e. Introduce national laws and regulations on waste management.
 - iv. **International Trade**
 - a. Regulate and control the import and export of plastic and plastic products.
 - b. Introduce safety measures on the international trade of plastic and plastic products.
 - c. Strengthen compliance to international standards in the trade of plastic waste, linked to the Basel Convention.
 - v. **Clean up**
 - a. Set up waste management systems that can support waste collection.
 - b. Consider regional efforts for the removal of fishing gear.

- c. Provide data on the sources and types of waste to inform upstream measures.

III. Feasibility and effectiveness of different response options above

1. The AHEG should also consider ways to facilitate the development and support of international frameworks and regional and national action plans to combat marine debris and microplastic effectively.

IV. Potential options for continued work for consideration by the United Nations Environment Assembly (UNEA)

1. Collect relevant response options of functioning frameworks and initiatives at the regional and international scale by holding regional meetings and make decisions at the AHEG meeting to submit to UNEA.

NORWAY



Norwegian Ministry
of Climate and Environment

Submission from Norway to the fourth meeting of the Ad Hoc Open-Ended Expert Group on marine litter and microplastics (AHEG-4), under proposed agenda item 5 "Consideration of submissions on potential response options pursuant to paragraph 10 d) of United Nations Environment Assembly resolution 3/7."

The UNEA-process and discussions in the expert group so far have proven that there is broad agreement that "status quo" is not a sustainable option and that there is a need for stronger responses to the marine litter and microplastics challenge. UNEA-3 stressed in its resolution 3/7 the importance of long-term elimination of all discharge of litter and microplastics into the oceans. Currently, there is no international framework that in a systematic and holistic way addresses all aspects of this complex problem with the aim to fulfil this global vision.

A significant change in the way we use and dispose of plastic products needs to take place. We need to use plastic products smarter, recycle more, and better control and manage our plastic waste. To be effective, changes in plastics production and consumption patterns and plastic waste management need to be actively promoted and supported by stronger national plastic policies in all countries.

Today, the ambition and success of national policies vary substantially as well as national circumstances. Action necessarily has to be carried out within respective areas of national jurisdiction, but that fact does not make the issue of response measures a purely domestic issue. Plastic litter and microplastics are polluting our oceans, rivers and lakes and the terrestrial environment. Plastic litter and microplastics are found in even in the most remote areas around the globe. The problem is truly global and no state can solve this problem alone. Efforts, even substantial efforts, made by individual states may end up having little effect when there is no common, comprehensive approach to the problem. The international community is therefore challenged to find how cooperation between states could promote, facilitate and support more and stronger action within each state and thus, in sum, enable us to tackle the global problem. To achieve this, enhanced coordination and cooperation between states as well as between relevant international bodies and instruments is necessary. Norway is of the opinion that the most effective response option will be to establish a new global agreement.

The AHEG was established to assist the UNEA-process in exploring and identifying the range of national, regional and international response options, including actions and innovative approaches, and forward its findings to the UNEA for consideration. The AHEG has exchanged information and conducted initial discussions on topics like national policy measures, the regional level, barriers and options, governance, monitoring and information.

Going forward Norway is of the opinion that the AHEG 4 and 5 should focus its work on the response options at the global level that are necessary to produce more effective action at all levels. This includes the consideration of a new dedicated global agreement. In our view the AHEG, the agenda of the 4th and 5th Expert Group meetings should be tailored to allow for structured discussions on response options related to key areas of the life-cycle of plastic products. UNEA-resolutions have stressed the need for preventive measures upstream, meaning both action on land and sea, and measures upstream in the value chain of plastic products, while also stressing that waste management is key.

On this background, Norway proposes discussions focused on key questions within the following areas:

1. Enhanced plastic waste minimization, recycling and management

Waste management systems are clearly insufficient as they have not been able to prevent marine plastic litter to develop into a serious global problem. Plastic waste policies and measures must be strengthened in all countries. What do we need internationally to promote, support and facilitate and plastic waste policies and thus make it a global change of real significance? What are basic elements of an efficient plastic waste policy? How to develop sustainable financing models? How to ensure better collection of plastic waste and prevent leakage to the environment? How can we ensure a minimum level of ambition, comparability and effectiveness in more ambitious policies in all countries? How can we keep track of the sum effects of efforts at the global level?

2. More sustainable plastic products

Plastic products will eventually become waste, but a lot can be done to significantly increase the sustainability of plastic products, such as reducing the amount of waste generated, increasing recycling rates, enabling consumers to make sustainable choices, etc. How can we enable a transition to more sustainable products globally that supports government policies, socio-economic benefits and a level playing field for industry? What aspects are important? Possible options range from product design, durability, reparability, recyclability and multiple-use-plastic versus single-use, etc. How to increase markets for recycled plastics?

3. How to share the responsibility fairly

Producers of plastic products need to share the responsibility for a more sustainable plastic economy with governments and consumers. That could for instance imply that plastic products are required to meet some basic sustainability criteria both pre- and post-consumption in domestic markets, in order to fit for example national collection and recycling systems and thereby ease the burden for domestic waste management regimes. Is there a way international cooperation could facilitate this process and strengthen the position of governments in this regard?

4. Microplastics

Microplastics represent a particular challenge where targeted measures are needed. Plastic as a material is persistent in the environment and all plastic litter can ultimately become microplastics. Reducing plastic litter discharges into the environment and removing existing plastic litter will also contribute to the reduction of microplastics. But additional measures are needed. Microplastics discharges generated through wear and tear of products such as tyres, paints and textiles may warrant specific measures targeting sources, such as through improvements in wastewater treatment. Some product categories may also be of particular concern, typically products containing intentionally added microplastics and plastic pellets. What actions are needed at the global level?

5. Building a global science and knowledge base

Building on the discussion since the AHEG 2, where there was an emerging consensus that a key global function currently missing is a global knowledge mechanism, and, in response to UNEA resolution 4/6 paragraph 2, as explained in the annex

Annex to Norway Submission 5)

Building a Global Science and Knowledge Base

Introduction

UNEA-4 requested the executive director of UNEP to strengthen the scientific and technological knowledge regarding marine litter, including plastic litter and microplastics, considering the whole life cycle of plastic. Two of the main outcomes of this exercise will be an assessment of the state-of-the-art knowledge on marine plastic litter, including its sources, pathways and effects, and a recommendation of indicators to harmonize monitoring, reporting and assessment methodologies.

The overall aim of both these activities is to inform policies and action regarding options, methods and measures to prevent and reduce the risk of discharges of plastic litter into the marine environment as part of a new global agreement. A strong scientific basis will also be central when measuring progress towards the global goals of zero discharge of litter into the ocean.

Identifying the need for a long-term scientific function

We do not yet know everything

The importance of a sound scientific knowledge basis for decision-making has been stressed in all four UNEA resolutions on marine plastic litter and the last years have seen a remarkable increase in knowledge on marine plastic litter and microplastics. However, as marine litter only recently received widespread attention, there are still knowledge gaps and lack of data on sources and pathways of marine litter. While the knowledge is growing, we need to increase our knowledge on the effects of and impacts of plastic litter, including micro- and nanoplastics on the marine environment and human health. Standardized scientific methods for monitoring are still under development.

As the available information is rapidly increasing, there is a need for the current mapping exercises on the existing body of knowledge as requested by UNEA in the resolutions on marine plastic litter to be repeated. This needs to be done at regular intervals to ensure that new information, including potential emerging issues, is captured.

The problem at hand is complex

Marine plastic litter consists of a large variety of objects made from different materials, following a range of different pathways to the ocean. Mismanagement of waste is identified as the main cause of litter entering the ocean. Solving the problem of marine litter will require actions across the life cycle of products, and action needs to be taken at global, regional, national and local level.

Microplastics represent a particular challenge where targeted measures are needed also in this context.

Going forward, stakeholders at all levels need access to quality assured information. Due to the complexity of the issue, a multi-disciplinary scientific effort is required. There is a need to synthesise and analyse the available information so that key messages can be communicated efficiently to stakeholders and decision makers at all levels. To achieve this, a dedicated permanent scientific mechanism is needed.

Key functions should be to address the elements as listed in the UNEA resolutions 1/6, 2/11, 3/7 and 4/6

- 1) Provide reports and global assessments on i.a. the sources, pathways and impacts of marine litter and microplastics at a regular interval to inform policy-making
- 2) Recommend indicators to harmonize monitoring, reporting and assessment methodologies,
- 3) Bring together existing scientific initiatives to ensure coherence
- 4) Identify emerging issues related to the topic of marine litter and microplastics that need the attention of the global community as well as areas for more research
- 5) Identify best available techniques as well as options, measures and methods for preventing and reducing marine plastic litter

In addition to providing high quality information on scientific progress on marine litter, including marine plastic litter and microplastics, the scientific mechanism should be designed to ensure coherence, reduce duplication of work, as well as strengthening collaboration between different stakeholders and knowledge providers. Finally, the scientific mechanism should aim at putting the challenge of marine plastic litter in a broader context.

Outlining a potential solution for a global scientific and knowledge base

Experiences from previous initiatives of similar type should be considered when outlining how such a function could look like; some examples are outlined in the following paragraphs.

Intergovernmental Panel on Climate Change (IPCC)

The objective of the Intergovernmental Panel on Climate Change (IPCC) is to provide governments at all levels with scientific information that they can use to develop climate policies, and has history going back to 1988.

The IPCC is a panel of 195 member governments, which meets in plenary sessions once a year, where observers may also attend. Among the tasks handled at the plenary sessions are the organization's budget and work programme; the scope and outline of its reports; as well as approval and adoption of reports. The IPCC also elects a Bureau to provide guidance to the IPCC on the scientific and technical aspects of its work, advise on related management and strategic issues, and take decisions on specific issues within its mandate.

The IPCC structures its work in work groups, for which experts are nominated by the member states and selected based on their expertise. When selecting members for the working groups, the IPCC seeks a balance of men and women, as well as between those experienced with working on IPCC reports and those new to the process. Author teams may also include experts from industry and from non-profit organizations. The reports and assessments undergo multiple rounds of drafting and peer review to ensure that the reports are comprehensive and objective and produced in an open and transparent way.

Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection

The Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) serves a total of 10 UN organisations with maritime and ocean interests. As a single focal point, GESAMP aims to reduce duplication of work, as well as assisting the sponsoring organisation in putting their specialized activities into a broader context.

GESAMP's main tasks include providing scientific reviews, analyses, and advice on specific topics related to the marine environment, as well as synthesising available information. GESAMP also provides technical advice on environmental assessments and advice on how ongoing activities in the sponsoring UN organisations might be improved and better coordinated.

At the core of GESAMP is a group of members whose responsibility it is to develop and execute a work plan. The work plan and the available budget is approved by an executive committee that consists of representatives of the sponsoring UN organisations.

Leading scientific experts that are not part of the GESAMP itself are selected for ad hoc working groups to carry out studies and assessments based on requests from the sponsoring UN organisations. Issues has also been brought forward by a dedicated work programme on emerging issues.

European Commission – Scientific Advisory Mechanism (SAM)

The purpose of the Scientific Advisory Mechanism (SAM) is to provide the European Commission (EC) with high quality and independent scientific advice on matters of importance to policy making.

The SAM consists of a Group of Chief Scientific Advisors, as well as five networks of European Academy Networks, collectively known as SAPEA (Science Advice for Policy by European Academies) and is supported by a dedicated Unit staffed by the EC's Research and Innovation and Joint Research Centre Directorates General.

The SAM provides independent scientific advice on matters requested by the EC, as well as supporting the EC in identifying specific policy issues where independent scientific advice is needed.

Suggestion for organization of future work

Learning from the examples described in the previous paragraphs, a possible solution for the organization of work of a global scientific function on marine litter could be a three-level approach;

- **Decision making board/panel**
Has the mandate and competence to take actions based on the advice provided by the steering committee. Decides on the working programme and budget for the scientific function. Members of the board/panel should represent member states across all regions.
- **Steering committee**
Consists of a limited number of members with the responsibility of maintaining a global scientific and knowledge base through executing the work plan as decided by the board/panel. The steering committee has the mandate to commission individual assessments and work packages from the pool of specialists and ensures that the results are made publicly available. The steering committee reports on the progress of work to the panel/board, as well as providing advice on future work programme.
- **Pool of specialists**
A pool of globally recognized scientists/consultants/specialists chosen for their specialist knowledge on topics of importance for the marine litter issue. The pool may be limited or open-ended and should include specialists across the various fields relevant for marine littering. The experts may be asked to assist in individual assessments, develop relevant guidelines or be given a longer-term responsibility to maintain the state-of-the-art knowledge on a given topic.

Selection of members to all three levels should be made in a way that ensures appropriate representation according to UN principles.

Involvement of the private sector in the work concerning marine litter is important. It should be considered how information and viewpoints from industry bodies and non-governmental organisations could be included in the process.

Reports and assessments produced by the science function should strive for the highest scientific quality, ensured by a transparent review process. The reports and assessments should include a summary of key messages, providing the link between the scientific community and decision makers.

Avoiding duplication of work should be a priority, and assessments should draw upon a range of data sources, and bring together work done under related international scientific initiatives and agreements such as the Basel convention, the Convention on Biodiversity and relevant UN organisations such as GESAMP.



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14 August 2020

MR. JORGE LAGUNA-CELIS

Secretary of Governing Bodies

UN Environment Programme

Dear Mr. Celis:

We are pleased to transmit herewith the attached Philippine submission of potential response options pursuant to UN Environment Assembly Resolution 3/7 Subparagraph 10(d).

In relation to the initial programme of work by the Open-Ended Ad hoc Expert Group, the Philippines would like to highlight the following points:

- National Context and Barriers to Address Marine Litter and Micropalstics
- Global Transboundary Problem
- Recommended Global Response: A Legally Binding Global Agreement
- Some Key Considerations in a Global Agreement to Address Marine Litter and Microplastics
- Recommended National Response

For the UNEP Secretariat's information.

Truly yours,


ATTY. JUAN MIGUEL T. CUNA, CESO I

Undersecretary for Planning, Policy
and International Affairs

Let's Go Green

PHILIPPINES

SUBMISSION BY THE REPUBLIC OF THE PHILIPPINES ON POTENTIAL RESPONSE OPTIONS TO COMBAT MARINE PLASTIC LITTER AND MICROPLASTICS FROM ALL SOURCES

The Republic of the Philippines, through the Department of Environment and Natural Resources, respectfully makes this submission in relation to UNEA 3 Resolution No. 7.

Our submission contains our views and recommendations on possible response options at the national, regional and international levels. It also includes some of the elements that could form part of a new and strengthened global governance structure to address the problem of plastic pollution.

National Context and Barriers to Addressing Marine Litter and Microplastics

The Philippines is an archipelago of 7,641 islands located at the apex of the Coral Triangle. It is one of the 17 megadiverse countries in the world, and considered by scientists to be the center of the center of marine nearshore fish biodiversity. It is also one of the top five fish-producing countries in the world, with fish as a major source of protein of the Filipino population.

While its plastic trade and plastic consumption are comparatively minimal, the country like many others in Asia is greatly affected by the plastic sachet economy resulting in persistent unsustainable plastic packaging wastes.

Since 2000, the Philippines has enacted and implemented a comprehensive, ecological solid waste management law, Republic Act No. 9003, aimed at holistically managing our wastes, to address leakage of marine litter and microplastics into our rivers, seas and oceans. Across the country and over the past decades, a number of cities and municipalities have prohibited single-use plastic, among others. Many river, bay and coastal clean-ups and rehabilitation are also on-going. National bills on country-wide bans on certain single use plastics and on the implementation of Extended Producer Responsibility are currently pending in Congress. These national efforts, however, have not been effective in stopping the surge of plastic pollution, especially in our archipelagic country.

A Global Transboundary Problem

The issue of marine litter and microplastics is a global transboundary issue. It is not a mere waste management problem in Asia or in the Philippines alone. As oceans are shared, marine litter and microplastics know no national boundaries and jurisdictions. Such litter traverse the oceans ending up in the shores of other countries as well as in the high seas adjacent to coastal nations or archipelagic countries like the Philippines. More importantly, the entire value chain of plastic is global – international trade in source materials, international trade of manufactured products and even international trade, both legal and illegal, of waste materials. Likewise, for most developing countries like the Philippines, business decision-making of multi-national corporations are made or at least heavily influenced by their head offices in developed countries.

Recommended Global Response: A Potential International Legally Binding Agreement

Addressing marine plastic pollution thus requires a comprehensive approach at the national, regional and especially at the global levels. As extensively discussed during past AHEG meetings, not one country alone can do it.

Since the adoption of the SDGs, including Goal 14 and the UNEA-1 Resolution on marine litter, many voluntary initiatives have been implemented across the globe and across regions. But, they still have fallen short of bringing us closer to our goal of eliminating marine litter and microplastics.

Therefore, a strong global framework that takes into account the full life cycle approach of products and the shift towards a circular economy is urgently needed to solve this global problem of marine plastic pollution.

Together with an increasing number of countries and regional blocs, the Philippines reiterates its submission for the consideration of **the feasibility and effectiveness of a potential international legally binding agreement on marine litter and microplastics** (UNEP/AHEG/2018/2/5), and its support for the start of the negotiations of a new global treaty and the discussion of its elements to combat marine plastic pollution.

Some Key Considerations in a Global Agreement to Address Marine Litter and Microplastics

- **Guiding Principles.** The following principles should guide the international community in crafting the legally binding global agreement, among others:
 - precautionary principle approach
 - prevention principle - measures should prioritize addressing the prevention of marine litter at source
 - polluter pays principle - cost of pollution prevention, control, and reduction measures are to be borne by the polluter with due regard to the public interest
 - participatory approach - general public (local communities, private sector, CSOs, and local authorities) and private sector will be involved in the development and implementation of efforts
 - ecosystem-based approach-cumulative effects of marine litter coming from both land- and sea- based sources on the marine and coastal ecosystem, habitats, and species with other contaminants and substances that are present in the marine environment should be fully considered in management of marine litter
 - common but differentiated responsibilities
- **Shared Vision.** Consistent with the agreement in UNEA 3 Resolution 37 on the long-term elimination of discharge of litter and microplastics to the oceans and of avoiding detriment to marine ecosystems and the human activities dependent on them from marine litter and microplastic, the global agreement should state the same agreed vision.
- **Reduction Targets.** Following this shared vision, the international community should agree on a time- bound measurable target to reduce marine plastic pollution, using a standardized baseline and calculation method. All countries should then contribute to this reduction targets, as they may nationally determine based on their national circumstances and contexts and come up with national action plans to achieve such target.
- **Common Global Standards and Regulations.** Given the global transboundary nature of plastic products that eventually make up most of the marine litter and microplastics, common standards, rules and regulations should be considered for an integrated and coordinated response. These should include regulations on sustainable source materials including setting minimum percentage of recycled plastic content in feedstocks, certain types of plastics such as unnecessary single-use plastics and microbeads in beauty products, common labelling, etc. that would be applicable to all countries. These should also include developing common regulations on plastic sachet packaging, especially prevalent in developing

countries in Asia, can achieve an effective, feasible, culturally appropriate, sustainable transformation across the board globally. These should also extend to the global promotion and adoption of the Extended Producer Responsibility, customised based on country conditions, and using a phased approach.

- **Standard Monitoring and Reporting.** For comparability, inter-operability and a way to effectively measure global progress in addressing marine plastic pollution throughout the full life cycle of products towards shift to a circular economy, the international community should harmonize and agree on standard monitoring and reporting mechanisms. These should include global standards for monitoring plastic production, consumption, management including recyclability and recovery back into the circular loop, and elimination of leakage. All countries should then use these for measuring and reporting national progress to provide figures that are comparable globally.
- **Scientific body.** Similar to the UNFCCC's IPCC, a dedicated inter-governmental scientific body that will provide widely-accepted scientific and technical guidance to implementing states should also be considered. Their functions can also include tracking progress against global reduction targets and monitoring leakage of litter and microplastics into the ocean.
- **Support especially for Developing Countries.** Mechanisms for financial and technical support for implementing countries should be included in the global framework. This should also include capacity- building and technology transfer specially to support actions by developing countries especially in terms of material reduction, recyclability improvement, redesign of materials as well as sustainable low-carbon waste/material management schemes.
- **Plastic Waste in High Seas.** Accountability for managing plastic waste that ends up in high seas is also a relevant issue for island or archipelagic countries like the Philippines. Thus, transboundary movement of marine litter across high seas is more likely to end up on our shores. However, the resolution for this issue should be further fleshed out in a formal negotiation process.

Recommended Regional Response

The Philippines recognizes the important work of the different regional programs and bodies to address marine plastic pollution. Specific to the Philippines, the country is engaged with the ASEAN, the COBSEA, the PEMSEA, and the CTI-CFF, among others.

Since a comprehensive, integrated and multi-tiered approach is needed to address marine plastic pollution, it is critical that these various regional programs as well as the national interventions are aligned and build on each other.

Regional governance/coordinating bodies should create synergy among themselves. These could include strengthening communication and coordination among programs, rationalizing plans to avoid duplications and address gaps, consolidation information and minimizing redundant reporting,

These regional efforts, however, are not enough. An overarching legally binding global framework must eventually guide these regional as well as national interventions to address marine litter and microplastics.

Recommended National Response

At the national level, all states should consider the following, among many others:

- **National Action Plan and Reduction Target.** All countries should develop and implement a national action plan that sets out a measurable and time-bound target to reduce marine litter and microplastics. As a global framework is developed that will standardized calculation methods for setting baselines and tracking progress, countries should shift towards adopting such for comparison globally.
- **National EPR Scheme and Industry Engagement.** Following the polluter pays principle, manufacturers and brand owners shall be accountable for the end-of-life impacts of their products and packaging before they are allowed to place them in the market. This is a critical and innovative way of engaging industries.
- **Incentives to Reduce Demand/Consumption for Unnecessary Plastics.** Levies may be imposed on certain single use plastics which levy will be plowed back to support waste management programs or marine litter reduction programs. Incentives may also be provided for innovative, sustainable, indigenous designs especially using indigenous local materials.
- **Strengthening Waste/Material Management Infrastructure and Systems.** At the local level, countries should be responsible for managing materials and wastes **to ensure the** use of these materials for as long possible and to prevent leakage into the environment.
- **Behavior Change.** To promote a whole of nation approach, whereby all sectors contribute to the elimination of marine litter and microplastics, all stakeholders should be informed and educated, through formal and informal channels, optimizing the use of information and communication technology to change behaviors towards transformative business models in the use of source materials, production and design of plastic products, the use of less single-use or unnecessary plastic, and the management of waste/recovery of materials back into a circular loop.

Conclusion

The Philippines continues to reiterate its commitment to work with the rest of the international community, including through the AHEG, to deliver ambitious outcomes for stronger, comprehensive and integrated global actions. As the Philippines publicly articulated during the recent launch of the Group of Friends to Combat Marine Plastic Pollution, New York, it is our hope that the Fifth UN Environment Assembly will adopt resolutions to include a negotiation mandate for a new legally binding instrument to combat marine plastic pollution.#####

SINGAPORE

Submission by Singapore on Potential Response Options

**Pursuant to paragraph 10(d) of UNEA Resolution
3/7**

As of 7 August 2020

UNEA Resolution 4/6 extended the mandate of the Ad Hoc Open-Ended Expert Group (AHEG) on Marine Litter and Microplastics to continue building on its previous work as established in UNEA Resolution 3/7. The AHEG Chair has requested for Member States to provide input in pursuant to Res 3/7 paragraph 10(d) on potential response options and activities to solving the global problem on marine litter and microplastics. Singapore continues to support the work of the AHEG and our reflection on potential response options is as follow.

1. Establishing a common vision

An effective response to the global problem of marine litter and microplastics would require a common global vision. While such a vision has been laid out by UNEA-3 with Resolution 3/7 stressing the importance of the long-term elimination of discharge of litter and microplastics into the oceans, UNEA-4 could not develop the vision further. Therefore, Singapore is of the view that AHEG should conscientiously continue to develop a common vision to rally a concerted global action in addressing marine litter. A common vision would also galvanise targeted actions.

2. Identifying barriers and challenges

AHEG should consider identifying the barriers and challenges to addressing marine litter so that measures and actions taken would be more targeted and effective. We understand that there exists a lack of consensus and scientific knowledge on a number of issues in addressing marine litter. For example, there is no international harmonisation of monitoring methodology. Global understanding on the sources, pathways and impact of plastics in marine ecosystems and health also remains to be strengthened and there is no globally accepted definition for microplastics. By identifying the barriers and challenges to effectively address marine litter, AHEG should then be able to pave the way and provide the direction for further studies and actions to plug the gaps in our global capacity as any global response should be based on sound science.

3. Building on existing instruments

There are numerous existing regional and multilateral instruments and frameworks that have been adopted to address marine litter i.e. the ASEAN Framework of Action on Marine Debris and the G20 Action Plan on Marine Litter, annexes to the Basel Convention, MARPOL's London Convention and Protocol to regulate the dumping of waste at sea. These frameworks continue to be strengthened and implemented by countries and organisations under their respective agreements and mandates. To avoid duplication in effort, AHEG should take into consideration existing frameworks to ensure efficiency and build on what we already have.

4. Consideration of all response options

AHEG should be mindful that different regions and countries are faced with different circumstances and as such any global response should take into consideration all response options without prejudging possible outcomes at UNEA-5, especially if there are still significant knowledge gaps in the global understanding to addressing marine litter. In addition, AHEG should also bear in mind that a combination of response options might be effective in addressing marine litter at various levels i.e. local, national, regional.

5. A holistic approach

Given the multi-faceted nature of the global marine litter issue and the diverse circumstances across different regions and countries, AHEG should take a holistic approach in addressing marine litter for the long-term. Apart from strengthening global capacity and remaining open to all options to addressing marine litter, AHEG should also consider taking a life-cycle approach to promote sustainable consumption and production, including circular economy approaches to reduce the upstream production of litter.



SWITZERLAND

Input for consideration

4th Ad hoc open-ended group meeting on marine litter and microplastics

Member states and stakeholders are invited to provide inputs to the working documents for the fourth meeting of the ad hoc expert group on marine litter and microplastics. Switzerland resubmits its contribution from the first meeting of the expert group herewith. This submission mainly provides **response options**. It also speaks to the **gaps and barriers**, measures and their related effectiveness at both the national and international levels.

We are of the opinion that the overarching **aim** must be to work towards clear, comprehensive, coherent, efficient and effective international rules with corresponding institutions to effectively address this environmental issue of global concern. We are in need of response options that consider existing and new, voluntary or potentially legally binding elements, concern the governments and other stakeholders (including the private sector and consumers) alike and that work on national, regional and international levels as well as across the time scale.

In summary

- Given the urgency of the issue, non-action is no longer an option and the status quo is not sufficient.
- Overall the **response options** must account for
 - (a) adopting an integrated approach to waste management at the national level;
 - (b) embedding a life-cycle approach and reduce-reuse-recycle thinking into all aspects of the economy, including producer responsibility;
 - (c) using a source-to-sea approach given the importance of rivers as conduits for the de-livery of plastic litter to the marine environment;
 - (d) building on successful regional and global mechanisms such as the Regional Seas and Basel, Rotterdam and Stockholm Conventions, the Strategic Approach to International Chemicals Management and others;
 - (e) creating a global architecture that includes existing and new, voluntary or potentially legally binding elements, in a multi-layered, governance approach, that could be extended to other institutions.

Gaps and barriers

Switzerland is a landlocked country. Plastic fragments are ending up in lakes and are contributing to some extent to marine plastic pollution through our rivers systems. Two main sources are responsible for plastic litter in the aquatic environment: microplastics deriving from waste sources and microplastics deriving from other sources. The latter encompasses sources including tyre abrasion, washing of clothing, paints and road markings loss of microplastics in the production processes of plastics and during the manufacturing of plastics. Barriers include:

- The lack of clear binding **standards** on plastic pollution mitigation, especially from land-based sources: This encompasses industry regulation, waste and wastewater management, reduction of non-recoverable microplastics, and human rights implications;
- **Missing or inadequate chemicals and waste management**, including wastewater management;
- The lack of **science-based product design and production** in order to avoid unintentional loss of plastic throughout supply chains or through wear of products;
- **Geographic gaps** in the scope of existing conventions. Many inland waters and watersheds are not always covered, areas beyond national jurisdiction are only marginally included, the main polluting areas are not covered by a legally binding convention;
- The lack of a strong **capacity-building scheme**;
- Ineffective **compliance and enforcement mechanisms** in multilateral environmental agreements.
- Insufficient **implementation of the polluter-pays** principle tailored to the issue at stake;
- Solutions focus mainly on adaption measures instead of **mitigation**. The overall **source-to-sea** point of view needs to be established to consider the **full life cycle**, i.e. the upstream design phase of plastic products to the final treatment of plastic;
- **Fragmented and/or partial consideration of the problem in existing instruments, organizations and fora and lack of coordination** among existing initiatives. **Collaboration** and discussions among member states, among organizations and instruments, and of member states with organizations/instruments;
- Current **consumption and production patterns** drive the issue of marine pollution. Life cycle approaches and Green Economy principles have not been addressed.

National and international response options

In general, Switzerland judges the option of maintaining the *status quo* as not sufficient. There is a diverse set of response options that speak to the national and/or international levels. Overall, the response options should represent a holistic view on product cycles, including the development of new measures as well to revise and strengthen the existing instruments and add components to address industry. It is also a cross-sectoral approach between freshwater management, sustainable consumption and production, waste management, and coastal and sea management (shipping). The following response options do not follow any prioritization or weighting.

Waste Management and Prevention

- Mainstream environmentally sound waste management and waste prevention into national development strategies. This includes prevention, collection, separation and environmentally sound disposal of waste;

Ban

- Ban of microplastics in cosmetic products;

Recycling

- Consider recycling rates for plastics, with particular focus on the quality of the recycled material and the aspect of the need of the existence of markets for the recycled material;

Voluntary commitments

- Encourage and coordinate industry-led solutions and commitments;
- Introduce voluntary national reduction targets;

Advocacy and action on overarching concepts

- Link the specific engagement of marine plastic pollution with the overarching concepts of Green Economy, Life Cycle Approach, and Sustainable Consumption and Production, including product design;
- Link the topic with the overarching concept of pollution and the associated risks to health, including human and environmental health;

Reporting

- Standardize global, regional and national reporting on production, consumption and final treatment of plastics, address the whole life cycle;

Collaboration

- Increase the collaboration among member states in existing conventions, organisations, and fora, this includes a coherent national position across the responsible ministries;
- Increase the collaboration and exchange among existing conventions, organisations, and fora in order to address the issue in a coherent and complementary way, in particular with the Basel Convention;

Existing frameworks

- Review, revise, and build on relevant existing instruments;
- Harmonize international legal instruments and approaches (as in Regional Seas programmes);
- Promote the implementation of the sustainable development goals, specifically SDG14 and SDG12;
- Promote the implementation of decisions and activities and guidance of existing instruments, namely Basel;

Guidelines and standards

- Develop/improve global industry guidelines (e.g. for the management of polymers and additives; adoption of global labeling schemes);
- Establish global standards for industry plastic producers (e.g. encourages the use of extended producer responsibility schemes or the polluter pays principle as well as providing information on adverse impacts caused by their products);

Global monitoring

- Establish a monitoring system that includes review and accountability and speaks to the Precautionary Principle (enables a holistic land-to-sea approach view);

Overarching Sustainable Consumption and Production

- Engage in existing overall mechanism and programmes that speak to sustainable consumption and production (existing UN wide instruments such as the UNEP 10YFP for implementation);

Global architecture

- Establish a new international architecture that includes response options as presented above, of voluntary or potentially legally binding nature;
- In parallel, take action in the interim and apply other response options.

Submission of potential response options from TIMOR-LESTE

BARRIERS TO COMBATING MARINE LITTER AND MICROPLASTICS, INCLUDING CHALLENGES RELATED TO RESOURCES IN DEVELOPING COUNTRIES:

Several key barriers to tackling this challenge include;

- a. The lack of harmonised standards in the production/ product content of plastic based products which hence require a range of different waste recovery/ management mechanisms
- b. The linear economic model of use and throw and the nature of global trade has introduced increasing plastic products into countries without factoring country capacity and resource in handling potential waste or ability to recycle. This results in an inequitable distribution of environmental and social costs and risks
- c. no effective method of measuring the pollution, monitoring the pollution flow as well as in measuring and monitoring progress towards addressing this challenge
- d. lack of financial resource and capacity for especially developing countries to effectively implement, and enforce action plans

RANGE OF NATIONAL, REGIONAL AND INTERNATIONAL RESPONSE OPTIONS, INCLUDING ACTIONS AND INNOVATIVE APPROACHES, AND VOLUNTARY AND LEGALLY BINDING GOVERNANCE STRATEGIES AND APPROACHES:

At the national level, all countries should work towards setting national targets and should transition towards a circular plastics economy. TL has numerous national level policies which has been introduced and remains committed towards achieving plastics pollution free by 2023.

As a Coral Triangle country with rich marine biodiversity, and further, in recognizing the transboundary nature of plastic production and consumption as well as marine pollution, we believe that it is important that global level response options are identified to complement national and regional response measures. Such global response option should also build upon previous body of work of the Open Ended Working Group and should facilitate access to financial and technical support for countries, facilitate the adoption of harmonized standards, foster collaboration, help in avoiding duplication of efforts, and provide a mechanism to measure the progress of achieving global goals such as the Sustainable Development Goals. We believe that a legally binding international framework which helps countries set clearly defined targets and helps set and harmonize standards to be a key global response option. In seeking to achieve effectiveness at the international level, a multi layered approach needs to be taken in strengthening governance through the strengthening of existing international, regional and national measures, as well as through enhancing larger collaboration with civil society and the private sector.

FEASIBILITY AND EFFECTIVENESS OF DIFFERENT RESPONSE OPTIONS ABOVE:

National measures are crucial but will need to be backed by transparency and good governance where there is effective implementation and enforcement. However, there is no single silver bullet and a multi layered approach is very much needed. national, regional and international frameworks will need to be strengthened in parallel to introducing new comprehensive frameworks. It is crucial that significant investment is made in science, research and development and these form the basis of developing measurement and monitoring tools. If global production and trade in plastics is not effectively transitioned into a circular economy at the international level, socio economic challenges and conflicts may arise within the frame of global trade with some countries potentially being left behind in effectively addressing the challenge of marine litter and micro plastic.

POTENTIAL OPTIONS FOR CONTINUED WORK FOR CONSIDERATION BY THE UNITED NATIONS ENVIRONMENT ASSEMBLY:

It is hoped that investments are made in helping with identifying cost effective and environmentally sustainable alternatives to plastics in addition to developing technology which is efficient for waste management and recovery. Science, research and development is also needed to develop key monitoring tools and in identifying efficient pollution mitigation and elimination measures.

THANK YOU

SUBMISSION BY THE UNITED STATES OF AMERICA ON RESPONSE OPTIONS

The United States continues to support practical and effective action by all countries to reduce discharges of marine plastic litter (MPL) to the ocean. The work of the Ad Hoc Open-ended Expert Group (AHEG) should consider the potential for numerous approaches to help solve this problem, prioritizing actions that are cost-effective, and that focus on large-scale reductions in major source countries. There is no one-size-fits-all approach that will work for every country and situation, and many solutions will be carried out or are best implemented at regional, subnational and local levels of government or by nongovernmental entities. Response options should promote enhanced on the ground actions that will: (1) build capacity for environmentally sound waste management, (2) incentivize recycling and support the global scrap market, and (3) promote innovative technology and business models. Response options should also ensure that a life-cycle approach is considered in any path forward, so we understand the environmental impacts of alternative technologies or materials. We do not view a legally-binding instrument as the most effective approach to achieving reductions of MPL due to the inherently localized nature of waste management and the need to continue to accrue best practices in waste management rather than prioritize identifying international obligations.

Paragraph 7(d) of UNEA 4/6 mandates the AHEG with analyzing “the effectiveness of existing and potential response options”. In the letter to participants of 11 December 2019, the chair requested submission of potential response options in the context of prior UNEA decisions. We have several reflections, as follows.

- A combination of response options of differing size and scope will be most effective to achieve reductions in MPL discharges. Those options should encompass regional, national, sub-national, and local governments, the private sector, non-governmental organizations, and philanthropic foundations.
- Future meetings should be informed by the prior deliberations in the AHEG on response options. For example, the Annex of the AHEG-2 report identifies a range of issues and possible response options, and appropriately does not endorse any specific approaches. The AHEG should continue its work with the purpose of informing the broader policy discussions rather than pursue a specific recommendation.
- The AHEG should consider the role for existing, enhanced, or new public private partnerships that can promote targeted actions and capacity building or assist with resource mobilization.
- The AHEG should consider innovative approaches to mobilize non-governmental resources and financing. The business community has already committed more than a billion dollars of finance that will help countries reduce their MPL discharges. Foundations and non-governmental organizations can further compliment private sector investment and engagement.
- The AHEG should recognize and build on the current work undertaken by the Global Partnership on Marine Litter to reduce MPL. This effort could be given further attention and strengthened to improve its reach and effectiveness.
- We should consider options, including existing forums, for collaboration tailored to spur regional, national, sub-national and local action and to include appropriate participation by non-governmental actors. The Strategic Approach to International Chemicals Management SAICM multi-stakeholder model (or the SAICM body itself) could be considered as a possible approach that would allow for broad participation across government and non-government interests. If there is a need for traditional government to government engagement, it could be accommodated by handling some issues outside of the multi-stakeholder model.
- We continue to emphasize the benefits of regional, national, sub-national, and local approaches that can take into consideration circumstances on the ground, rather than press for universal approaches.

- Regionally, the AHEG should consider the existing instruments such as regional seas programs, regional fisheries bodies, and river basin committees as effective options to galvanize action.
- The AHEG should also consider ways to facilitate the development and support of national action plans that may also facilitate action at the subnational or local level.

VIETNAM'S SUBMISSION OF POTENTIAL RESPONSE OPTIONS

Dr. Ta Dinh Thi, Ma. Nguyen Ngoc Son,
Viet Nam Administration for Seas and Islands

Vietnam recognizes the “marine plastic litter and microplastic” are important issues. The challenges of marine plastic litter and microplastic are global scale, and require solutions and initiatives at global approach, but also be suitable with priorities of ASEAN regions and Vietnam. These are our cross-cutting opinion in building Submission of Potential Respond Options.

I. Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries:

Viet Nam is a developing country with high population of more than 90 million people. The tourism service and numerous residential areas and industrial zones along the coastline have been constantly developed recently. Plastic products have generated a number of benefits for society, but at the same time, plastic pollution has become a persistent and widespread challenge. These are major barriers to combating marine litter and microplastics in Vietnam as follows:

1. How to mobilize sufficient financial resources to combating marine litter and microplastics?

Actually, solving the issues of marine plastic pollution requires considerable financial resources. In the context of Vietnam, finding sufficient funding for prioritized policy and technical measures is a great challenge. In spite of the resource-gap has already been recognized by the international donor community (ex: WB, ADB, UNDP, WWF etc.), and aid flows, both bilateral and multilateral, have started to reflect this. The problem, however, is that these aid flows are currently insufficient to solve the problem, and also scattered and largely uncoordinated.

2. Need a Roadmap for transition towards circular economy for plastics within Vietnam's conditions.

There are gaps and inefficiencies in implementing policies from the central-level to local-level governances in order to prevent, control, reuse, recycle, etc., of marine litter. It remains a challenge to define an effective strategy to address marine plastics in a systemic way, because of the complexity of the plastic value chain, numerous types of polymers and plastics application, diverse pathways and various type of plastics, and unqualified magnitudes of impacts on environment, including marine ecosystems.

3. For combating marine litter and micro plastics, there are some barriers cannot be addressed domestically (but may be effectively addressed across the board globally).

*Legislation and governance framework needed at international level: Until now, toward goal UN SDG 14.1, Viet Nam has adopted National Action Plan (NAP) on marine plastic litter management through 2030 with the requirements of “Successfully implement Viet Nam's initiatives and international commitments to address plastic waste issues with a focus on marine plastic litter”, and other relevant legal documents. However, in legal aspect, we have realized that more international instruments are required to guide or orient national policy. UNLCOS is designed to protect marine environment from all sources of pollution. It does not expressly address marine litter and microplastics. London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter is limited to intentional disposal of plastics at sea from ocean sources. Stockholm Convention on Persistent Organic Pollutants have a scope limited to certain chemicals used in the production of certain plastics. GPA (Global Programme of Action for the Protection of Marine Environment from Land-based Activities) has no specific targets to prevent, reduce or eliminate marine plastic litter or microplastics.

* Call for industry engagement: Currently, Vietnam is in the stage of researching and testing some models such as: Public-Private Partnerships, Polluter-Pay Principle, Extended Producer

Responsibility (just in plan) and also Remove investment and tax barriers for industry to promote innovative solutions to material recovery and recycling. We need global rules, standards or recommended practices for “Industry engagement” and need to extend producer responsibility.

* Science and Knowledge: Recently, there are many efforts for combating this issue, but in fact, marine litter and plastic pollution are still new, not only for managers but also for scientists in Viet Nam. Lack of information and database of marine litter; no data and knowledge gaps for microplastics.

* Managing Transboundary Plastic Waste: Need an international or regional mechanism for monitoring and reporting of transboundary plastic waste flows, especially in international waters (For example, How to create an establishment of monitoring sites for plastic marine debris in the East Sea (or South China Sea) and Thailand Gulf. Pathways and spatial variability of plastic input to the sea to locate targets for intervention and reduction of leakage to the marine environment) and also Address plastic waste originating from neighboring countries or outside national jurisdiction.

* Methodology on monitoring, standards, regular reporting, and stocktaking: Currently, all over the world, Vietnam and other States have begun to introduce policy measures and regulatory interventions aimed at curbing the leakage of plastic into the environment. However, no proper overview of all these efforts exists. States are not obliged to report on the measures they introduce. As a result, it is difficult to compare data from different countries and to keep track on progress. Needing common standards for measuring progress between countries.

* Technical Assistance and Technology Transfer: Technical assistance should focus on setting up facilities for technical assistance, support on waste management, innovative research, creating a knowledge-sharing platform. Technology transfer focus on innovative systems/processes/solutions on how to shift to reusable, more recyclable materials; for increasing recycled plastic waste/recyclability component of the plastic products; and the re-design of materials.

* Capacity building: Regional study centre on plastic should play a role for capacity building and information exchange. UNEP should set up a system of satellite regional centres around the world.

II. Range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches

Toward the achievement of the Target 14.1 of the 2030 Agenda for Sustainable Development that calls for preventing and significantly reducing marine pollution of all kinds, Viet Nam has made great efforts through strong political commitments as well as practical activities in managing waste reduction. Viet Nam has recognized the issues on “marine litter” being highly priority as reflected in the issued policies. We has adopted a development strategy to promote maritime economy in parallel with protecting maritime environment and ecosystem. One of specific objectives until 2030 settled out by the Strategy is “Preventing, controlling and significantly mitigating marine environmental pollution; being a regional pioneer in reducing ocean plastic waste”. The National Action Plan (NAP) on marine plastic litter management through 2030 sets requirements of “Successfully implement Viet Nam’s initiatives and international commitments to address plastic waste issues with a focus on marine plastic litter”, “Maintain and develop cooperation with international organizations on the sea issues; proactively sign and implementing international treaties; and coordinate in the control and management of marine plastic litter”.

The challenges of Marine Litter and Micro-plastics are global, and require global solutions and initiatives framed within national and regional priorities. At the G7 Summit in Canada in June 2018, the Prime Minister advocated for a “plastic free ocean” initiative, and called for a Global Cooperation Mechanism for Plastic Litter Mitigation with joint actions from all relevant countries for ever-blue oceans full of fish and shrimps and free from plastic, serving as valuable assets for future generations. The Government made a request to Ministry of Natural Resources and Environment (MONRE), including “Proactively, actively participate in and propose for implementing cooperation initiatives at international and regional forums”, “Promote the formation of a regional and international cooperation framework on prevention and mitigation of ocean plastic waste”. Following the above barriers, ASEAN’s statements and Vietnam’s vision, we support for building a global treaty within UN in order to help UN’s member nations addressing plastic pollution. We suggest response options, actions within global treaty, which of these should be voluntary, which of these should be binding, in the below table.

I. Transition towards circular economy for plastics

Policy measures can change the linear global economy for plastics into one that is circular, by ensuring global cooperation and creating consistent global standards from source materials to waste management and recovery

The life cycle of plastics	Recommended Global Activity	Should this be binding?	Should this be voluntary?
1) Source material	<ul style="list-style-type: none"> - Promote the use of raw materials with low carbon, low environmental footprint for plastic production - Introduce regulation on subsidies and incentives for fossil-based primary feedstock - Identify better or equal alternative materials 	<p style="text-align: center;">X (minimum requirement)</p> <p style="text-align: center;">X (minimum requirement)</p>	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p>
2) Production	<ul style="list-style-type: none"> - Innovate and redesign plastics. - Regulate certain types, composition and production methods of plastics - Reduction of production of certain LDPEs - Introduce eco-labelling standards for plastic products 	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>
3) International trade	<ul style="list-style-type: none"> - Regulate and control the import and export of plastic and plastic products. - Strengthen compliance to international standards in the trade of plastic waste, linked to the Basel Convention. 	<p style="text-align: center;">X</p>	<p style="text-align: center;">X</p>
4) Consumption	<ul style="list-style-type: none"> - Reduce consumption of unnecessary single use plastic. - Ban on certain LDPEs, problematic plastics - Create a labelling mechanism to promote better consumer choices 	<p style="text-align: center;">X</p>	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>
5) Waste management and material recovery	<ul style="list-style-type: none"> - Implement Extended Producer Responsibility schemes to support private sector participation - Set international standards on waste management practices, including export and import of recycled waste. 	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>	

	- Create an international financial mechanism for waste management and recovery.	X	
	- Introduce national laws and regulations on waste management to ensure compliance by waste management facilities.		X
6) Clean-up/removal	- Consider regional efforts for the removal of fishing gear and plastic litters.		X
	- National action on clean up		X

II. There are some barriers cannot be addressed domestically (but may be effectively addressed across the board globally)			
	Recommended Global Mechanisms:	Should this be binding?	Should this be voluntary?
1) Mobilize sufficient financial resources to combating marine litter and microplastics	- Developed countries to be called upon to contribute to financial mechanisms - Financial organizations have commitments for contributions	X X	
2) Legislation and governance framework needed at international level	- Support from other countries to ensure effectiveness of new national measures to address plastic pollution - Regulation on the import and export of plastic materials (including fossil-based plastics), products and waste. - Reduction in the production and consumption of certain plastics	X	X X
3) National Commitments	- All commitments should be specific, measurable and time-bound. - All parties commit to adopt and implement a national action plan with set goals and targets, which can follow the recommendations of UN SDG 14.1. - There should be strong national commitments regarding contributions to match the ambition of the global goal. Differentiate between targets of developed and developing nations. - Regular reporting that includes general guidelines for methodology of monitoring and verification, as well as voluntary methodology as appropriate in the national context. - Legal framework upgraded to match with the global treaty.	X X X	X X
4) Call for industry engagement	- Global rules, standards or recommended practices for "Industry engagement" and need to extend producer responsibility	X (minimum requirements)	X

	<ul style="list-style-type: none"> - Public-Private Partnerships - Polluter-Pays Principle - Consider mandatory reporting/verification of companies' compliance with regulations or commitments, including those on eco- labelling - Remove investment barriers for industry to promote innovative solutions to material recovery and recycling 	<p>t)</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p>
5) Science & Knowledge	<ul style="list-style-type: none"> - Innovative researches and methodologies regarding plastic waste/micro plastics e.g. plastic characteristics ecological, health impacts, harmful plastic waste leakage linked to key sources or pathways, etc. - Sharing, announcement of achievement to relevant authorities and parties. - Building an Regional – level Plastic Study Centre in order to exchange science & knowledge between nations of region 	<p>X</p>	<p>X</p> <p>X</p>
6) Managing Transboundary Plastic Waste	<ul style="list-style-type: none"> - An international or regional mechanism for monitoring and reporting of transboundary plastic waste flows, especially in international waters 	<p>X</p>	
7) Measuring Progress - monitoring, standards, regular reporting, stocktaking	<ul style="list-style-type: none"> - Adoption of Common Standards for Measuring Progress - National regular report - Transparent Reporting and Review System - Capacity considerations 	<p>X</p> <p>X</p> <p>X</p>	<p>X</p>
8) Capacity-Building/Technology Transfer –	<ul style="list-style-type: none"> - Sharing information/data and technologies obtained to each other; - Technology transferring; - Building platforms for information exchange - Capacity building programmes 	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>

III. Feasibility and effectiveness of different response options above & Potential options for the operation of United Nations Environment Assembly (UNEA)

- It is suggested that UNEA apply expert judgment methodology to assess the feasibility and effectiveness of the different response options.

- COVID-19 poses significant challenges for continued works by the UNEA as it imposes significant limitations in terms of movement, access and association. This will require rethinking of plan and work delivery mechanisms across all areas and sectors during the affected time.



ASSOCIATION WELFARE

<https://www.ecoconscience.tv>

<https://twelfare.wordpress.com>

SUBMISSIONS ON POTENTIAL RESPONSE MEASURES FOR ADDRESSING MARINE LITTER CHALLENGE

Option 1: Status quo

Option 2: Existing mechanism(s) with some modification

Option 3: New Global Mechanism

Our position on Option 1

This is logically, technically and morally unacceptable

Our Position on Option 2

This is the best of the 3 options. There are many existing mechanisms that can be used to take the lead and guide the international community and national governments. We believe the current group at the UNE Secretariat in Nairobi is capable of playing this role if it is given the necessary support. It can work together with the SAICM Secretariat and secretariats of BRS Conventions. It will save us a lot of time and other resources.

Our position on option 3

This option has a lot of bottlenecks. First nobody is 100% sure how many years it may take to negotiate such a global treaty. The possibility of wasting many years negotiating are there. The Paris Agreement is something that we shouldn't forget or repeat. It took 21 years to reach an agreement. Second nobody can guarantee that at the end of the day we will have a legally binding agreement. Again the Paris Agreement is a bitter example. After 21 years of protracted negotiations we ended up with a non-legally binding treaty though expectations all along the way were on a legally binding agreement. Another example is SAICM. For almost 3 years of negotiating on the expectation of a legally binding SAICM we ended with a voluntary SAICM. Third is that even when a treaty is perceived to be 'legally binding' in practice its isn't. Non-compliance with 'legally binding' treaties and failure to hold those who don't comply are a common practice. The legally binding nature of an international treaty is based on the ability to enforce its provisions and to hold accountable and take corrective measures on those who defy it. We do not see a chance for such a treaty to come out if we decided to embark on negotiations.

However we leave the door open for any of the 2 last options so long as the following key elements form part and parcel of any of these two options:

1. The option provides clear and measurable support to other agreed international initiatives particularly Agenda 2030 (17 SDGs) and the Paris Agreement.
2. The option embraces all and not only one or two of the 3 pillars of sustainable development i.e. social, economic and ecological pillars. We are concerned in particular about the trend to down play the social pillar and give more attention to ecologic and economic pillars. We have seen interest on actions such as bans of single use plastics without due consideration to jobs and livelihoods. Developing countries are facing masses of unemployed youths threatening peace, security and social harmony. Many women earn their living within the plastic industry (upstream and downstream). An option that may result into increased rates of un employment and widening of inequalities is not only non-productive but also ethically incorrect.
3. The option must be supported by a robust and long term financial mechanism that is accessible to all Parties and all stakeholders including CSOs and communities. The mechanism must also have a good balance between adaptation (e.g. cleanup) and mitigation (e.g. technologies) measures.
4. The options must recognize the principle of common but differentiated responsibilities between and within countries.
5. Lastly but not least the agreed option must avoid the mistake of downplaying the role of business and industry that is common in many other initiatives.

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Submission by Togo Welfare Association

Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries:

1 The 'hidden' nature of the problem

What accumulates in the water column or at the bottom of marine ecosystem is not easily visible to people. This encourages dumping and negligence. Need to break this challenge through training and technology e.g. underwater drones and cameras, scuba diving, etc.

2. Cultural and spiritual perceptions

Our culture and spirits regard a body of water as a place where people can clean their sins, bad luck or dump their waste? Need education and counter measures. Cultural and spiritual beliefs and practices take long time and need strong efforts before they fade away

3. Finance

Cleaning beaches and marine ecosystems need high amounts of money. They also compete with other more pressing issues such as education, water, health, etc. There are no studies to assist officials to make informed decisions

4. Expertise

Combating marine litter, plastics and microplastics require skills that often are not available in developing countries. They also require state of art labs for analysis of samples.

5. The Transboundary nature of the problem

Majority of large scale marine ecosystems are shared by many countries or communities. These countries or communities have their individual and sometimes narrow-minded needs and is always difficult to reconcile. Joint programs and institutions are needed

Range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches:

No involvement

Feasibility and effectiveness of different response options above: No

involvement

Potential options for continued work for consideration by the United Nations Environment Assembly:

How can human based approach be mainstreamed in the fight against marine litter, plastics and microplastics? How can the all the 3 pillars of sustainable development be mainstreamed in all initiatives addressing marine litter, plastics and microplastics? In other words how can this initiative support the implementation of Agenda 2030?



environmental
investigation
agency



#breakfreefromplastic

Convention on Plastic Pollution

Toward a new global
agreement to address
plastic pollution

June 2020



Background

Plastic pollution is one of the greatest anthropogenic threats our planet faces and protection of the marine environment is a common concern of humankind.

Of approximately 275 million tonnes of plastic waste produced annually, up to 12 million tonnes leak into our oceans, wreaking havoc on livelihoods and ecosystems.¹ Yet the impact of ever-increasing production, coupled with overwhelmed and insufficient waste management, is felt not just in the oceans but in every environment on Earth,² resulting in an estimated \$13 billion in annual environmental damage to marine ecosystems, as well as other economic losses and significant human and environmental health concerns.³

This plastic pollution crisis is inherently transboundary in nature and thus requires a concerted and coordinated global response to adequately address it.

In recent years, marine plastic pollution has been put squarely on the international agenda. As part of the 2030 Agenda for Sustainable Development, Sustainable Development Goal 14.1 states the need “by 2025, [to] prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution,” making the issue of plastic pollution a top global priority. Marine plastic pollution also has been repeatedly highlighted by the United Nations Environment Assembly (UNEA) in a series of resolutions:

Resolution 1/6: Marine plastic debris and microplastics (2014).

At its inaugural session, UNEA stresses the importance of the precautionary approach, calls for comprehensive action on marine plastic pollution and requests an extensive study to identify key sources and possible measures.^{4,5}

Resolution 2/11: Marine plastic litter and microplastics (2016).

UNEA recognises marine plastic pollution is a “rapidly increasing serious issue of global concern that needs an urgent global response,” underscoring the need for harmonised definitions and monitoring, the lack of resources across regions and requesting an assessment from the United Nations Environment Programme (UNEP) on the effectiveness of international and regional strategies and approaches.^{6,7} Following a review of 18 international instruments and 36 regional instruments, UN Environment concludes that “current governance strategies and approaches provide a fragmented approach that does not adequately address marine plastic litter and microplastics.”⁸

Above: Plastic production is increasing at alarming rates, set to quadruple by 2050. Up to 12 million tonnes of plastic leak into our oceans each year, and 51 trillion plastic particles are already present in the marine environment.



Resolution 3/7: Marine litter and microplastics (2017). UNEA stresses “the importance of long- term elimination of discharge of [plastic] litter and microplastics to the oceans,” encouraging national action and international cooperation, and establishes an ad hoc open-ended expert group to examine options to combat marine plastic pollution from all sources, including international response options and legally binding strategies and approaches.^{9,10}

Resolution 4/6: Marine plastic litter and microplastics (2019). UNEA reaffirms the importance of the long- term elimination of discharge of plastic litter and microplastics into the oceans and further stresses “the importance of more sustainable management of plastics throughout their lifecycle in order to increase sustainable consumption and production patterns, including but not limited to the circular economy” and extends the mandate of the expert group to include exploring technical and financial resources and mechanisms and the effectiveness of an international response option.^{11,12}

Moreover, during this time, the International Maritime Organization (IMO) adopted its Action Plan to Address Marine Plastic Litter from Ships in 2018,¹³ taking initial steps to reduce plastic pollution from ships and fishing vessels. Likewise, the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal adopted amendments in 2019 intended to better control the transboundary movements of certain problematic plastic waste by changing their control status so they are subject to the “prior informed consent” procedure.¹⁴

It is increasingly clear, however, that to prevent plastic pollution in the marine and other environments, the global community will need a dedicated instrument, a Convention on Plastic Pollution, that addresses the full lifecycle of plastics from production and design to waste prevention and management.^{15,16} The Convention on Plastic Pollution should build upon and complement existing regional and global frameworks, allowing them to contribute within their core competencies, while otherwise filling the significant gaps that must be addressed in order to eliminate the long-term discharge of plastic pollution into our oceans and promote a safe circular economy for plastics which is just and safeguards the climate system.¹⁷

Pillars of Action

Member States have identified several areas where activities are needed, which can be broadly placed into four pillars of action that form the structural and conceptual framework for the Convention on Plastic Pollution:

CONVENTION ON PLASTIC POLLUTION			
PILLAR 1 MONITORING AND REPORTING	PILLAR 2 PLASTIC POLLUTION PREVENTION	PILLAR 3 COORDINATION	PILLAR 4 TECHNICAL AND FINANCIAL SUPPORT
Monitoring and reporting on the state of the environment and implementation	Measures to reduce plastic pollution and promote a safe circular economy for plastics	Coordination with other international and regional instruments on relevant topics	Technical support to policymakers and financial support to developing countries
<p>Harmonisation</p> <ul style="list-style-type: none"> • Definitions • Methodologies (monitoring, reporting) • Standardised formats <p>Environmental monitoring</p> <ul style="list-style-type: none"> • Baselines (seafloor, seawater, shoreline, biota, freshwater, soils) • Indicator species • Evolution of plastic pollution in marine and other environments <p>National data reporting</p> <ul style="list-style-type: none"> • National inventories and sources: <ul style="list-style-type: none"> - virgin plastic production and use - recycled plastic production and use - plastic-waste management - plastic-waste trade - land-based sources - sea-based sources - microplastics • Evolution of circular economy and leakage <p>Reporting on national action</p> <ul style="list-style-type: none"> • Submission of national action plans • Periodic review and update <p>Periodic comprehensive assessments</p> <ul style="list-style-type: none"> • Progress toward global objectives • Scientific and socio-economic reviews 	<p>Global objectives</p> <ul style="list-style-type: none"> • Long-term elimination of discharges • Safe circular economy for plastics <p>National action plans</p> <ul style="list-style-type: none"> • Policies and legislation: <ul style="list-style-type: none"> - targets and market restrictions - waste prevention and management - recycling and secondary markets • Sustainable financing mechanisms • Infrastructure investments • International and regional commitments <p>Microplastics</p> <ul style="list-style-type: none"> • Intentionally added (e.g. microbeads, fertilisers) • Wear and tear (e.g. tyres, textiles) • Mismanagement (e.g. pellets) <p>Standardisation</p> <ul style="list-style-type: none"> • Labelling • Product design and additive restrictions • Certification schemes • Voluntary industry standards <p>Virgin plastic production and use</p> <ul style="list-style-type: none"> • Controls and quality standards <p>Remediation and legacy pollution</p> <ul style="list-style-type: none"> • Protocols and guidelines 	<p>Sea-based sources (including fishing gear)</p> <ul style="list-style-type: none"> • International Maritime Organization (IMO) • Food and Agricultural Organization (FAO) <p>Plastic waste trade</p> <ul style="list-style-type: none"> • Basel Convention • Organisation for Economic Co-operation and Development (OECD) and regional instruments <p>Chemicals and additives</p> <ul style="list-style-type: none"> • Stockholm Convention • Strategic Approach to Integrated Chemical Management (SAICM) <p>Biodiversity</p> <ul style="list-style-type: none"> • Convention on Biological Diversity (CBD) • Convention on Migratory Species (CMS) • International Whaling Commission (IWC) <p>Climate change</p> <ul style="list-style-type: none"> • United Nations Framework Convention on Climate Change (UNFCCC) • Intergovernmental Panel on Climate Change (IPCC) <p>Agriculture</p> <ul style="list-style-type: none"> • Food and Agricultural Organization (FAO) <p>Cross-regional knowledge exchange</p> <ul style="list-style-type: none"> • Regional seas conventions and programmes • Regional fisheries management organisations 	<p>Scientific Assessment Panel</p> <ul style="list-style-type: none"> • Periodic comprehensive assessments • Ad hoc reports <p>Socio-Economic Assessment Panel</p> <ul style="list-style-type: none"> • Periodic comprehensive assessments • Ad hoc reports <p>Implementing and bilateral agencies</p> <ul style="list-style-type: none"> • Technical assistance: <ul style="list-style-type: none"> - capacity-building and training - policy development - monitoring and reporting • Best practices and knowledge exchanges <p>Financial resources and mechanism</p> <ul style="list-style-type: none"> • Enabling activities: <ul style="list-style-type: none"> - capacity-building and training - policy development - monitoring and reporting - institutional strengthening - Pilot and demonstration projects • Incremental costs <p>Implementation and compliance mechanism</p> <ul style="list-style-type: none"> • Implementation guidance • Assistance for countries in non-compliance



Above: Monitoring and reporting on the presence of plastic pollution in different environments will be a critical component of the new convention.

Pillar 1: Monitoring and reporting

An essential element in any multilateral environmental agreement is monitoring and reporting.

Monitoring and reporting on the state of the environment will be critical aspect of the Convention on Plastic Pollution, in particular the evolution of two indicators:

Presence of plastic pollution - environmental monitoring

The presence of plastic pollution, i.e. a top-down approach for tracking the evolution of plastic in marine and other environments over time. Parties will need to develop a harmonised environmental monitoring framework outlining what will be monitored, such as seafloor, seawater, shoreline, biota, passively fished waste or other compartments such as freshwater and soils.

In collaboration with the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) and/or other dedicated bodies, Member States will also need to establish clear methodologies for how such monitoring should take place, how it will be coordinated, by whom and how often.

Circular economy and leakage - data reporting Plastic inputs into the environment, i.e. a bottom-up approach tracking national progress toward a circular economy and the reduction of leakage. This will require reporting along the full lifecycle of plastic, from production and use to collection, recycling and plastic-waste management. National data reporting will also facilitate the development, implementation, review and update of national action plans, allowing for progress to be monitored nationally and collectively at the global level.

How these evolve over time will determine the success or failure of the adopted policies and measures, informing future decision-making. Much of the monitoring of the marine environment is currently undertaken through ad hoc bodies, agencies, projects and programmes in an inconsistent and fragmented manner, causing significant challenges with reliability and cross-comparability of data. With regard to reporting, such mechanisms are virtually non-existent. One of the first tasks of the Parties will therefore be to develop and implement a harmonised monitoring and reporting system which will include standardising definitions, methodologies and formats for the purposes of establishing baselines and inventories.

Environmental Investigation Agency



Above: Pellets are the building blocks of the plastics industry. Melted and molded into virtually every plastic product in existence, up to 230,000 tonnes leak into the environment annually.

Pillar 2: Plastic pollution prevention

The overarching objectives of the Convention on Plastic Pollution are:

- 1. to eliminate the long-term discharges of plastic into all compartments of the environment (land, sea, air);**
- 2. to achieve a safe circular economy for plastics, one that is just and safeguards the climate system.**

At the heart of the global agreement will be country-level plastic pollution reduction plans – national action plans, as it were – transposing international obligations and setting out the specific policies and measures taken or to be taken to reduce plastic pollution. These will be informed and supplemented by initiatives to address specific issues related to microplastics and ensure standardisation across the plastic value chain.

National action plans

National action plans, more appropriately referred to as plastic pollution reduction plans, will form the cornerstone of a new Convention on Plastic Pollution, transposing international obligations into policies and legislation, including measures and incentives to be implemented at the national level. They will be tailored

to each country's specific needs and circumstances in order to reflect the realities on the ground. For example, in a country with large rural areas lacking waste-management infrastructure, policymakers may elect to advance a set of measures to eliminate prevalent single-use plastic items while promoting traditional solutions as alternatives, coupling this with targeted investments in accessible and regular separate collection and recycling. Parties should be expected to communicate their plastic pollution reduction plans as part of their commitments under the Convention, report on implementation over a specified timeframe and review and update them periodically. Relevant commitments made elsewhere, such as under regional and other international instruments, would be incorporated into the national action plans so as to consolidate all actions into one document, a one-stop shop for national action against plastic pollution. National action plans should include the requirement to legislate in the pursuit of establishing extended producer responsibility schemes and national reduction targets.

Microplastics

Primary microplastic pollution is plastic entering the environment in small pieces and includes microplastics emitted during the lifecycle of a product through wear



and tear (e.g. automobile tires, road markings, textiles, artificial turf, building paint), through accidental spills (e.g. pellets) or because intentionally added (e.g. microbeads in cosmetics and cleaning products, controlled-release fertilisers). Secondary microplastic is derived from the breakdown of larger pieces of plastic debris once in the environment. Microplastics are an insidious form of pollution, the impacts of which we have only just begun to understand. They adsorb toxic pollutants, harbouring concentrations of PCB and DDT up to 1,000,000 times more concentrated than surrounding water. A recent study found up to 1.9 million microplastic pieces per m² of seafloor, with 2,249 species of plant, animal and microbe being known to be impacted globally.^{18,19} These pollutants are contaminating seafood destined for human consumption²⁰ and threatening human health in other ways such as through airborne nanoparticles and microfibrils.²¹ While several national and regional regulations aim to limit the quantities of certain intentionally added microplastics, much more needs to be done. Despite human and environmental health concerns, there exists no multilateral instrument to ban or heavily restrict the use of intentionally added microplastics globally.

Standardisation

Another key issue impeding progress towards achieving circular-economy objectives is a lack of global criteria and standards on products and recycled materials, undermining secondary markets and the circular economy. The Convention on Plastic Pollution should systematically address these issues through a combination of labelling, product design, additive

restrictions and certification schemes. These activities would work to bring structure and organisation to the global plastics value chains and enable consistent approaches that would actively promote resource efficiency, best practice and waste reduction at national levels. In addition to this, the Parties may wish to set out global market restrictions, such as prohibitions on certain polymers and additives, and controls on the use of toxic additives, such as endocrine-disrupting chemicals and carcinogens.

Virgin plastic production and use

Significant reductions in the quantity of virgin plastic produced and used is key to the long-term elimination of emissions into marine and other environments. This will require a series of control measures to be negotiated at the global level to cap and gradually phase down virgin plastic production and use. These measures should be accompanied by quality specifications on virgin pellets and resins, allowing for recycling into the circular economy.

Remediation and legacy pollution

In addition to prevention, coordinating the clean-up of what is already present in the environment will also be an important task. Currently, remediation efforts are not only insufficient, but also disparate and often ineffectual at large scales. Parties to the Convention will thus be required to negotiate the development of protocols and guidelines for remediating all environmental compartments (land, sea and air) while ensuring impacted communities are made whole.



Higher consumption production and consumption of plastic has been supported by exporting waste to countries with lower energy and labour costs, with devastating impacts on ecosystems, workers and communities around the world.

Pillar 3: Coordination

Several existing conventions and agreements could be or are actively taking steps to address aspects of plastic pollution, covering topics from fishing gear to the plastic-waste trade.

However, there is a lack of coherence and coordination between measures to address plastic pollution on land and at sea. Consequently, coordination with other international and regional instruments is needed and should be central to the governance of the new Convention on Plastic Pollution, promoting effective cooperation and coherence while fully recognising that these are separate bodies with their own mandates and competencies.

Sea-based sources (including fishing gear)

Several multilateral environmental agreements exist to regulate sea-based sources of marine plastic pollution, targeting pollution from fishing vessels, cruise liners, maritime platforms, ports and shipping operations, among others. Notably, these largely fall within the mandates of the International Maritime Organization (IMO) and Food and Agricultural Organization (FAO), and include the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), the London Convention and Protocol, Port State Measures Agreement (PSMA) and the FAO Code of Conduct for Responsible Fisheries (including the Voluntary Guidelines for the

Marking of Fishing Gear), among others. Considered alongside one another, these instruments take disparate approaches on some issues or harbour significant regulatory voids. Likewise they sometimes lack clarity about where responsibility for monitoring, reporting and enforcement sits, particularly in the context of fishing gear and the jurisdiction of essential portside measures required for an effective approach to managing this problem. The new Convention on Plastic Pollution would seek to eliminate regulatory voids and ensure coherence and coordination.

Plastic waste trade and management

Significant quantities of plastic waste are internationally traded with limited transparency and accountability on final treatment. Several instruments partially regulate this international trade, including the Basel Convention (1989), economic organisations such as the Organisation for Economic Cooperation and Development (OECD) and multiple regional agreements. The new Convention on Plastic Pollution should work with these instruments to ensure that activities on the plastic waste trade are coherent and complementary, eliminating leakage into marine and other environments while ensuring final treatment is compatible with a safe circular economy for plastics.

Chemicals and additives

Plastics are essentially composed of different types of chemicals, which includes additives. Additives are the chemicals added to polymers along the supply chain to change their physical, thermal, electrical or aesthetic characteristics. While historically considered biochemically inert, it is now known that many of these chemicals and additives are toxic to human health and have the capacity to pass biological membranes and disrupt physiological processes. This toxicity can undermine secondary markets for post-consumer pellets and a safe circular economy for plastics. In response to this concern, several agreements exist to restrict and regulate the types and quantities of chemicals produced, including during the manufacturing of plastic. These include the Stockholm Convention on Persistent Organic Pollutants (POPs) (2001), a legally binding agreement, and the Strategic Approach to International Chemicals Management (SAICM), a non-binding policy framework. However, the vast majority of plastic additives fall outside the scope of the Stockholm Convention and a remarkable degree of opacity still exists around the chemicals and additives used in plastic production altogether. A lack of obligation to disclose information on substances contained in plastic products and to report on the specific additives used throughout the supply chain, combined with a limited understanding of health implications, means that existing instruments are at present ineffectual at safeguarding human and environmental health and promoting a safe circular economy for plastics. The new Convention on Plastic Pollution would work to address these shortfalls by controlling the use of all additives in plastic on the basis of the precautionary principle.

Biodiversity

Some multilateral agreements on biodiversity and species conservation have a role to play in mitigating the impact of pollution, including plastic pollution, on

natural systems and tracking the evolution of plastic in and impacts on indicator species. This includes the Convention on Biological Diversity, Convention on Migratory Species and International Whaling Commission, among others.

Climate change

Plastic has a large and rapidly growing greenhouse gas footprint, primarily in its production phase and secondarily upon incineration and decomposition. Plastic also significantly exacerbates climate disruption in many locales (e.g. plastic bags block drains, exacerbating flooding; plastic damage to coral reefs undermines climate-stressed ecosystems upon which local economies depend). In accordance with the Paris Agreement of the United Nations Framework Convention on Climate Change (UNFCCC), the plastic lifecycle must be managed so as to achieve net carbon neutrality by 2050. This and other actions to minimise plastic's climate impact will require explicit coordination between national action plans and the UNFCCC's Nationally Determined Contributions. Similarly, scientific bodies under the Convention should coordinate with the Intergovernmental Panel on Climate Change (IPCC) to ensure accurate and timely accounting of plastic's climate impacts.

Agriculture

Agriplastics are plastics used in agricultural production and sales and include greenhouse film, silage covers and bags, irrigation systems, nutrient prills, tunnels and covers. Hundreds of thousands of tonnes are produced, traded and used annually for purposes ranging from weed suppression and fertilisation to protection from harsh weather and transportation. As well as generic concerns about non-recyclability and inappropriate disposal, recent studies have affirmed that soil mulching and microplastic fertilisers can degrade terrestrial ecosystems and reduce crop productivity over longer timeframes, presenting food security issues. Despite these growing concerns, agriplastic use remains unregulated by the Food and Agricultural Organization, or any other related regulatory body.

Cross-regional knowledge exchange

The 18 Regional Seas Conventions and Programmes addressing land-based sources of pollution vary in scope, legal structure and effectiveness.²² Nevertheless, they serve as important regional laboratories with the potential to reinforce regional cooperation to address region-specific issues and should therefore be strengthened, where possible, and knowledge exchanged among them.

Above right: Cooperation and coordination at the global level is critical for addressing the transboundary problem of plastic pollution.



Pillar 4 – Technical and financial support

The Convention on Plastic Pollution will require technical and financial resources to achieve its objectives. In addition to providing for a secretariat, additional technical and financial resources will be needed to support decision-making and assist developing countries and economies in transition.

Scientific assessment panels

UNEA has recognised the “urgent need to consider a strengthened science policy interface and global coordination, cooperation and governance” and “strengthen the science policy interface at all levels and to do more to support science-based approaches.”²³ This includes improving the “understanding of the fate, distribution and impact of marine litter” and promoting “local, national, regional and global action to prevent and eliminate the discharge of [plastic] litter.”²⁴ Policy decision-making under the Convention on Plastic Pollution should be based on the best-available science, bringing together in standing scientific assessment panels the relevant expertise, including, for example, the Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP).

Socio-economic assessment panels

Socio-economic assessment should inform policy decision-making, providing improved understanding of the implications of status quo, inaction and of various



measures under consideration in terms of costs and economic impact as well as social implications on workers, households and gender and the rights of indigenous people, among other considerations.

Implementing and bilateral agencies

Many of the current activities undertaken to address marine plastic pollution at the regional and global levels are effectuated through implementing and bilateral agencies. This existing structure should be built into the Convention on Plastic Pollution in the form of technical assistance building upon the existing technical expertise within implementing and bilateral agencies in terms of capacity-building and training, policy development and monitoring and reporting. Moreover, best practices and knowledge exchanges should be shared and promoted more widely.

Financial resources and mechanism

A global agreement should include a mechanism to provide financial support to developing countries and economies in transition to assist with implementation and compliance. These financial resources can be divided into: (i) enabling activities, i.e. those activities necessary to pave the way for or enable compliance including capacity-building and training, policy development, monitoring and reporting, institutional strengthening and pilot and demonstration projects; and (ii) incremental costs, i.e. agreed costs related to complying with the new commitments. This financial

mechanism should combine multiple sources of funding and ensure the operationalisation of the polluter-pays principle.²⁵ In order to achieve sustainable financing for plastic-waste management, economic and other fiscal measures will need to be adopted by municipal and national governments. To this end, plastic waste management must become self-sufficient at the local and national levels, financed predominantly by those economic actors (industries) profiting from plastic use. Related to the provision of financial resources is the financial mechanism for delivering them, which requires further discussion and elaboration drawing on the experience and lessons learnt from the various existing financial mechanisms in other multilateral environment agreements and assessing their effectiveness in addressing plastic pollution.

Implementation and compliance mechanism

In order to assist with implementation and compliance with the provisions of the Convention on Plastic Pollution, a dedicated mechanism (committee) should be established, including providing additional support to countries in non-compliance.

Conclusion

Political momentum for a new global agreement addressing the full lifecycle of plastics is growing, as evidenced by the ever-increasing assemblage of international agreements, declarations, initiatives and conventions that have solidified and prioritised measures to achieve these ambitions. These include several recent high-level regional and ministerial declarations, including:

- **The Nordic Ministerial Declaration** on the call for a global agreement to combat marine plastic litter and microplastics, April 2019. The declaration encourages "... other interested actors to join the call for a new global agreement and participate actively in the Ad Hoc Open-Ended Expert group established by United Nations Environment Assembly."²⁶
- Adoption of the **Caribbean Community (CARICOM) St Johns Declaration**, July 2019, which states: "Heads of Government ... [u]nderscore the urgent need for a global agreement to address plastics and microplastic pollution and in this regard recall resolution 3/7 of the United Nations Environment Assembly, held in Kenya in March 2019, and the long-term ambition to eliminate discharges of litter and microplastics to the oceans."²⁷
- The outcome of the 17th session of the African Ministerial Conference on the Environment (AMCEN), November 2019. **The Durban Declaration** on Taking Action for Environmental Sustainability and Prosperity in African states: "We commit ourselves to supporting global action to address plastic pollution, which will require further work in order to engage more effectively on global governance matters relating to plastic pollution, including reinforcing existing agreements and the option of a new global agreement on plastic pollution."²⁸
- The new **European Union (EU) Circular Economy Action Plan**, March 2020, which states: "The [European] Commission will ... lead efforts at the international level to reach a global agreement on plastics and promote the uptake of the EU's circular economy approach on plastics."²⁹

At the fifth session of UNEA, currently scheduled for February 2021, delegates from around the world will meet once again to discuss next steps on global governance amid growing calls from ministers, capitals and regions for a new legally binding Convention on Plastic Pollution, an idea that has broad support within the expert group established to review international response options.

It is critical that Member States at UNEA support the call for an intergovernmental negotiating committee or equivalent body to begin negotiations without delay on the elements and design of the Convention on Plastic Pollution, the only viable and effective means to tackle plastic pollution and save our oceans.

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References:

1. Jambeck, J. R., Geyer, R., Wilcox, C., Siegler, T. R., Perryman, M., Andrady, A., and Law, K. L. (2015). Plastic waste inputs from land into the ocean. *Science*, 347 (6223), p.768-771. [Available here](#)
2. Bergmann, M. Mützel, S. Primpke, S. Tekman, M.B. Trachsel, J. and Gerdt, G. (2019). White and wonderful? Microplastics prevail in snow from the Alps to the Arctic. *Science*, Vol 5, no. 8, eaax 1157. [Available here](#)
3. United Nations Environment Programme. (2014). Valuing Plastics: The Business Case for Measuring, Managing and Disclosing Plastic Use in the Consumer Goods Industry. p.7. [Available here](#)
4. United Nations Environment Programme, resolution 1/6: Marine plastic debris and microplastics. (Nairobi, June 2014). UNEP/EA.1/Res.6. [Available here](#)
5. United Nations Environment Programme. (2016). Marine plastic debris and microplastics – Global lessons and research to inspire action and guide policy change. Nairobi. [Available here](#)
6. United Nations Environment Programme, resolution 2/11: Marine Plastic Litter and Microplastics. (Nairobi, May 2016). UNEP/EA.2/Res.11. [Available here](#)
7. United Nations Environment Programme. Combating marine plastic litter and microplastics: An assessment of the effectiveness of relevant international, regional and subregional governance strategies and approaches. (Nairobi, May 2018). UNEP/AHEG/2018/1/INF/3. [Available here](#)
8. United Nations Environment Programme. (2017). Combating Marine Plastic Litter and Microplastics Summary for Policymakers: An Assessment of the Effectiveness of Relevant International, Regional and Subregional Governance Strategies and Approaches. p. 5. [Available here](#)
9. United Nations Environment Programme, resolution 3/7: Marine litter and microplastics. (Nairobi, May 2017). UNEP/EA.3/Res.7 [Available here](#)
10. United Nations Environment Programme. Report of the third meeting of the ad hoc open-ended expert group on marine litter and microplastics. (Bangkok, November 2019). UNEP/AHEG/2019/3/6. [Available here](#)
11. United Nations Environment Programme, resolution 4/6: Marine plastic litter and microplastics. (Nairobi, March 2019). UNEP/EA.4/Res.6. [Available here](#)
12. United Nations Environment Programme. Ministerial declaration of the United Nations Environment Assembly at its fourth session. (Nairobi, March 2019). UNEP/EA.4/HLS.1. [Available here](#)
13. International Maritime Organization, resolution MEPC.310(73) (October, 2018). [Available here](#)
14. Amendments to Annexes II, VIII and IX to the Basel Convention (2019). BC-14/12. [Available here](#)
15. Center for International Environmental Law. (2017). Fueling Plastics: Fossils, Plastics, & Petrochemical Feedstocks. [Available here](#)
16. Center for International Environmental Law. (2017). How Fracked Gas, Cheap Oil and Unburnable Coal are Driving the Plastic Boom. [Available here](#)
17. United Nations Environment Programme. Combating Marine Plastic Litter and Microplastics: An Assessment of the Effectiveness of Relevant International, Regional and Subregional Governance Strategies and Approaches. (5th October 2017). UNEP/EA.3/INF/5. [Available here](#)
18. Kane, I. A., Clare, M. A., Miramontes, E., Wogelius, R., Rothwell, J. J., Garreau, P., & Pohl, F. (2020). Seafloor microplastic hotspots controlled by deep-sea circulation. *Science*. [Available here](#)
19. See: <https://litterbase.awi.de/>
20. Mato, Y., Isobe, T., Takada, H., Kanehiro, H., Ohtake, C., Kaminuma, T., 2001. Plastic resin pellets as a transport medium for toxic chemicals in the marine environment. *Environmental Science and Technology* 35 (2), 318-324. Page 323, Para. 5. [Available here](#)
21. Prata, J. C. (2018). Airborne microplastics: consequences to human health? *Environmental Pollution*, 234, p.115-126. [Available here](#)
22. United Nations Environment Programme. Combating Marine Plastic Litter and Microplastics: An Assessment of the Effectiveness of Relevant International, Regional and Subregional Governance Strategies and Approaches. (Nairobi, May 2018). UNEP/AHEG/2018/1/INF/3. pp.44-55.
23. United Nations Environment Programme, resolution 4/6: Marine plastic litter and microplastics. (Nairobi, March 2019). UNEP/EA.4/Res.6. [Available here](#)
24. United Nations Environment Programme, resolution 4/6: Marine plastic litter and microplastics. (Nairobi, March 2019). UNEP/EA.4/Res.6. [Available here](#)
25. The integrated approach to the sound management of chemicals and waste, adopted by UNEA-1, could serve as a model for the development of such a financial mechanism, with its three pillars of mainstreaming, industry involvement, and dedicated external financing.: United Nations Environment Programme (2012), Executive Director's Proposal for An Integrated Approach to Financing the Sound Management of Chemicals and Wastes
26. Nordic Co-operation. (2019). Nordic ministerial declaration on the call for a global agreement to combat marine plastic litter and microplastics. Nordic Co-operation official website. Accessed 23rd March 2020. [Available here](#)
27. Market Screener (2019). CARICOM Caribbean Community: Communiqué issued at the conclusion of the fortieth regular meeting of the conference of heads of government of the Caribbean community. Market Screener website. Accessed 30th March 2020. [Available here](#)
28. African Ministerial Conference on the Environment (AMCEN). Report of the ministerial segment. (Durban, November 2019). AMCEN/17/9. [Available here](#)
29. European Commission. A new Circular Economy Action Plan for a cleaner and more competitive Europe. (Brussels, 11th March 2020). COM(2020) 98 final. [Available here](#)



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CONVENTION ON PLASTIC POLLUTION: Toward A New Global Agreement
With A Multi-layered Governance Approach To Address Plastic Pollution

Environmental Investigation Agency (EIA), Center for International Environmental Law
(CIEL) and Global Alliance for Incinerator Alternatives (GAIA)

Complementary submission

August 14th, 2020

In the letter by the Chair of the Ad Hoc Open-Ended Expert Group on marine litter and microplastics (AHEG) dated 11 December 2019, member States and stakeholders were invited to provide submissions of potential response options, pursuant to paragraph 10(d) of United Nations Environment Assembly (UNEA) resolution 3/7.

The Center for International Environmental Law (CIEL), the Environmental Investigation Agency (EIA), and the Global Alliance for Incinerator Alternatives (GAIA) would like to take the opportunity to supplement our [updated](#) submission provided with our proposed governance structure.

In that regard, we would like to complement our message, by clarifying the actions that we expect the AHEG to take for consideration by the UNEA-5. As reflected in the discussions and the second report of the three meetings of the AHEG, among the options for continued work for consideration by the UNEA, the AHEG agreed to “[c]onsider the feasibility and effectiveness of a potential international legally binding agreement on marine litter and microplastics.”¹

Furthermore, the UNEA requested the AHEG, building on its previous work, to “[a]nalyse the effectiveness of existing and potential response options and activities with regard to marine litter and microplastics at all levels to determine the contribution that they make to solving the global problem.”²

With a well-documented corpus of literature and scientific-based information on the known extent of the problem and the full impacts of plastic and plastic pollution across the life cycle, including the health, environmental, and economic impacts of plastic production, use, disposal, waste, and end-life as litter, both on land and at sea, the AHEG should:

- Consolidate in its report and outcome document a compilation of the response options and their respective elements and design, as identified by the experts, for consideration at UNEA-5. This should include an overall review of the effectiveness of national and regional response options in isolation as well as a global response

¹ UNEP/AHEG/2018/2/5, Paragraph 11(d).

² UNEA Resolution 4/6, Paragraph 7(d).



option based on a legally binding convention on plastic pollution, the only option that enables national and regional action while also setting out a comprehensive and coordinated global approach to address plastic pollution.

- Outline within the AHEG report and outcome document potential next steps for consideration at UNEA-5, in particular the establishment of an intergovernmental negotiating committee or equivalent body to begin negotiations on a new legally binding convention on plastic pollution.

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INDIA WATER FOUNDATION

Submission by India Water Foundation for the potential response options, pursuant to paragraph 10 (d) of UNEA resolution 3/7

Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries:

As per the current situation and going through the existing and potential response, the current options and activities are not contributing enough with regard to marine litter and microplastics at global level.

The solution to addressing marine litter requires global and transboundary action like stated by Liberia before, that the UN Convention on the Law of the Sea only addresses some aspects of pollution in the protection of the marine environment.

It has been discussed previously by several representatives the difficulties faced in attempting to calculate and place a monetary value on the costs and benefits of various response options, particularly when including environmental and social costs in addition to economic costs.

For some countries like Bangladesh, the alternatives to plastic carrier bags had proved to be more expensive, in fact the US studies have shown that the price for alternatives to some plastics can be as high as four times, and noted that some alternatives also contain harmful substances.

Range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches:

The adoption of circular economy via Reduce reuse and recycling is one of the most effective tool to combat pollution. Private sector should be encouraged and engaged to introduce recycling effectively.

Here I would cite examples of some countries like Eritrea had discussed measures to reduce and eliminate marine plastics through legislation and regulatory enforcement. Liberia underscored the need for cost effective solutions to reduce marine litter in order to ensure sustainability. Haiti had called for a more holistic approach, involving regional and international cooperation.

And for India after attending the AHEG meetings in Geneva and Bangkok respectively we shared the lessons learnt with the Hon'ble minister of earth Sciences and to take on the marine pollution across India's 7,500 km coastline the ministry begin work on a comprehensive study to identify the source of litter, especially the plastic waste that flows into India's coastal waters. The exercise is the first step towards framing a National Marine Litter Policy with the objective to clean up the oceans, which is in line with UN Environment's global 'Clean Seas Campaign'.

There is a noted consensus on the impacts of global microplastics contamination and their effects on the environment and human health, there is the need for urgent action based on current research and understanding. The chemical additives in plastics are hazardous to human health and the environment.

Feasibility and effectiveness of different response options above:

The UN Environment Assembly established an Ad Hoc Open-Ended Expert Group to explore all barriers to combating marine litter and microplastics with the emphasis on the importance of strengthened coordination and multi-stakeholder cooperation for achieving long-term elimination of plastic discharge into the oceans. Its role should be further strengthened.

A new legally bound convention should be adopted on plastic pollution.

Potential options for continued work for consideration by the United Nations Environment Assembly:

New legally binding instrument is still not an ideal solution due to the time it takes to negotiate a new instrument, citing the 13-year negotiations towards a legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity.

Countries must foster a coordinated governance strategy towards a more holistic view of the cause-effect pathways, evaluate socio-economic environmental consequences, strengthen awareness and share knowledge, share innovations and case studies, technology transfer, adopt circular principles and enhance capacity building to address the issue of marine plastic litter and microplastics.

Countries should come to a consensus to tackle plastic pollution and incorporate environmentally sound best practices within the national context. Two-thirds of the plastic pollution entering our oceans from across the world come from the 20 most polluting rivers, out of 10 highest polluting rivers, Ganga stands 2nd this is not surprising when India annually dumps 6 lakh tonnes of plastic which finally enters the oceans and with a vast India's coastline of 7516.6 km stopping plastic waste from entering the ocean is a huge challenge. NGO's like us are constantly working among grass roots, communities residing on the banks of rivers and along the coasts line to inculcate behavioural change and create awareness about plastic use and marine litter. For example in India the northeastern state of Sikkim was the first state to ban plastics bottles & disposable foam products to reduce its plastic footprint and manage its waste in a more efficient and eco-friendly manner.

PART II

Going through the existing and potential response, the current options and activities are not contributing enough with regard to marine litter and microplastics at global level.

New legally binding instrument is still not an ideal solution due to the time it takes to negotiate a new instrument, citing the 13-year negotiations towards a legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity. For example, stressing that the solution to addressing marine litter requires global and transboundary action, Liberia had noted before that the UN Convention on the Law of the Sea (UNCLOS) only addresses some aspects of pollution in the protection of the marine environment. Eritrea too had discussed measures to reduce and eliminate marine plastics through legislation and regulatory enforcement and working with the private sector to introduce recycling. Liberia underscored the need for cost effective solutions to reduce marine litter in order to ensure sustainability. Haiti had called for a more holistic approach, involving regional and international cooperation.

It has been discussed previously by several representatives the difficulties faced in attempting to calculate and place a monetary value on the costs and benefits of various response options, particularly when including environmental and social costs in addition to economic costs.

For some countries like Bangladesh, the alternatives to plastic carrier bags had proved to be more expensive. The US showed studies have shown that the price for alternatives to some plastics can be as high as four times, and noted that some alternatives also contain harmful substances. Another NGO Major Group noted the consensus on the impacts of global microplastics contamination and their effects on the environment and human health, stressing the need for urgent action based on current research and understanding. The chemical additives in plastics are hazardous to human health and the environment.

INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA)

August 13, 2020

International Council of Chemical Associations (ICCA): Submissions on potential response options, pursuant to subparagraph 10 (d) of UNEA resolution 3/7

Chemical and plastics makers are committed to working with member states and other stakeholders to take immediate action towards the long-term elimination of discharges of litter and microplastics into the Ocean as called for by UNEA resolution 3/7.

We also fully support the consensus reached in resolution 3/7 that:

“environmentally sound waste management should be given the highest priority and that that is especially important in geographical areas with the largest sources of marine plastic litter, and recognizing that technology and effective measures already exist that may provide cost-effective, environmentally sound and locally and regionally adapted solutions.”

We agree that plastic waste does not belong in our ocean or anywhere in the environment. Solutions to address plastic waste are available, with collaboration between government and private sector needed to replicate solutions at scale. Plastic makers understand the concern and recognize plastic waste in the environment is a significant problem, but we believe it is a solvable one. Technologies and systems for increasing collection and utilization of post-use plastics are available and being implemented. Policy changes and increased levels of financing are needed to accelerate deployment of solutions globally.

When considering possible response options:

- We believe plastic waste is a solvable challenge. The most effective responses will focus on establishing integrated waste management systems to capture all materials.
- Immediate improvements in inclusive waste management systems will deliver results more quickly and efficiently than a contentious, multi-year negotiation that will not deliver results for a decade or more.
- Engage the private sector to collaborate on improved waste management by developing innovative new recycling and recovery technologies, funding models, and new value streams to help end plastic waste in the environment.
- A global framework addressing plastic waste in the environment should establish a clear vision and objectives, with high level goals to improve coordination, harmonize science and data collection, and build capacity for environmentally sound waste management.

Support Integrated Waste Management Systems

The single most important action a member state can take in addressing marine litter and microplastics is establishing an integrated waste management system to capture all used materials, including but not limited to plastic packaging, and to achieve universal access to such systems. Together with developing the appropriate infrastructure, incentivizing and developing markets for scrap materials will help make sure that all products are sustainably produced, used, and recovered into increasingly circular systems. The AHEG should consider ways to facilitate the development and support of national action plans that may also facilitate action at the subnational or local level.

Consider the Impact of Alternatives

When developing national marine litter action plans and waste management plans and policies, member states should carefully consider the environmental impact of alternatives to plastics, applying a full life-cycle approach.

- [TruCost's 2016 study](#), which updated a similar study for the U.N. in 2014, found that replacing plastics in packaging and consumer products with alternative materials could raise environmental costs nearly fourfold.
- Imperial College London's report, [Examining Material Evidence The Carbon Fingerprint](#), reviewed Life-Cycle assessments comparing different packaging types. The report found plastic packaging generally outperformed alternative materials, with plastics having lower greenhouse gas impacts. The study authors also found improvements can be made to further reduce the impact of plastic packaging, highlighting the need to focus on removing, reducing, reusing, or recycling plastic packaging.
- Environmental costs can include more food and packaging waste, more fuel used in transportation, more litter, higher energy and water use during manufacturing, and increased greenhouse gas emissions.

Increase Coordination

Should a new global framework be developed it should focus on areas where additional coordination at the global level would be useful. We believe that such a framework should develop linkages with, and where gaps exist complement, multilateral environmental agreements such as the Basel, Rotterdam, and Stockholm Conventions, while respecting their legal structures. Regionally, the AHEG should consider the existing instruments such as regional seas programs, regional fisheries bodies, and river basin committees as effective options to galvanize action.

We also see a potential role for a new global framework to help coordinate and organize scientific information and harmonize monitoring methodologies. We support the need for more harmonized data collection methodologies, standards, common language, common units, material flow certification, metrics to measure outcomes to support transparency, as well as mechanisms to increase access to relevant data. The plastic industry supports the convening of existing scientific advisory initiatives with input from UNEP Member States and compiling available scientific data and information to prepare assessments on sources, pathways, and hazards of marine litter.

Facilitate Funding and Promote Public-Private Partnerships

The new global framework could serve a role in encouraging multi-national development banks, sovereign wealth funds, and other investors to prioritize investments in solid waste management systems. Industry supports UNEP's efforts to bring relevant stakeholders together to enable innovative, transparent funding approaches and support public-private partnerships.

We believe the initiatives below can and should be implemented at scale in order to achieve the Sustainable Development Goals (SDGs) and to address marine plastic litter and microplastics pursuant to UNEA resolution 4/6.

Asia Pacific Economic Cooperation (APEC) Policy Recommendations

APEC has developed a robust [work stream](#) on promoting investment in waste management systems and eliminating marine debris. In 2016 APEC Ministers endorsed a [set of policy and practice recommendations](#) for establishing the political, economic, and legal/regulatory conditions to incentivize investment in waste management solutions in APEC economies by private investors, multilateral development banks, and other sources of capital. The nine recommendations include: 1) Setting ambitious attainable targets; 2) Measuring and rewarding progress; 3) Determining shared terms; 4) Streamlining decision making; 5) Increasing funding and improving outcomes by financing all phases of integrated waste management systems; 6) Enabling innovative, transparent funding approaches; 7) Rewarding recycling and innovative, environmentally sound waste management; 8) Incentivizing entrepreneurial waste pickers; and 9) Enforcing strong environmental standards to guide innovation.

Alliance to End Plastic Waste

The Alliance to End Plastic Waste (AEPW) is an industry-led not-for-profit organization that is joining forces with the financial community; governments at the national, regional and municipal level; as well as civil society to bring new ideas and news ways of thinking to combat marine debris. The Alliance is committed to raising and spending \$1.5 billion dollars over five years, focusing on infrastructure development, technological innovation, education, and clean-up, particularly in emerging economies. Nearly 50 companies have joined the Alliance. Two examples of AEPW projects are below.

STOP Jembrana – The Alliance partnered with [Project STOP](#) in Jembrana, Indonesia to improve waste collection, bring collection services to households, create permanent local jobs in the waste management industry, and clean up areas littered with plastic pollution.

Zero Plastic Waste City Project – The Alliance partnered with [Grameen Bank](#) to create financially self-sustaining ways to enable improved municipal waste management systems in two pilot cities– using approaches that could scale these systems more broadly across multiple cities in the future.

Circulate Capital

Circulate Capital is an investment management firm dedicated to financing innovation, companies, and infrastructure that prevents the flow of plastic waste into the ocean while advancing the circular economy. The firm has created the Circulate Capital Ocean Fund (CCOF), a \$106 million fund investing in companies that prevent plastic pollution and advance the circular economy in South and Southeast Asia, catalyzing significant capital into the solutions. The Ocean Fund is a blended financing mechanism, bringing together the public and private sectors to invest in solutions for maximum impact. Founding investment partners include Pepsico, P&G, Chevron Phillips, Coca-Cola, Danone, Chanel, Unilever, and Dow, among other organizations.

Global Framework Structure

We believe there is no one-sized fits all solution to combatting marine debris, and thus a legally binding and overly prescriptive governance structure would not permit the flexibility needed for countries to find the solutions that are most relevant for their conditions.

We do support a global framework with a clear vision and objective, similar to the Osaka Blue Ocean Vision goal of zero discharge of plastic waste to the marine environment by 2050.

The International Council of Chemical Associations (ICCA) stands ready to work with governments to facilitate cross-value chain collaborations to elevate the priority of waste management, minimize inadequate disposal, improve solid waste infrastructure, improve livelihoods of waste collectors, and enable sustainable growth in markets for recycled materials for a circular economy.

About ICCA

The International Council of Chemical Associations (ICCA) is the Worldwide Voice of the Chemical Industry. ICCA and its member associations, federations and companies are working together to pave the way to a more sustainable future and ensure the safety and protection of human health and the environment.

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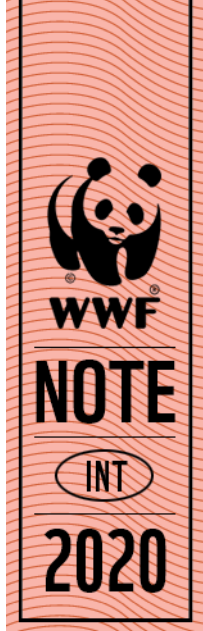
Somali Youth Development Foundation (SYDF)

Barriers to combating marine litter and microplastics, including challenges related to resources in developing countries: 1. Land run off: Surface run off from farming as well as urban runoff and run off from construction of roads, building, ports, channels, and harbors, can carry soil particles, laden with carbon, nitrogen, phosphorus, and minerals, This nutrient rich water can cause fleshy, algae and phytoplankton to thrive, in coastal areas known as algal blooms, which have the potential to create hypoxic conditions by using all available oxygen.

Range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches: To explore all barriers to combating marine litter and microplastics, including challenges related to resources in developing countries; (b) To identify the range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches; (c) To identify the environmental, social and economic costs and benefits of the response options; (d) To examine the feasibility and effectiveness of the response options; (e) To identify potential options for continued work for consideration by the United Nations Environment Assembly and National organizations including Somali Youth Development Foundation (SYDF)

Feasibility and effectiveness of different response options above: To explore all barriers to combating marine litter and microplastics, including challenges related to resources in developing countries; (b) To identify the range of national, regional and international response options, including actions and innovative approaches, and voluntary and legally binding governance strategies and approaches; (c) To identify the environmental, social and economic costs and benefits of the response options; (d) To examine the feasibility and effectiveness of the response options; (e) To identify potential options for continued work for consideration by the United Nations Environment Assembly and National organizations including Somali Youth Development Foundation (SYDF)

Potential options for continued work for consideration by the United Nations Environment Assembly: To identify potential options for continued work for consideration by the United Nations Environment Assembly and National organizations including Somali Youth Development Foundation (SYDF)



AD HOC OPEN-ENDED EXPERT GROUP ON MARINE LITTER AND MICRO PLASTICS

WWF submission, 1. February 2020

Summary

- **Marine plastic pollution has reached crisis levels.** It is estimated that around eight million tonnes of plastic waste enter the world's oceans every year, creating an accumulating threat to marine life, livelihoods and health. Business-as-usual is therefore not an option.
- **This is a classic example of a global coordination problem that requires a global response, but as of today, there is no international treaty in place dedicated to tackling the issue.** The existing legal framework covering marine plastic pollution is fragmented and ineffective. It is abundantly clear that the problem of marine plastic pollution cannot be solved on a national or regional level, or through non-binding, voluntary measures alone.
- **What is needed on a global level is a legally binding framework that clearly stipulates the direction** (goal of zero discharge of plastic into the ocean), **the ambition** (reduction targets), **and the required measures for getting there** (a comprehensive implementation support architecture). All States share part of the blame for the current state of affairs, but no State can solve this problem alone.
- WWF urges all Member States taking part in the Ad Hoc Open-Ended Expert Group on marine litter and microplastics to express support for the negotiation of **a new legally binding agreement to combat marine plastic pollution, and to begin to explore the scope, parameters and possible elements of such a new global agreement.**

The problem

The global environmental challenges we are facing require nature and people to become the top political priority and take centre stage in international decision making. To protect our oceans and prevent an ever increasing ecological, social and economic catastrophe at a global level, states must act decisively and negotiate a new legally binding international treaty to combat marine plastic pollution as a matter of urgency. There is no time to waste.

Marine plastic pollution has reached crisis levels and contributes to the growing global threat against nature. Plastics are poisoning marine life and affecting human health and livelihoods in ways we are only now beginning to understand. It is estimated that around eight million tonnes of

plastic waste enter the world's oceans every year, and these numbers are projected to increase four-fold by 2050, with devastating effects on the fragile balance of the marine ecosystem.

Plastic pollution is a global, transboundary and cross-sectoral problem. Plastic litter or microplastics has been detected in all parts of the planet's marine environment and is not contained within the national boundaries. Marine plastic pollution can neither be solved through national or regional initiatives nor through voluntary measures alone. The solution requires coordinated action, shared responsibility and a collective approach.

Gaps in the global governance of plastic pollution

As of today, there is no dedicated global treaty or legal framework in place that properly regulates marine plastic pollution. Existing international conventions concerning dumping at sea, environmental conservation, species protection, regulation of hazardous substances and marine pollution in general all have a bearing on marine plastic pollution, but do not provide a comprehensive and effective governance structure for defining and subsequently realising the objective of an ocean free from plastic pollution.

Lack of systematic scientific research and monitoring

The effects of plastic pollution are both profound and far-reaching. It is already having a devastating impact on ecosystems, wildlife, livelihoods and economies. We know more than enough to act – which is why the WWF is calling for the start of negotiations on a new legally binding treaty to tackle the problem – but to solve the problem, we will also need continuously improved knowledge about its causes.

As of today, most of the data available on leakage rates and sources of plastic pollution are rough estimates and extrapolations. In fact, we know surprisingly little about *how* plastic actually leaks into the environment.¹ Does it primarily leak by accident or is it leaked deliberately (dumping/littering)? How much leaks in the production phase, and how much leaks during transport to market? And what is the link between national plastic consumption levels and leakage rates?

Part of the reason why data is lacking is that there is currently no internationally agreed methodology in place for measuring leakage of plastic into the environment.² And there is no agreed format for how such data should be reported for comparison and interoperability. On an aggregate level, this makes it difficult to establish baselines – both for the national and the global level – against which progress can be monitored. It also makes it difficult to verify the effectiveness of different response options to this transboundary problem and compare results across the globe.

The key to closing the problem-knowledge gap is to make sure necessary data is collected, organized, compared and published, and that scientific research and recommendations are made available to decision-makers. As noted in a recently published IUCN-report, “the need for harmonised standards and methodology is acute”.³ Certain common global standards for measurement and data gathering must be developed, and baselines must be calculated. Such information is critical in order to assess whether the global response to the problem is effective, and whether adjustments are required. This also underlines why it is important that such information is updated and made available at regular intervals, so that progress can be tracked. Scientific reports should be produced at regular intervals, and should include information about all aspects relevant for the prevention, control and recovery of the problem, as well as information about its environmental, health, economic and social impact.

In terms of global governance, what is needed is a set of harmonized methodologies for measuring and monitoring the problem, and a platform for assessing and communicating to this information. This could take the form of an intergovernmental scientific body tasked with reviewing the extent of the problem, evaluating

¹ See e.g. Julien Boucher and Guillaume Billard, “The challenges of measuring plastic pollution”, Field Actions Science Reports [Online], Special Issue 19 | 2019. Available from <http://journals.openedition.org/factsreports/5319>

² See e.g. Boucher, J., Dubois, C. Kounina, A. and Puydarrieux, P. (2019). “Review of plastic footprint methodologies: Laying the foundation for the development of a standardised plastic footprint measurement tool”, IUCN, Gland, SUI.

³ Ibid, p. 5.

trajectories towards achieving the vision of zero discharge of plastic into the ocean, and advising on action required.

A dedicated scientific body should be one of the key elements of a new legally binding treaty, as it has been for most other transboundary environmental issues. If we are to succeed in designing and implementing effective policy measures and regulatory interventions, we need robust and reliable data about where and how plastic leaks, from the source to the sea. And to achieve that, we need a coordinated, impartial and well-funded international entity—a dedicated scientific body focusing specifically on this issue.

In the design and setup of the scientific body, inspiration could be drawn from one or more of the scientific bodies established under other legally binding treaties. This includes, for instance, the International Panel on Climate Change (IPCC), which serves the role as a scientific advisory committee for the UN Framework Convention on Climate Change (UNFCCC), or the Subsidiary Body on Scientific, Technical and Technological Advice under Convention on Biological Diversity.⁴ A third example is the Montreal Protocol, with its three Assessment Panels, and various Technical Options Committees.⁵

The latter two are subsidiary bodies of their respective conventions, while the IPCC is (technically) independent from the UNFCCC – it was set up four years prior to the adoption of the UNFCCC. Common to all of them is that they are intergovernmental and open to all States parties. As such, they provide important arenas for building ownership among States, and it also ensures that all States have the opportunity to develop national scientific expertise on the issue.

Lack of coordination, transparency and reporting

There is a general lack of knowledge about and overview of the policy measures implemented by States in order to prevent, control and recover marine plastic pollution, and considerable uncertainty in terms of the progress made towards the long-term goal of eliminating all discharge of plastic litter and microplastics into the marine environment.

The international community has gradually come to acknowledge plastic pollution as an urgent environment problem. All over the world, Governments have begun to introduce policy measures and regulatory interventions aimed at curbing the leakage of plastic into the environment. Some of these policy measures are introduced high up in the supply-chain (e.g. requirements to use a certain amount of recycled plastic in the production of plastic). Other measures are aimed at phasing out particularly problematic categories of plastic products (e.g. national bans on single use plastic bags or on the use of primary microplastics in cosmetics). A range of measures have also been introduced further down the supply-chain, with a particular focus on improving the collection and management of plastic waste (e.g. infrastructure upgrades aimed at reducing leakage). In addition, States have also intensified their efforts to clean up as much as possible, both from land and sea.

The problem is that no proper overview of all these efforts exists, and we don't know if they are working. States are not obliged to report on the measures they introduce, and even when some of them do – such as under the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA), a non-binding policy framework set up in 1995 – there are no agreed modalities, procedures or guidelines for how to do it, or what to report on. And there is no common method for reviewing the effectiveness of the different policy measures introduced. As a result, it is difficult to compare data from different countries and to keep track on progress. This is made even more challenging by the fact that there is currently no obligation for States to develop and implement national action plans, and there is no system in place to ensure that States do their utmost to stick to these plans. Nor is there is a dedicated framework in place where such reports would logically be introduced.

The key to filling this response-knowledge gap is for States to agree on a set of rules and routines for how to collect and share information about national strategies and response measures, and for the international community to periodically and systematically review this information in order to keep track of the progress made towards achieving the long-term goal of eliminating all discharge of plastic waste into the ocean.

⁴ <https://www.cbd.int/sbstta/>

⁵ <https://ozone.unep.org/institutions.>

States should also start working on a methodology for how to assess the effectiveness of the policy measures taken. As part of this, States should agree to make the development of national action plans compulsory, and outline a set of guidelines for how to design and implement such action plans. In addition, there is an urgent need for a dedicated forum where States can meet to discuss and assess the full range local, national and international policy measures in a comprehensive manner, and where necessary adjustments can be made in order to ensure that the long-term goal is achieved.

Under a new treaty, this could take the form of a monitoring and review system, the purpose of which would be to take stock of actions and activities undertaken by States, assess the effectiveness of the efforts made to solve the problem, and keep track of the progress made towards the long-term goal.

In designing the monitoring and review system under a new treaty, inspiration could be drawn from several existing multilateral agreements, including the UNFCCC and its comprehensive measurement, reporting and verification (MRV) framework. With the Paris Agreement, the monitoring and review system on climate change was strengthened in the form of an enhanced transparency framework (ETF) “designed to build trust and confidence that all countries are contributing their share to the global effort”.⁶ Article 14 of the Paris Agreement stipulates that the conference of the parties to the Paris Agreement “shall periodically take stock of the implementation of this Agreement to assess the collective progress towards achieving the purpose of this Agreement and its long-term goals”.⁷

Lack of resources to implement necessary policy measures

Solving the problem of marine plastic pollution will eventually require considerable financial resources, not least when it comes to making improvement in waste management systems around the world (as many as two billion people are estimated to lack access to basic waste collection services⁸). For a large number of States, obtaining funding for prioritized policy measures is a significant challenge. This resource-gap has already been recognized by the international donor community, and aid flows, both bilateral and multilateral, have started to reflect this. The problem, however, is that these aid flows are currently insufficient to solve the problem, and are also scattered and largely uncoordinated. Moreover, they are not necessarily based on reliable leakage data or assessments of needs or cost-efficiency. This fragmentation pushes up the transaction costs of the aid flows, both for donors and for recipients.

Another aspect of the resource gap concerns technical capacity. For many States, responding effectively to the problem is not just a financial challenge, it also requires technical expertise that is often lacking. To some extent, such technical support and training is facilitated by existing regimes (e.g. under the Basel Convention), but there is currently no international structure in place to provide technical support to States that want to boost their efforts to tackle marine plastic pollution.

The most obvious way of reducing the resource gap is to ensure that international aid flows are well coordinated. States should agree on a list of priorities, and a set of evidence-based criteria according to which funding requests should be assessed. Moreover, reporting templates should be standardized, as should key deliverables and effectiveness evaluations.

In addition, the total funding available for tackling the problem will most likely have to increase, and the surest way of achieving that is to tie both donors and recipients into a legally binding arrangement. If donors know that recipients have agreed to undertake certain obligations (for instance developing national action plans) and to report at regular intervals on their implementation of these obligations, confidence among donors in the long-term commitment of recipients is likely to increase. Conversely, if the legally binding arrangement places certain obligations on developed States to do their part to solve the problem, total available funding can also be expected to rise.

The resource gap can further be reduced by transferring some of the cost of implementation to the actors responsible for the leakage (be it individuals, private companies or others), for instance through restrictions on the sale of non-recyclable material, product design requirements, deposit schemes or other extended

⁶ <https://unfccc.int/process-and-meetings/transparency-and-reporting/reporting-and-review-under-the-paris-agreement/reporting-and-review-under-the-paris-agreement>

⁷ Paris Agreement, Article 14.

⁸ UNEP/ISWA, Global Waste Management Outlook (United Nations Environment Programme, 2015).

producer responsibility measures. In principle, such operationalizations of the polluter pays principle should be able to cover a large part of the costs required to achieve the long-term goal. In essence, it is a question of making sure the cost of preventing leakage is included in the price of the plastic products when sold, all through the supply-chain.

Finally, States should also make sure to put in place a system to facilitate transfer of expertise, technical know-how and technology. This could include online training courses, face-to-face capacity building seminars, or the establishment of dedicated partnerships aimed at promoting technical resource development.

To spur action and make it easier for States to channel their political will into effective, reliable and cost-efficient solutions, the new treaty should put in place a well-funded and effective implementation support architecture. One key feature in such a support architecture would be a platform for technical cooperation among states parties. It should encourage exchange of know-how and information, and it should promote best-practices that could help other states achieve their targets. These best-practices could be wrapped into a policy toolkit, which governments could then use when designing and revising their national action plans.

Importantly, the implementation support architecture of a new treaty should also include a financial mechanism to assist States with limited resources with the implementation of their national obligations. Such a mechanism could either be built into the treaty framework (as with the Montreal Protocol) or it could be based on existing financial structures (e.g. the Global Environment Facility). Regardless of how it is structured, it would serve a key role in catalysing progress towards the achievement of the long-term goal of eliminating leakage of plastic into the ocean.

Towards a new legally binding treaty

The current global governance structure is fragmented and uncoordinated, and it was not specifically developed to combat marine plastic pollution. There is no clearly articulated global ambition or target, there is no obligation for Member States to develop national action plans, there are no common standards for reporting and monitoring of plastics discharge or reviewing the effectiveness of different pollution reduction measures; there is no common platform or system for promoting the removal of plastic from the oceans; and there is no specialized scientific body in place to provide policy guidance and direction to the diplomatic efforts.

If the international community is to succeed in turning the tide on marine plastic pollution, these shortcomings will have to be addressed. An effective global response to this crisis urgently requires an international treaty with clear obligations and responsibilities in order to combat marine plastic pollution.

WWF urges member states to use the Ad Hoc Open-Ended Expert Group to discuss the need, purpose and scope of a legally binding instrument to eliminate the discharge of marine plastic pollution into the ocean – both from land-based and from sea-based sources. In these deliberations, lessons and inspiration should be drawn from other international conventions that have proven successful in catalysing progress towards the resolution of global environmental problems. This includes, but is not limited to, the Montreal Protocol, MARPOL, the Stockholm Convention, the UNFCCC (incl. the Paris Agreement), and the Minamata Convention.

A new legally binding international agreement on marine plastic pollution will give direction to the global efforts to address this growing environmental threat. It will provide strong support and legitimacy to the efforts of individual Governments for introducing national legislation and policies, set out requirements for national action plans and provide guidance on establishment of standards, methods and regulations for a coherent and efficient way of dealing with the problem.

Such an agreement will coalesce the efforts of member states for tackling the problem of marine plastic pollution, and also provide non-governmental actors, including businesses, a level playing field and a harmonized legal framework against which to measure performance. This joint global effort should also institutionalise mechanisms to involve developing countries by extending financial and technical implementation support.

Recommendations

WWF urges all Member States taking part in the Ad Hoc Open-Ended Expert Group on marine litter and microplastics

- to express support for the negotiation of a new legally binding agreement to combat marine plastic pollution, and
- to begin to explore the scope, parameters and possible elements of such a new global agreement

Key elements in a new treaty on marine plastic pollution

Direction

- **A clearly formulated vision of eliminating discharge of plastic into the ocean**, based on the principle of precaution and in recognition of the devastating impact marine plastic pollution has already shown to have on marine ecosystems and coastal livelihoods.

Ambition

- **An ambitious, shared, timebound and legally binding global reduction target** for marine plastic pollution, with particular emphasis on prevention and the need to drastically cut the amount of new plastic waste that ends up in the world's oceans.
- **Clear, measurable and time-bound national reduction targets**, sufficient, on aggregate, to achieve the global reduction target.

Measures

- **An obligation to develop and implement effective national action plans**, on prevention, control and removal, sufficiently ambitious to achieve the national reduction targets.
- **An agreed measurement, reporting and verification scheme** for tracking marine litter and microplastics discharge and the progress made to eliminate them at a national and international level.
- The establishment of **an intergovernmental panel of experts** that can assess and track the extent of the problem, and collate state-of-the-art knowledge to provide inputs for decision-making and implementation.
- **A global funding arrangement** to support the effective implementation of the treaty by all States, including for infrastructure development, international clean-up operations and innovation into alternative product design, product technology and waste management.
- **An explicit ban on certain acts** considered to defeat the object and purpose of the treaty, including deliberate dumping of plastic waste in river systems and internal waters that flow towards the sea.
- **A commitment to develop common methods, definitions, standards and regulations** for an efficient and coordinated global effort to combat marine plastic pollution, including, for instance, specific bans on certain high-risk categories of plastic deemed to be impossible to safely collect and manage.

Assessment of gaps and required responses

	GAPS	ACTION REQUIRED	POTENTIAL TREATY ELEMENT
KNOWLEDGE	PROBLEM-KNOWLEDGE GAP <ul style="list-style-type: none"> • Insufficient scientific knowledge about long-term effects of problem • Lack of reliable data on sources, leakage rates, pathways and concentration levels 	INCREASE KNOWLEDGE OF THE PROBLEM <ul style="list-style-type: none"> • Developing common indicators and methodology for monitoring the problem • Developing a system for regular and reliable collection and analysis of data • Establishing baselines, monitoring changes over time and estimate future trajectories • Feeding results of the scientific research into policy discussions at all levels. 	DEDICATED SCIENTIFIC BODY <ul style="list-style-type: none"> • Monitoring status of the problem • Assessing effects of the problem • Evaluating trajectories to long-term goal • Advising on action required
	RESPONSE-KNOWLEDGE GAP <ul style="list-style-type: none"> • Poor overview of policy measures and regulatory interventions • Considerable uncertainty about effectiveness of response measures 	INCREASE KNOWLEDGE OF ABOUT RESPONSE <ul style="list-style-type: none"> • Developing common standards for measurement, reporting and verification • Periodically taking stock of actions and activities on all levels and assessing effectiveness of response options • Monitoring progress towards long-term goal and make necessary adjustments to commitment levels 	MONITORING & REVIEW SYSTEM <ul style="list-style-type: none"> • Annual reports by all parties with information on inventories (leakage data) and status of implementation of national action plans • Comprehensive stocktaking, at 4-5 year intervals, of actions and activities undertaken by States, with a view to assessing effectiveness of response measures on all levels, and to ensuring progress
RESOURCES	RESOURCE-GAP <ul style="list-style-type: none"> • Insufficient financial resources • Lack of technical expertise and support • Limited sharing of know-how and best-practices 	INCREASE AVAILABLE RESOURCES <ul style="list-style-type: none"> • Scaling up international aid flows and improving coordination of aid flows (minimizing transaction costs) • Prioritizing the most cost-efficient response options (e.g. through national action plans) and transferring implementation costs to polluters (e.g. through EPR schemes) • Facilitating capacity-building and sharing of know-how, technological innovations and best-practices (e.g. through training programmes and a policy toolkit) 	IMPLEMENTATION SUPPORT ARCHITECTURE <ul style="list-style-type: none"> • A policy toolkit/clearing house mechanism, to facilitate sharing of know-how and best-practices, and to promote cost-efficient response options • A dedicated financial mechanism to support implementation of treaty obligations • A programme for training of technical experts • A support system for research, development and innovation
LAW	RULES-GAP <ul style="list-style-type: none"> • Lack of agreed and globally applicable rules, standards and obligations for tackling the problem 	AGREE ON A SET OF RULES AND STANDARDS <ul style="list-style-type: none"> • Obligations to develop and periodically update national action plans, to serve as tools for achieving benchmark targets • Certain technical minimum standards and requirements deemed key to achieving the long term goal • Restrictions on certain high-risk substances or products • Explicit bans on certain acts considered to defeat the object and purpose of the treaty 	A SET OF TREATY-BASED OBLIGATIONS <ul style="list-style-type: none"> • Globally agreed minimum standards and requirements • Framework for periodically reviewing and updating the globally applicable norms and standards