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Combating marine plastic litter and microplastics:

An assessment of the effectiveness of relevant
international, regional and subregional
governance strategies and approaches

SUMMARY OF THE SUGGESTED OPTIONS

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Relevant instruments

GLOBAL & REGIONAL

LAND

OCEAN

Within National jurisdiction

OCEAN

Beyond National jurisdiction

POLLUTION

UN Convention on the Law of the Sea (168)

UN Watercourses Convention (36)

MARPOL Annex V (152)

London Convention (87)

London Protocol (48)

Global Program of Action (*)

Regional Seas Conventions

Regional Seas LBS/A Protocols

Marine Litter Action Plans (*)

BIODIVERSITY
& SPECIES

Convention on Biological Diversity (196)

Convention on Migratory Species (124)

UN Fish Stocks Agreement (82)

FAO Code of Conduct
for Responsible Fisheries (*)

CHEMICALS
& WASTE

Stockholm Convention on Persistent Organic Pollutants (181)

Basel Convention – hazardous waste (186)

Bamako Convention (17)

Waigani Convention (13)

SAICM – Strategic Approach to International Chemicals Management (*)



Options presented

FOR CONSIDERATION

OPTION 1

Maintain the Status Quo



- *No global instrument*
 - *No global coordination*
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OPTION 2

Revise and strengthen existing framework

OPTION 3

New global architecture with multilayered governance approach

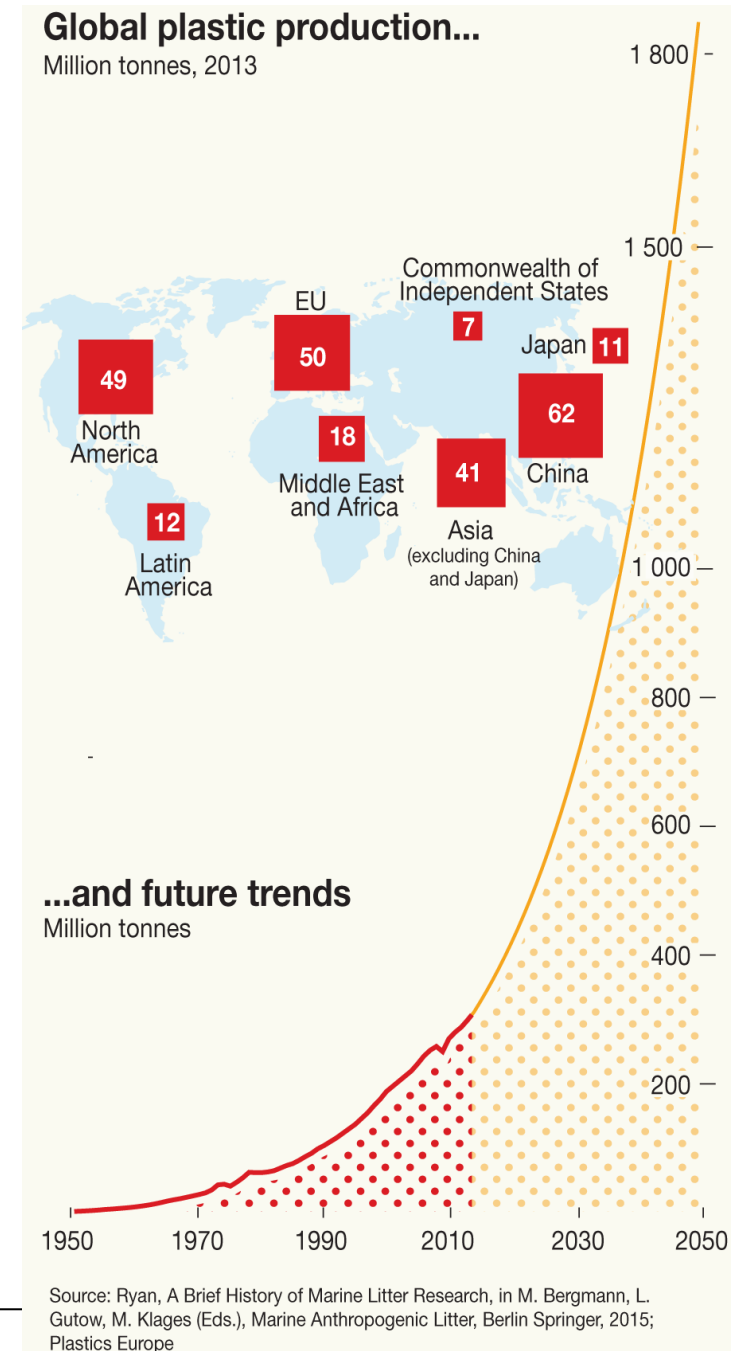


Option 1: Maintain the status quo

Business as usual

- Recognize actions & progress
- Continue momentum under
Regional Seas

Strong opinion of Advisory Group:
first approach is not the solution



Option 2: Revise existing frameworks, add coordination component

Bring industry into the solutions (self-regulatory)

- Amend existing frameworks to address marine plastic litter & microplastics
- Adopt new instruments under existing conventions
- Encourage voluntary commitments from industry
- Revise e.g. Honolulu Strategy



Voluntary global umbrella mechanism

Strengthen a global body



Option 3: A new global architecture with a multilayered governance approach

Holistic and long-term

Dual approach:

- **Phase I:** Undertake urgent & voluntary measures as per Option 2
 - **Phase II:** In parallel, develop a global binding framework
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- Combination of:
 - *self-regulatory industry measures*
 - *binding national measures*
 - Opportunity to provide:
 - *Legal basis for global liability & compensation mechanism*
 - *Engage main global stakeholders & polluters in long-term solutions*
 - *Long-term legislative security –*
 - *national level & for industry, investment*



Option 2 – Revise & strengthen existing framework, add industry components

Strengthen & harmonise:

- 1 • International, regional legal instruments
- Add measures specific to marine plastic litter, microplastics

Voluntary international agreement:

- 2 • Voluntary national reduction targets
- 3 • Industry commitments
- 4 • Reporting & monitoring guidelines

Option 3 – New global architecture with multilayered governance

Phase I: voluntary measures of Option 2

Phase II: binding measures

Self-determined national reduction targets
(timeline to review, improve) 2

National inventories

Global standards
(technical, industry) 3

Compliance measures
(monitoring & reporting) 4

Trade in non-hazardous plastic waste 5

Legal basis: funding; information sharing; liability & compensation

1) Expand mandate of existing global body. 2) Countries in need of assistance. 3) Review.

National Reduction Targets and Inventories

National Reduction Targets

- Reduction in marine litter
- Waste generation
- Timeline for revision and improvement of national reduction targets

Inventories

- Tracking
- Production of plastics and their additives
 - reduce harmful products not regulated under the Stockholm Convention
 - products that are problematic to manage in different market conditions
- Consumption patterns
 - Types of plastics, products
 - recycled content
- Final treatment
 - define acceptable processes
 - track waste generated and treatment methods
- Trade of plastic products and waste (as per Component 3)
- Available facilities – environmental controls and capacity



Global Industry Standards

GOVERNMENT

- Overcome complexities regulating plastics at final product phase (waste product)
- rapidly innovating industry
- Reduce need to regulate per product, chemical at national level
- Waste management

SDG
S

INDUSTRY

- Corporate sustainability goals
- Social responsibility goals
- Applicable across all markets to reduce market advantage
- Design for end-of-life treatment – feasible end-markets



Global Industry Standards

Possible model:
Montreal Protocol – ozone depleting substances

Example of industry taking responsibility for the environmental impacts of the products they produce

- Controlled procedures products, applications, chemicals
 - Annexes based on guidelines
- Mandatory regular assessment, review of the control measures
- As advised by technical experts (industry, scientists)
 - Monitor global progress, chemicals, etc
- Non-Parties encouraged to attend meetings, comply with provisions



Outcome Statement – 2nd Clean Pacific Roundtable

6. Support SPREP's lead role in assisting countries address marine debris, plastics and micro-plastics as a transboundary issue as part of its Regional Seas Programme in negotiations at the international negotiations for a legal binding framework as well as commit to exploring a regional legal binding framework possibly under the Noumea Convention;



Regional policy options

No Protocol for to prevent pollution from land-based sources and activities

Pacific Marine Litter Action Plan vs legal instrument

- Broader coverage - more specific than the Noumea Convention
- No further action on Noumea Convention
- Immediate action while international discussions progress (med/long-term)
- Mirror international or Action Plan?
- Final global instrument determines whether Action Plan continues
- More readily signed up (non-binding)
 - ratification/accession, adhered to?
- Specifically address domestic action in PICs
- Domestic action in neighbouring states
 - global instrument or other regional Action Plans

Ship-based pollution:

- MARPOL Annex V + new developments
- London Convention & Protocol



Regional policy options – cont'd

Draft Action Plan for the Pacific region

- Provides regional timelines
- Suggests development of national timelines
 - National Action Plans?
- Includes key performance indicators (targets)
- Suggests review of progress in 2020 & 2025
 - could contribute to reporting & tracking of the action plan against the key performance indicators
 - may be worth including an interim reporting process in 2023?



Regional binding instrument

Strengthen or tweak international architecture to regional needs

- wider in scope, set higher standards

Opportunity to act as a trading block

- Does not aim to prevent a product entering your market
 - unless harmful
- Aim to:
 - control in what form it enters the market
 - how the waste is removed from your market
- Subject to your available collection and end of life facilities
- Chemicals you don't want in environment and in people.



Regional binding instrument – cont'd

- Setting regional targets
 - harmonise national reduction targets?
 - adoption of national action plans
 - government procurement policies
 - recycle targets
 - landfill levies
 - % closure of illegal dumpsites
 - monitoring programs in place, etc
- Setting regional strategies for waste reduction and fundraising
 - non-Pacific islander visitor levies
 - national and regional environmental funds
- Prohibiting or regulating the import, sale and manufacture of items
 - cannot be recycled in the local/regional context
 - meet design criteria for recyclable items
- Reporting process
- Review process (adoption of amendments).



EPR for packaging in Norway

New amendment to waste regulation

- **EPR:** Must join approved compliance scheme (traditional)
 - If supply market with min. 1,000kg packaging type / year
 - Finance the collection, sorting, recycling & other processing of waste packaging
- **Design:** May only place packaging on Norwegian market if:
 - Complies with Annex I (**Design, reuse, recycling requirements**)
 - % can be recycled into marketable products in compliance with community standards
- **Reduce:** Must prevent waste & report
 - Report % change in packaging onto market & decrease in waste generated from previous years



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Thank you



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