

## **Position Paper addressed to the first Ad Hoc Open-Ended Expert Group on Marine Litter and Microplastics**

### **1. Name of the Organisation**

UN Environment/Mediterranean Action Plan Coordinating Unit-Barcelona Convention Secretariat

### **2. Major barriers to combatting marine litter and microplastics**

Marine litter, including plastic and microplastics, represent one of the main pressures to marine and coastal environment. Significant efforts are ongoing at national, regional and global levels aiming at preventing and reducing their generation. Despite these articulated efforts the problem of marine litter is persisting and strengthened actions are required to be taken at all levels and across sectors.

The main barriers to effectively combat marine litter pollution are related to gaps in: a) effective implementation and enforcement of existing legislation and policies including on responsibility and liability issues, b) in depth knowledge of impacts of marine litter on marine environment and human health, including socioeconomic dimension, c) effective management, including prevention, of municipal solid waste, d) unsustainable patterns of production and consumption and life styles, as well as e) insufficient incentives and enabling conditions to bring to scale alternative and more environmental friendly products to lessen the amount of plastics and microplastics released in the marine and coastal environment and reduce to the extent possible related impacts.

Despite commonalities around the world, the amplitude of each of the abovementioned barriers differ from country to country and among regions.

With regards to legal and policy frameworks worldwide, marine litter management is addressed through several UN and non-UN led initiatives and global processes. The management of marine litter including plastics and microplastics is also well addressed at the regional and national levels. Most of Regional Seas Conventions and Action Plans provide for clear obligations addressing specific issues of marine litter management. Based on such obligations several Regional Seas have established Regional Action Plans on Marine Litter. All these efforts have enabled conditions for undertaking concrete actions around the world to combat marine litter.

From the various Regional Action Plans on Marine Litter that are in place around the globe (i.e. Wider Caribbean, North-East Atlantic, Baltic Sea, Mediterranean Sea, ROPME Sea, East Asian Seas, North West Pacific, Pacific), the UN Environment Mediterranean Action Plan – Barcelona Convention is the only Regional Sea that has adopted the Regional Plan for the Management of Marine Litter in the Mediterranean, here in after referred to as the Mediterranean Regional Plan, as a legally binding instrument. It has further developed the Land based Sources and Activities Protocol and several provisions of the other Protocols of the Barcelona Convention. The Mediterranean Regional Plan contains a concrete set of measures to combat marine litter from different sources addressing also prevention of marine litter at source and including some general provisions related to plastic and microplastic, with timetables for implementation.

Efficient national implementation, inter-sectorial coordination, compliance and enforcement of adopted measures combatting marine litter remain challenging, mainly due to lack of institutional capacity, insufficient training of control and enforcement officers, and lack of information and guidance. It is important to evaluate, on a regular basis, the level of effectiveness of the existing frameworks and measures towards achieving the agreed objectives, as well as the need for additional measures.

For this purpose, an implementation gap analysis for the Mediterranean Sea and its coastal regions took place in 2016-2017 that highlighted two important aspects:

a) the need for strengthened implementation of the existing measures. This includes among others enhancing municipal solid waste management systems, promotion of waste prevention at source and better integration of SCP principles. Despite the existence of advanced legal frameworks in place for solid waste management, there are important gaps in waste management, including mainly the low level of recycling, the existence in some areas of coastal discharges, the lack of appropriate infrastructures, and the weak management of specific marine litter items (i.e. plastic bags, cigarette butts, fishing gears, etc.).

b) the need for additional measures related to circular economy strategies, promotion of instruments to reduce packaging and packaging wastes, as well as disposable items, replacement of plastics with other materials or with biodegradable plastics for specific applications and considering whether bio-waste management schemes are in place, prevention/ reduction of use of microplastics (microbeads) in personal care and cosmetics products, assessment of options for phasing out landfilling of recyclable wastes (in particular plastics), adoption of common definition of microplastics, knowledge improvement (on sources, quantities, impacts, possible reduction etc.), promotion of the introduction of region-wide regulatory, economic or voluntary measures on single-use plastic bags, measures to reduce incidence of cigarette butts in marine environment, including provision of adequate facilities and signs on organized beaches, specific clean-up activities targeting riverbanks. Additional efforts are required to improve waste and waste water management, including establishment of treatment systems that consider microliter (including fibers), increase of recycling rates and redesign, banning and enforcement of coastal discharges, development and optimization of infrastructures and support of water retention to regulate treatment in Waste Water Treatment Plans, etc.

Lack of knowledge is a factor that may limit the effectiveness of actions to combat marine litter. There are considerable knowledge gaps on the effects of microplastics on marine species and human health. Although research has provided preliminary evidence regarding the bioaccumulation of plastic additives in organisms, potential health implications are not fully defined and understood. Further knowledge is also required for the assessment and prevention of marine litter impacts on biodiversity, especially in Marine Protected Areas and, in the case of the Mediterranean, in Specially Protected Areas of Mediterranean Importance. Lack of harmonization of relevant marine litter monitoring protocols and corresponding metadata and reporting templates is an additional obstacle for effective and coordinated responses to combat marine litter, which requires enhanced research and monitoring interface. In the Mediterranean, marine litter related knowledge gaps have been identified through the recently published Mediterranean 2017 Quality Status Report. Efforts are ongoing in increasing knowledge based on quality-assured data, by supporting national implementation of the Integrated Monitoring and Assessment Programme (IMAP), which is based on commonly agreed region-wide common indicators addressing also marine litter.

The socioeconomic impacts of marine litter, and the potential cost for key sectors and activities taking place or depending on marine and coastal environment have not been adequately assessed resulting in mispricing of ecosystem values and externalization of pollution costs. Approaches giving value to litter are not well known either. Efforts need to be placed in assessing and increasing the level of uptake by decision-makers of the environmental and socioeconomic costs of the damage caused by marine litter and the cost/ benefit of marine litter prevention/reduction measures. Increased knowledge on impacts of marine litter and microplastics could play an important evidence-based informational role for decision makers, key stakeholders and the public, regarding the dimension and seriousness of the problem and its implications and could trigger additional efforts.

In addition, poor management or mishandling of solid waste remains a major gap in the fight against marine litter in many countries. This problem is mainly due to lack of capacity and technologies at the national level, as well as lack of knowledge sharing, and appropriate funding.

Barriers in tackling marine litter and microplastics are also strictly related to the unsustainable patterns of consumption and production, requiring political will, strengthened awareness raising, education and research, and identification of innovative ways of production to shift towards more sustainable solutions (e.g. eco-design and eco-innovation) as well as strengthened incentive mechanisms for existing and new companies providing

solutions. Despite the progress achieved, there are gaps of collaboration with the private sector and industry to promote this shift towards sustainable solutions for the use of plastics and microplastics. Insufficient economic (dis)incentives may be regarded as well as an underlying reason for behavioral change.

At regional Mediterranean level, a Regional Action Plan on Sustainable Consumption and Production in the Mediterranean (SCP Action Plan) has been adopted by the Contracting Parties to the Barcelona Convention in 2016 (COP 19, Decision IG. 22/5). Its implementation would undoubtedly reduce and prevent the generation of marine litter generation from different sectors as it promotes sustainability-driven innovation through the entire value chain of goods production, including the upstream and downstream flows of resources and waste. Further support for the implementation of the suggested actions under this plan at the national level is urgently needed to provide long term solutions to marine litter.

### **3. Potential national, regional and international response options and associated environmental, social and economic costs**

There are different options that can be considered in view of strengthening responses to combat marine litter and microplastics, ranging from maintaining the existing status quo and strengthening its implementation, revising and strengthening the existing frameworks, encouraging more coordination among different sectors and initiatives and establishing partnerships with (plastic) industry. All these efforts need to be supported by clear awareness and education campaigns and support to knowledge generation to fill the gaps to effectively target the actions. Marine litter needs to become socially unacceptable.

Global action is essential to trigger concrete and coordinated actions at all levels and across relevant sectors, for instance addressing global production and trade of plastics. However, the purpose of this position paper is to provide some highlights on the importance of the regional dimension and the necessity to continue valuing and politically supporting the Regional Seas work on marine litter in the most effective way. This is considered by the present paper as a most appropriate level for action, since relevant legal and policy instruments are already in place in most of the regions, and past experience has demonstrated the added value of regional frameworks in supporting the development and implementation of well-coordinated national actions.

The current framework and the momentum of the Regional Seas Conventions and Programmes in combatting marine litter should be maintained and further strengthened.

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There are differences between the Regional Seas' approaches which differentiate also the level of effectiveness of measures. Approaches to prevent/reduce marine litter, used in the framework of different Regional Seas, should be harmonized to the extent possible and as appropriate, in view of strengthening regional legal and policy frameworks for marine litter management, providing for coordinated and coherent responses. Regional Seas that don't dispose legally binding instruments for marine litter management, could be based on best practices from other Regional Seas Conventions. The Mediterranean Regional Plan provides a good and advanced model and could serve as a model for replications in other regions.

Best practices and lessons learned on marine litter management among Regional Seas should be further exchanged. UN Environment GPA is and should continue playing an important role in further promoting such a cooperation and exchange. The ongoing practice of development, in close collaboration with the Regional Seas, of international guidelines/standards addressing specific features of marine litter management, including microplastics, is a step in the right direction that would also support further harmonization of work under the Regional Seas and Programmes, and national efforts.

The implementation of established regional instruments should be regularly assessed against regional objectives and strengthened, when needed.

Inter sectorial coordination is key to define the best measures to combat marine litter and ensure effective implementation, to strengthen synergies and to maximize results. In the Mediterranean, a Regional Cooperation Platform on Marine Litter was established in 2016 at the initiative of UN Environment/MAP aiming to provide coordinated support to the implementation of the Mediterranean Regional Plan and to be a forum for consultation, exchange of good practices, and solutions seeking. It is implemented through the establishment, on a voluntary and an equal footing basis, of an open-ended group of over 20 major Mediterranean and international actors including private plastic industry with mandates and activities contributing to the environmentally sound management of marine litter in the Mediterranean. Furthermore, UN Environment/MAP participates in other regional fora, confirming its commitment to build extensive and inclusive partnerships. The replication of such a coordination intersectoral mechanism to other regions is recommended. Following best practices applied at the regional and global levels, inter sectorial coordination should be strengthened also at the national level, bringing together stakeholders from different sectors, relevant to marine litter management, including waste and wastewater management, conservation, fisheries, industry, tourism etc. in view of defining common strategies and actions.

At the national level, marine litter and microplastics management should be integrated into the national plans and strategies with clear targets, measures and indicators. In the Mediterranean, the Contracting Parties were strongly encouraged to streamline marine litter measures in the updated National Action Plans adopted in the framework of the Land Based Sources and Activities Protocol of the Barcelona Convention in line with obligations of the Regional Plan on Marine Litter Management, taking into consideration the socioeconomic dimension, giving higher priority to actions aiming at preventing at source rather than limited to marine litter reduction and or removal measures, as well as ecosystem based management with the overall objective of achieving/maintaining Good Environmental Status (GES). UN Environment/MAP supports the Contracting Parties to implement the Marine Litter Regional Plan through the implementation of a number of measures envisaged in the updated above-mentioned NAPs.

Approaching marine litter management from the economic and cost benefit points of view is very important. In this respect, another new element to be strengthened is related to the internalization of environmental and social costs of production. As in other forms of pollution, costs are usually externalized and finally borne by the environment. The response to these externalities would require strengthened legislation to put on the producers the full cost of their activities, including damage and remediation costs, in line with polluter pays and extended producers responsibility principles. In addition, the benefits of ecosystem restoration, compared to loss of ecosystem services, should be further assessed and considered as potential engine of economic growth and source of green employment.

Further action is required towards long-term marine litter prevention strategies and measures, especially regarding marine plastic litter and microplastics aiming at promoting value chain approach and building circularity into production process and supply chain. Main efforts should be placed in avoiding superfluous packaging and disposable items and thus promoting reusable and durable goods, which in turn would imply economic benefits. Globally, 95% of plastic packaging material value, or USD 80-120 billion annually is lost to the economy after a short use. The achievement of higher levels of plastic recycling requires improvement of

plastic design and production, addressing the needs of recycling or reuse at a very early stage, following an integrated life cycle approach. It is further required to strengthen cooperation among all key players of the full value chain including industry, manufacturers, converters and waste management companies in view of developing viable markets and increased demand for recyclable and renewable plastics. However, poor waste management schemes, particularly in the Southern Mediterranean, may hamper appropriate collection and therefore continuous efforts should be placed in enhancing these schemes to effectively increase recycling rates. The use of alternative materials/plastic, the adoption of servicing models (Product-service systems) should be further assessed in terms of environmental and socioeconomic benefits and impacts.

In this regard, strengthening the support to eco-innovation, facilitating the creation of new green businesses are key aspect to discover feasible tailor-made solutions that could be scaled-up nationally, regionally or globally. Existing industries should also adapt their business approach to contribute to the reduction of Marine Litter. The shift towards sustainable consumption patterns is also key to effectively prevent marine litter and microplastics generation. Hence the importance of making responsible and affordable options available at wide scale to the extent possible as well as providing for informed consumers choice. Education and awareness raising campaigns at all levels and strengthened partnership with the private sector should be regarded as enabling conditions.

Considering the different levels of action, there is a need to further streamline relevant global and regional processes aiming at the same objectives, and strengthen the vertical links between actions at global, regional and national levels in view of maximizing synergies. The established collaboration between the Regional Seas Conventions of G7 countries, under the leadership of Italy as 2017 President of the G7, aiming at mainstreaming the work on marine litter of the Regional Sea Programmes and other regional organizations (i.e. fisheries) and the G7 Action Plan to Combat Marine Litter to maximize synergies in the achievement of the marine litter global commitments is a good example. This can serve as a best practice to be replicated in the framework of other processes and initiatives, e.g. the G20 for the implementation of the G20 Action Plan on Marine Litter, and the GPA Manila Declaration. Another good example is the cooperation established between UN Environment Mediterranean Action Plan - Barcelona Convention and Basel, Stockholm and Rotterdam Conventions and their Regional Centres to promote best practices with regards to marine litter management.

#### **4. Feasibility and effectiveness of different response options**

The most effective way forward in the fight against marine litter and microplastics would be to use and further strengthen the existing mechanisms at global, regional and national levels. This option also considers the need for coordinated responses at regional/sub regional levels and for the establishment of appropriate vertical links between global processes and initiatives, regional seas and national actions and measures.

Development of common global guidelines and standards, strengthening the legal provisions under the Regional Seas Programmes and Conventions addressing marine litter, revision of existing Marine Litter Regional Plans to include new measures, based on value chain and ecosystem based management approaches, while enhancing cooperation with the private sector and civil society, as well as effective implementation may represent feasible, adequate and effective responses.

This option is considered appropriate both in terms of feasibility and effectiveness, since it has a solid and advanced starting point and builds upon best practices and past experiences.

Strengthened regional responses, supported by global political processes and voluntary global initiatives, guidelines, standards and tools, have a strong potential of catalyzing actions at the national level and can prepare the ground for the consideration in the future of global binding instruments on marine litter/plastics, for which present conditions may not be mature enough.

#### **5. Any other inputs**