



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

WWF recommendations
Global Policy and Advocacy, October 2018

Summary

- **Marine plastic pollution has reached crisis levels.** It is estimated that around eight million tonnes of plastic waste enters 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** (strict 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 second session of the Ad Hoc Open-Ended Expert Group on marine litter and microplastics to express support for the negotiation of **a new legally binding instrument to combat marine plastic pollution**, and for the Expert Group to recommend that **a mandate for negotiation on such an instrument be adopted at UNEA-4, in March 2019.**

The problem

Marine plastic pollution is an urgent problem with major adverse impacts on the health of ocean ecosystems. It has been estimated that around eight million tonnes of mismanaged plastic waste enters the world's oceans every year, and that number is expected to grow.¹ It is predicted that by 2050, there will be more plastic than fish in the ocean by weight²—and this is before factoring in the potentially devastating effects that marine plastic pollution could have on the fragile balance of the marine ecosystem. It has become one of the pressing environmental problems of our time.

Marine plastic pollution is also a global, transboundary problem. Plastic litter or microplastics has been detected in all parts of the planet's marine environment. Once in the sea, the plastic waste is not contained by national borders. It will float around with ocean currents until it eventually gets stuck or gradually disintegrates into microplastics. The consequence is a worrying accumulation of plastic waste in marine ecosystems as well as microplastics entering the food chain. Plastic waste that originates in one country can

¹ Jambeck, J.R., Andrady, A., Geyer, R., Narayan, R., Perryman, M., Siegler, T., Wilcox, C., Lavender Law, K. , (2015). Plastic waste inputs from land into the ocean, *Science*, 347, p. 768-771

² Ellen MacArthur Foundation, "The New Plastics Economy: Rethinking the Future of Plastics", 2016.

end up virtually anywhere on the planet. This is also why the problem of marine plastic pollution cannot be solved on a national or regional level, or with voluntary measures alone. It requires coordinated action, shared responsibility and a common approach.

Clean-up efforts are important, but the recovery of microplastics and plastic pollutants from the marine environment has so far proven impracticable. A long-term solution therefore requires prevention, which will always be more cost-efficient than recovery.

A legal gap

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 plastics pollution.

The current global governance structure is fragmented and uncoordinated, and it was not developed to specifically target 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 need 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.

The required response

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, 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 menace. 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 second session of the Ad Hoc Open-Ended Expert Group on marine litter and microplastics

- **to express support for the negotiation of a new legally binding instrument to combat marine plastic pollution, and**
- **to request that the Expert Group recommends that a mandate for the negotiation of such an instrument be adopted at the fourth United Nations Environment Assembly (UNEA-4), in March 2019.**

Key elements in a new treaty on marine plastic pollution

<i>Direction</i>	<ul style="list-style-type: none">● 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.
<i>Ambition</i>	<ul style="list-style-type: none">● 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 timebound national reduction targets, sufficient, on aggregate, to achieve the global reduction target.
<i>Measures</i>	<ul style="list-style-type: none">● 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.