

AD HOC OPEN-ENDED EXPERT GROUP ON MARINE LITTER AND MICROPLASTICS FIRST MEETING

Nairobi, 29-31 May 2018

Co-Chairs' Summary

1. The purpose of the Co-Chair's summary is to provide a short overview of key points raised during the meeting held from 29-31 May in line with the mandate established in resolution 3/7 of the United Nations Environment Assembly.. It is not a negotiated document and reflects the observations of the Co-Chairs. It is hoped that this summary will facilitate the meaningful participation of and preparation for all stakeholders in the second meeting to be held in late 2018 Attached is also a summary of possible key areas for continued work highlighted by participants during the meeting. Effort has been made to incorporate all views expressed. It should be noted that this list is very ambitious, and while some elements are already being considered by the UN Environment Programme within existing work programmes, many suggested elements would benefit from the engagement of various stakeholders.

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

2. Participants highlighted the magnitude of marine litter and microplastics in the oceans. The global, transboundary nature of the problem requires global, holistic and bold solutions. Actions need to be taken at national, regional and international levels.
3. Prioritization of barriers could guide actions in the global context. This should be framed in terms of short, medium and long-term actions to address barriers.
4. Upstream solutions are important to prevent marine litter as well as working with private sector to reorient production processes based on the circular economy approach. A number of participants wanted further exploration of areas such as extended producer responsibility, product design, harmonization of standards, additives and safer alternatives to plastics. Many participants noted their view that the Polluter Pays Principle should be considered.
5. Many country experts reported on the need for basic waste prevention and downstream waste management efforts that are important to reducing the inflow of litter to the marine environment and provide social and human health benefits.
6. Participants reported a diverse range of actions already in progress at the national level. Action at the national level to include integrated waste management is crucial. Sound science, regulation and compliance are key underpinnings. Solutions need to be appropriate to local and national circumstances as it was noted that "one-size does not fit all". Considerations need to be given to local employment

and social issues related to policy interventions. Specific concerns were noted by Small Island Developing States given their vulnerabilities and limited capacities. Sharing of best practices and scaling up of local successes should be encouraged and facilitated. Political support is essential to drive and sustain national actions.

7. Harmonization of monitoring and assessment methodologies and definitions is important for policy making, target-setting, and enhanced data collection and information sharing. Of note is closing the research and data gaps on topics such as impact on human health, other coastal and marine beneficial uses as well as ecosystems, and the status of marine litter and microplastics.
8. Improved product labelling on chemical additives in plastic in particular is needed to better understand implications with respect to health and safety, recyclability and international trade.
9. Of note is the use of fossil fuel subsidies which influence the cost of virgin materials and can distort the implementation of financial incentives for recycling efforts.
10. Public awareness and outreach was mentioned across all elements of the discussion, including a need to explore new ideas and approaches on education, campaigns and information packaging which can help to change behavior and overcome the psychological barriers around marine litter.
11. It was noted that there are resources constraints to implement and develop innovative solution including technical, financial and human capacities. It was also observed that even basic waste management systems at the national level also relied on infrastructure solutions (with existing technology) and were often subject to resource constraints for development. Further discussion could be useful on financing options, collaborative research and monitoring and other relevant ongoing initiatives.

National, regional and international response options, including action and innovative approaches, and voluntary and legally binding governance strategies and approaches

12. The expert group noted many successful national strategies. It was clear that national level responses will remain a core element to resolving the problem of marine litter and microplastics. However, many participants stated that regional and global efforts could be improved and better coordinated to complement national efforts in support of global responses.
13. Many participants noted a global architecture could enhance the holistic approach and facilitate resource mobilization and minimize duplication of efforts. Options discussed in this regard included a new voluntary and/or a new binding legal instrument with a multilayered approach. Other participants recognized enhanced utilization of existing global and regional mechanisms such as the BRS Conventions, the Strategic Approach to International Chemicals Management (SAICM), Regional Seas and the Global Programme of Action as important possible support measures, within their respective mandates.

14. The participants noted that future actions should build on existing global and regional mechanisms that could support the process and seek out avenues where strengthening is needed to enhance their functionality. Several participants pointed to the need for something new and additional to fill governance gaps at the international level. One state, subsequently supported by others, proposed a three-pillar approach involving 1) the Regional Seas conventions, 2) The Basel Convention, and 3) a new and overarching structure at the global level.
15. A number of experts highlighted the need for more research to better understand the problems and potential solutions for marine litter, many states that while data gaps remain, enough is known to drive concrete action in the short term in parallel to developing longer-term global responses.
16. The source-to-sea approach of tackling the problem was noted in the context of river basin management as rivers are important conduits for delivery of plastic litter to the marine environment.
17. While coastal countries and small island states suffer visible impacts, all countries including land-locked countries are affected and contributed to marine litter and microplastics.

Environmental, social and economic costs and benefits of the different response options

18. Interest was expressed in qualitative and quantitative analysis of costs and benefits of different options including cost of no-action and pros and cons of different options. One approach suggested was to consider how costs may be apportioned across different stakeholders. It was noted that Finance Ministries need to be engaged in quantifying costs to economies of inaction.
19. The participants were encouraged to reflect on how to transition to the circular economy including exploring possible incentives to facilitate the transition.

Feasibility and effectiveness of the different response options

20. Some experts stated a need to further examine: (i) gaps in existing governance frameworks with respect to meeting relevant SDGs; (ii) challenges in implementation of existing global and regional frameworks such as IMO instruments, Basel Convention and Regional Seas Conventions and Action Plans; (iii) global coordination; and (iv) need for immediate action.
21. Many participants noted that a global approach should take into account national circumstances.

Way Forward

22. The expert group highlighted the importance of dialoguing with international and regional organizations, and Multilateral Environmental Agreements and of learning more about the challenges in addressing marine litter under their respective instruments and activities. An overview of actions taken by the Regional Seas programmes to implement SDGs particularly target 14.1 may increase inter-regional synergies.

23. Further analysis on response actions categorized into the short, medium, and long term could be beneficial. That would include up-stream and down-stream approaches.
24. For the second meeting, the Co-Chairs noted that increased interactivity such as workshop-style facilitation will be useful to advance the discussion to identify potential options for continued work for consideration by the UN Environment Assembly and to give priority to short-term solutions taking into consideration of the nature of the problem.
25. The Co-Chairs invited the participation of national focal points in addition to experts to deepen the discussion on governance on marine litter and microplastics for the second meeting.
26. The second meeting of the ad hoc open-ended expert group is expected to take place last quarter of the year subject to generous contributions. More details will be announced well in advance of the meeting.
27. The Co-Chairs encouraged all member States and observers that have not done so to submit their position/information papers to the secretariat prior to the second meeting.