

Submission of Morocco

Follow up of the Open-Ended Working Group for the Intergovernmental Negotiating Committee to Develop an International Legally Binding Instrument on Plastic Pollution

Morocco refers to the letter sent by the Executive Director of the United Nations Environment Programme, Ms. Inger Andersson, on 24 June, inviting to present submissions as the follow up of the Open-Ended Working Group for the Intergovernmental Negotiating Committee (INC) to Develop an International Legally Binding Instrument on Plastic Pollution.

In this framework, Morocco suggests the following aspects to be considered in the future negotiations of the INC:

I - The sequencing and organization of INC

Morocco salutes the steps taken in preparation for the INC1, and highlights the need to strengthen Member states' cooperation to ensure the fluidity of the work.

We recommend INC1 to indicate and discuss:

- Definitions;
- Scope, vision ;
- Objectives;
- The actions roadmap;
- The rules of procedures;
- Indicators and targets;
- Governance;
- Financial matters;
- The future actions in preparation for the other INC meetings.

Morocco supports the proposal from the INC Secretariat (on para 21 of document UNEP/PP/OEWG/1/3) to a legal group to support the INC in the development of the instrument at INC2.

We suggest that regional consultations be made prior to the INC-1 to get a larger scope about the problems that are facing each geographical zone separately. Those consultations will also raise awareness among all the targeted audience in a cooperative way.

II - Substantive issues which would contribute to preparation of documentation for INC-1, in particular, regarding potential elements of the future instrument as well as priorities, needs, challenges and barriers and overview of national measures;

Morocco's efforts to combat plastic pollution

Plastic materials are widely common products in Morocco in a variety of usages that are composed from domestic, industrial and agricultural purposes. The dominant use of plastics remains concentrated mainly in the manufacturing sectors of (i) Pipes and hoses for irrigation, sanitation and drinking water (ii) Films for greenhouses (iii) Packaging in all its forms (iv) Plastic materials for construction and (v) Tyres. According to the National Strategy for Waste Reduction and Recovery report, the estimated amount of plastic waste in Morocco is around 800,000 t/year in 2015, of which only 25% is recovered and recycled which is definitely considered as an economic loss and a public health threat.

Morocco has always been sensitive to the issue of plastic pollution, and is committed to all international and regional agreements related to plastic pollution.

In this context, it has taken various legislative as well as operational measures at the national level to address the issue of plastic pollution.

1 - Legal measures

These measures concern the strengthening of the legal framework, in particular through :

*** The promulgation in 2015 of the Law 77-15 on the prohibition of the manufacture, import, export, marketing and use of plastic bags**

This law prohibited the manufacture of plastic bags referred to in paragraph 2 of Article 1 (*bags with or without handles, made of plastic, which are supplied to consumers at points of sale of goods, commodities or services, for packaging their goods, whether in return for payment or free of charge*), as well as their import, export, holding with a view to sale, offering for sale, sale or distribution, even free of charge

With regards to other plastic bags, which are the subject of Article 1 of this law, in particular those for industrial or agricultural use, insulated bags and freezer bags, as well as those intended for waste collection, the law provides for the marking of these plastic bags and their use exclusively for the purposes for which they are manufactured.

This law also contains provisions dealing with the control of the production, marketing and use of all plastic bags covered by this law, as well as provisions on penalties.

The success of this ban was achieved through the signing in 2016 of a multi-stakeholder partnership agreement which defines the roles and commitments of each of the stakeholders involved. It defined the roadmap and the support system to be adopted, which is based on seven areas of work dealing with :

- The Regulation,
- The promotion of alternative products,
- The promotion of new plasticulture niches,
- The Support of formal and informal operators,
- The Control,
- The Collection,
- The Communication and awareness raising.

Two years after the adoption of Law 77-15, the banned plastic bag has been definitively banned from the medium and large-scale distribution and organized local trade segments, which now use practical alternatives designed and calibrated to meet their specific needs.

Indeed, the demand for alternative products has increased considerably and the supply from companies has kept pace. The production of non-woven bags increased from 1.8 to 3.2 billion bags and woven bags from 1 to 1.2 billion bags in the second year of implementation of the law.

*** Setting up a parafiscal instrument to finance the recycling/valorisation of plastic waste**

The ecotax on plastic was adopted through the 2013 Finance Act and came into force on January 2014. This parafiscal instrument was set up to finance the development of plastic waste valorisation/recycling industries and has been used to fund the National Fund for the Environment and Sustainable Development (NFESD). It was revised in 2015 to move from 1.5 to 1% ad valorem in the 2016 Finance Act and extended the list of entities eligible for subsidies to SMEs involved in waste sorting and recycling activities.

This ecotax also contributes to the financing of a number of activities related to the management of plastic waste, including :

- Downstream sorting platform projects (sorting centres at landfill sites);
- Pilot projects for upstream selective collection, for example, in certain neighbourhoods or at the level of large plastic waste producers;
- Awareness-raising activities;
- Feasibility studies and technical assistance;
- Management and administration of the ecotax funds.

*** Licensing of imports of raw material for the production of banned bags**

In order to strengthen control, the regulations in force have been expanded. Thus, the licensing of polyethylene imports, a raw material used for the production of prohibited bags, has made it possible to significantly reduce the volume imported (31%). The use of alternative raw materials was also noted during the checks carried out, which revealed the use by clandestine units of plastic recovered from landfill sites.

*** Amendment of the law No. 28.00**

This law, which was published in 2006, aims to lay the foundations for a waste management policy, is currently being amended to strengthen the aspects related to the reduction of waste at source, the introduction of selective waste collection, the development of waste recovery techniques and the integration of the principle of extended producer responsibility.

2 - Operational measures

On the operational level, several programmes and projects are implemented and contribute to the prevention, monitoring and management of plastic pollution, such as :

- The National Liquid Sanitation and Wastewater Treatment Programme (NSP) ;
- The National Household Waste Programme (NHWP) ;
- The Program of collection and elimination of plastic bags which has allowed to collect and eliminate 2200 t of used plastic bags at the national level.
- The bathing water quality monitoring Program which provides data on marine litter, particularly plastic at about 50 national beaches
- The Mediterranean Integrated Assessment and Monitoring Program (IMAP), which aims to assess trends in the amount of plastic waste spread and/or deposited on the coastline.
- The support to the NGO projects with the aim to organize plastic waste collection and identification campaigns on the moroccan mediterranean coasts and to carry out awareness-raising activities on plastic pollution

3 - National Strategy and Action Plan "Moroccan Plastic Free Coastline"

All the efforts made within the framework of the above mentioned legal and operational measures have been recently consolidated by the adoption of the **National Strategy and Action Plan "Moroccan Plastic Free Coastline"** prepared with the support of the World Bank.

The aim of this Strategy is to reduce plastic pollution using an integrated approach based on :

- The involvement of all stakeholders in the decision-making process concerning the measures and actions to be implemented, due to the multisectoral nature of the plastic issue and the diversity of stakeholders in the sector. This has ensured shared responsibility for preventing plastic waste and supporting change through effective and feasible measures, and effective information exchange to identify synergies between actors, capitalize on existing efforts, optimize efforts and avoid duplication;
- Capitalization of the achievements and expertise developed by Morocco in the framework of the programs related to the implementation of the Barcelona Convention and its protocols;
- Commitments of Morocco at the international and regional level;
- Taking into account all the links of the plastic sector as a value chain in order to prevent and reduce plastic waste pollution through the relevant measures related to organization, coordination, regulation, information management, technological innovation, investment creation, etc. The aim is to avoid the leakage of plastic waste into the environment through its insertion into circular recovery channels, and promote the use of alternatives when possible.

The main operational axis of this approach are:

(i) Establishing good governance:

- The multi-sectoral dimension of plastic pollution requires coordination between the various stakeholders and their accountability in implementing the measures adopted under the Plastic-Free Coastal Action Plan;

- Establishment of the Inter-ministerial Committee of the Plastic Free Coastline Project is a coordination mechanism between the different stakeholders (NGOs, R&D, etc.);
 - Strengthening the capacities of local authorities in plastic waste management;
 - Revision of the law on waste through the introduction of the principle of extended producer responsibility (EPR).
- (ii) Implementing adequate policy and regulatory instruments and strengthening existing instruments to reduce plastic waste and promote circularity, such as :
- Establishment of a normative framework to ensure a quality of recycled products, similar or better than that of products from virgin material;
 - Establishment of incentives to promote the use of recycled plastic by improving the competitiveness of these products on the market and by providing more information to consumers;
 - Preparation of a contract program in partnership with the Ministry of Industry and the private sector for the establishment of collection, sorting and recovery of waste, particularly plastic.
- (iii) Strengthening monitoring and information exchange;
- Expansion of the monitoring program set up by the National Laboratory of studies and Pollution Monitoring currently conducted at the level of the Mediterranean coastline, to the Atlantic coastline and to the microplastic fraction in addition to the other types of plastic waste.
 - Establishment of a database on the quantities of plastic waste produced, the potential for recycling, appropriate technologies, etc. in order to promote the establishment of recovery and recycling channels, and ensure their viability on the market.
- (iv) Strengthening innovation;
- (v) The promotion of recycled plastic raw materials as a substitute for imports of virgin material;
- (vi) The implementation of collaborative and integrated projects with concerned stakeholders;
- (vii) Awareness and communication.

Challenges, needs and barriers

The implementation of those previous measures meets many challenges that are related mainly to the economic situation of the plastics processing sector as well as social behavior.

In fact, the plastics processing sector is currently faced with the challenge of improving its economic competitiveness through, in particular, access to a quality recycled raw material at a competitive price as a substitute for imports of virgin material. It is therefore suggested to set up an **incentive mechanism allowing the readjustment of tariffs to encourage the use of recycled plastic materials produced at the national level.**

Another major challenge is the informal sector. Therefore, **building partnerships with the private sector to improve the informal sector's links to industrial value chains** could have major positive impacts and constitute an important step in tackling the issue.

Finally, there is a need to implement adequate policy and regulatory instruments and reinforce existing instruments allowing the reduction of plastics upstream and the promotion

of their circularity. In this regard, we suggest the following measures in order to increase the waste recycling rate on the national level:

- The revision of the national waste catalogue to include plastic waste generated by marine activities;
- The implementation of a normative framework to ensure that the quality of recycled products is similar or better than that of products made from virgin material;
- The establishment of incentives to promote the use of recycled plastic by improving the competitiveness of these products on the market and by providing more information to consumers;
- The ongoing preparation of a contract program in partnership with the Ministry of Industry and the private sector for the establishment of collection, sorting and recovery channels for waste, particularly plastic.

III - The content and considerations for the preparation of the forum as set out in the OEWG information document entitled 'Preparations for the forum' (UNEP/PP/OEWG/1/INF/4).

Morocco welcomes the Secretariat efforts in the preparation of the exchange forum which constitutes a good opportunity to improve transparency and inclusivity of all partners that are involved directly or indirectly in the plastic lifecycle, strengthen the science policy interface to fight against plastic pollution, promote technology transfer and capacity building as well as Public Private Partnerships including with civil society organizations.

In this regard, we suggest to hold, in the margins of INC-1, capacity building sessions that might be included in the agenda of the forum, in order to enable the beneficiaries (government officials and representatives of Major groups and stakeholders) to effectively contribute to the negotiations process.

We also think it would be useful that member states could share in a format of an exposition or an Action pavilion their best practices in tackling the plastic pollution crisis. This might help by the end of the forum to draft a paper gathering ideas and inspirations for member states, intergovernmental organizations, Civil Society, etc. on the way forward.