Monterey Bay Aquarium Statement Regarding INC-3
November 11, 2023

Monterey Bay Aquarium (Aquarium) is thankful for the opportunity to submit comments to the Intergovernmental Negotiation Committee (INC) to develop an international legally binding instrument on plastic pollution, including in the marine environment. The Aquarium’s mission is to inspire conservation of the ocean, and our programs focus on crucial ocean health issues, from sustainable fishing and aquaculture practices and wildlife conservation to climate change – all of which are impacted by plastic pollution. The Aquarium is calling for the timely adoption of a robust, science-based, and equitable treaty designed to tackle threats to human and ocean health. Scientific evidence on the human and ocean health impacts of plastic has mounted, and the need for systemic action to address the sources of plastic pollution is urgent.

Commitment to Source Reduction
The harm caused by problematic polymers, additives, and microplastic itself is clearer every day, and it will take a systemic (life cycle) and interdisciplinary approach informed by multidisciplinary scientific evidence to address the global plastic pollution crisis. The imperative for source reduction of plastic emerges as the most effective and environmentally preferable solution to combat pollution. To effectively mitigate plastic waste and its environmental impacts, a fundamental shift toward minimizing virgin plastic production, transitioning to more readily recyclable materials like aluminum, investing in reuse and refill systems, and simplifying chemical processes is necessary. This mandates the elimination of harmful polymer precursors, primary micro-and nano-plastics, and non-essential, non-durable, and problematic single-use plastic products. Within the framework of the Treaty, it is crucial to enforce reductions in the complexity of plastic products, strive for chemical simplification, set health-protective standards for plastics and their additives, mandate the use of sustainable, non-toxic materials, require full component disclosure, and ensure component traceability.

Global Rules on Ocean-Based Sources of Plastic Pollution
For over a decade, studies on ocean plastic pollution have uncovered the pervasive presence of plastic waste across various marine environments, spanning from surface waters to deep-sea sediments. Humans release approximately 12 million metric tons of plastic waste into the ocean annually, which equates to dumping a garbage truck of plastic waste every 45 seconds. Addressing and effectively managing the sources of plastic pollution from sea-based activities, particularly from the fishing, aquaculture, and shipping sectors, such as abandoned, lost, and discarded fishing gear (ALDFG or “ghost gear”), ship-based sources of lost plastic pellets,
products, and waste, and aquaculture production operations is paramount. Lost and abandoned gear and plastic discarded at sea, including from illegal, unreported, and unregulated fishing activities, pose severe threats to ocean ecosystems. The proportion of marine plastic originating from ALDFG varies regionally, with estimates of 27% of beach litter and 46% of floating debris originating from the fishing sector. As of 2019, a shocking 914 marine species globally have been documented to suffer from entanglement and/or plastic ingestion, underlining the extensive impact on marine life. These combined factors illuminate that voluntary measures have proven ineffective and indicate the need to adopt binding regulations and policies to address this problem at the source.

**Embrace Producer Responsibility**
Recent reports have emphasized the need for producer responsibility (legal and financial) for the impacts of plastic products at every stage – from production to end-of-life. The known health and economic repercussions of plastic pollution on vulnerable communities are not tolerable and necessitate action to protect those with the least responsibility while holding those who generate plastic pollution accountable for mitigating, avoiding, and ending the harms posed. The Treaty needs to include requirements on extended producer responsibility (EPR) that make fossil carbon producers, plastic producers, and the manufacturers of plastic products legally and financially responsible for the safety and end-of-life management of all the materials they produce and sell. The EPR provisions set out in the treaty text need to ensure financial responsibility rests with all who benefit from the production of plastic and that it reverses the burdens on vulnerable groups and communities.

**Elevating Scientific Involvement**
There is already sufficient research, policy guidance, real-world experience, expertise, and local knowledge for the INC to develop a strong treaty. This knowledge resides with governments, civic society, industry, research and academic organizations, Indigenous peoples, local communities, the United Nations (UN) Environment Programme, and other UN bodies (including the Basel, Rotterdam, and Stockholm conventions and the Strategic Approach to International Chemicals Management). Engagement of science and knowledge is critically important for decision-makers to understand the problem and its implications, formulate evidence-based Treaty provisions, and ensure effective and timely implementation.

The core focus of the INC deliberations must center on establishing binding commitments for control measures and advancing the treaty text concerning specific global rules throughout the plastic life cycle. We call on the United States and other Member States to advance a strong, science-based, and equitable legally binding treaty that addresses the threats to human and ocean health.