WRITTEN REPORT BACK FROM THE THEMATIC SIDE EVENTS DURING INC-3
THEME 2: OCEANS AND THE MARINE ENVIRONMENT, INCLUDING TRANSPORT, GHOST FISHING GEARS, DUMPING, PELLET LOSS AND IMPACTS ON BIODIVERSITY

Date: Tuesday 14 November 2023

Number of participants: 96 participants of which: 40% Male; 54% Female; 6% prefers not to disclose

KEY MESSAGES RESULTING FROM THE EVENT:

- **a. International regulatory framework**: The proposed global plastics treaty offers a unique once-in-a-lifetime opportunity to establish a comprehensive, ambitious, and impactful governance framework to manage plastic pollution holistically across the full life cycle. This will facilitate cooperation, promote the enforcement of regulatory measures and foster coordination, paving the way for ambitious actions to address plastic pollution in oceans and marine environments. Such coordinated governance has been lacking to date particularly considering sea-based sources of plastic pollution such as Abandoned, Lost or otherwise Discarded Fishing Gear (ALDFG, also known as ghost gear).

- **b. Threat from Ghost Gear**: ALDFG significantly threatens ocean biodiversity, local communities, and food security. Increasing global fishing efforts elevate the risk of marine plastic pollution from ALDFG. The proposed measures in the zero draft for plastic fishing and aquaculture gear fall solely under waste management. While waste management provisions are an important part of tackling this problem, waste management alone is insufficient to address this distinct and pervasive form of plastic pollution holistically, across its full life-cycle;

- **c. Gaps in Legal Frameworks**: while the London Convention and Protocol and MARPOL Conventions address marine pollution, they do not sufficiently cover specific pollutants such as microplastics or ALDFG nor provide mandatory criminal provisions for intentional dumping or gross negligence. Many frameworks, such as those devised by FAO, are also voluntary in nature. The zero draft will need to address these gaps through the inclusion of legal provisions related to criminal sanctions as applicable on flag state prescriptive jurisdiction, bolster environmental protection and establish clear accountability channels;

- **d. Land source plastic pollution** contributes significantly to environmental degradation. It is crucial to hold responsible parties accountable for serious land sources of plastic pollution offenses through efficient and proportionate criminal sanctions to ensure adherence to environmental regulations, deter gross negligent practices and ultimately safeguard our ecosystems. Incorporating strict penalties for serious offenses into the legal framework establishes a clear deterrent and emphasizes the gravity of environmental responsibility;

- **e. Overarching Need for an Independent, Trusted Science-Policy Interface** including expert committees under the Governing Body of the instrument that takes a central role in the development, review and update of targets, assessment criteria, guidelines, protocols, preparation of legal frameworks and procedures for monitoring and reporting, and subsequent lists in the annex of the treaty. This echoes paragraphs focusing on international regulatory framework and the need for comprehensive strategies;

- **f. Scientific Research/Plastic Monitoring and stakeholder engagement**: Initiatives aimed at protecting the marine environment should foster cooperation, including activities like scientific
data collection at local, regional as well as global level, harmonization of plastic monitoring, voluntary retrieval of fishing gear, and educational programs facilitated by local governments.

Key policy considerations for the INC process resulting from the event, including the INC-3 discussions, and outstanding gaps to address in moving forward towards an international legally binding instrument:

- The Japanese delegation showed the importance of developing strong and harmonized monitoring methods and regular compilation of data to address plastic waste leakage and promote innovative solutions to reduce marine plastic litter;
- The Saudi delegation underlined that the zero-draft text should avoid duplication with existing international legal frameworks;
- UNODC recommendations in Part II. Section 8 of the zero-draft text in blue below:

**Suggested edits to Part II. Section 8 of the zero-draft text on ’Emissions and releases of plastic throughout its life cycle’**

Each Party shall prevent and eliminate the emissions and releases of plastic polymers, plastics, including microplastics, and plastic products across their life cycle, to the environment from the sources identified in annex E by the dates identified therein. The emissions and releases covered under this provision should include:

a) Emissions of hazardous substances, including microplastics, to air and sea, with related definition of microplastics as hazardous substances;

b) Releases to soil and water from the production, transportation and use of chemicals and polymers of concern, plastics, and plastic products; and

c) Releases of chemicals and polymers of concern, plastics, and plastic products, including microplastics, to air, soil, and water, and ecosystems.

Each party should provide a set of sanctions for accidental or intentional release, proportionate to the seriousness of the discharge, including through criminal sanctions.”

- Ocean Conservancy’s Global Ghost Gear Initiative recommended including in the draft zero text provisions related to mandatory provisions to cover the full life cycle of plastic fishing and aquaculture gear including gear design and circularity, gear marking, lost gear reporting and remediation;
- The University of Plymouth stressed the importance of establishing an Independent, Trusted Science-Policy Interface including expert committees under the Governing Body of the instrument.

What are the key knowledge products and resource tools that are currently available to inform negotiators in this process (this is not intended as a bibliography, please provide a maximum 3-5 resources)? Please also comment on any data and knowledge gaps (if any).


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1 please note that each recommendation presented in this paragraph is independent and distinct, there are not collectively endorsed or approved
<table>
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<tr>
<th>Time</th>
<th>Session</th>
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| 13:30 – 13:35 | Opening Remarks  
Mr. Giovanni Broussard  
Africa Programme Coordinator  
Environment Team  
UNODC           |
| 13:35 – 13:45 | Scientific Research/ Plastic Monitoring and Stakeholder Engagement  
Ms. Noriko Tamiya-Hase  
Office of Policies against Marine Plastics Pollution,  
Environmental Management Bureau  
Ministry of the Environment of Japan |
| 13:45 – 13:55 | National Actions and Global Cooperation  
Mr. Mohannad Al Haidri  
Technical Advisor  
Representative of the Delegation of Saudi Arabia |
| 13:55 – 14:05 | Enforcement and Compliance Measures to Address Plastic Pollution at Sea  
Ms. Toral Vadgama  
Deputy Head  
Global Maritime Crime Programme  
UNODC           |
| 14:05 – 14:15 | Challenges and Opportunities for Managing Abandoned, Lost or Otherwise Discarded Fishing Gear  
Miss Hannah Pragnell-Raasch  
Policy Specialist,  
Global Ghost Gear Initiative, Ocean Conservancy |
| 14:15 – 14:25 | The Role of Scientific Evidence to Inform Governance  
Professor Richard C. Thompson OBE FRS  
Professor  
University of Plymouth Marine Institute |
| 14:25 – 14:40 | Q&A session                                                      |
| 14:40 – 14:45 | Closing Remarks  
Mr. Giovanni Broussard  
Africa Programme Coordinator  
Environment Team  
UNODC           |
Annex II: Co-organizers (name, title, and organization - if different from speakers)
Same names as the speakers
Focal Point: Marion Crepet (marion.crepet@un.org), UNODC Environment Team, Associate Expert

Annex III (optional): Additional information any of the co-organizers may wish to share, if any.
Link to our Tweet: https://x.com/unodc_mcp/status/1724409608406479204?s=48&t=_ektEO6JXWuEsr7uGJP3g