

Plastic pollution: Look to Europe?

Assessing the relevance of the European Union’s regulatory approach for the development of a new global agreement to tackle marine plastic pollution.

Context

The world’s oceans are filling up with plastic. It has been estimated that about 11 million tons of plastic enters the marine environment every year. Plastic pollution is already having a devastating impact on life in the marine environment, and it is negatively affecting communities that depend on the ocean for their livelihoods. In the long term, the leakage of plastic into the environment is also problematic from a resource-perspective, as it undermines the prospects for creating a circular plastics economy.

The international community has recognized, including through several resolutions unanimously adopted by the UN Environment Assembly, that urgent action is required. The existing international framework pertaining to this issue is fragmented and ineffective, and more than a third of UN members—including the European Union and Nordic Council member states—are now calling for the start of negotiations on a new global agreement to tackle the problem.

So far, however, there has been limited discussion about the actual elements of the new global treaty; what it would aim to achieve, how it should be structured and what states would be required to do (or not do) as parties to the new agreement.¹ Most proponents of the new treaty—herein a broad range of civil society organizations, academics and businesses—highlight the need for some sort of *long-term objective*. Other treaty elements frequently mentioned include *national action plans, monitoring and reporting, a scientific panel, technical and financial support, and harmonized definitions and standards*. Further elaboration of these elements is required, however, and there is also a need to consider how participation and compliance with the new treaty can be secured.

In the process of exploring the scope, parameters and possible elements of a new global treaty, existing national and regional legislation is a natural starting point. And one recent example of a regional regulatory framework developed for the purpose of tackling marine plastic pollution is EU Directive 2019/904 (Single-use plastics directive). The purpose of this report is to contribute to the emerging discussion about the scope and parameters of the new global treaty by assessing the relevance of the EU Single-use plastics directive as a possible template or source of inspiration.

Ask and requirements

WWF is seeking a research establishment as a partner for a joint report on this topic. The report will be co-written by WWF and the partner and published as a joint report. We seek a partner with demonstrated experience in analysing international environmental treaties, with a sound understanding of international law and multilateral political processes, and with a strong commitment to contribute towards improving the state of the natural environment. Knowledge of the specific issue of plastic pollution is an advantage, but not a requirement.

¹ With a view to stimulating debate about the possible elements of the new treaty, the Nordic states launched a report on this topic in October 2020. See www.nordicreport2020.org.

The contribution of the partner will be twofold. 1) The partner will be responsible for undertaking the analysis and assessment of European strategy and regulation on plastic pollution, in particular the single-use plastics directive, and its relevance as a template for the design a new treaty on marine plastic pollution, in particular from a regime effectiveness perspective. This could include both theoretical and empirical elements, and would aim to highlight differences and similarities between EU regulation and multilateral treaties. 2) The partner will contribute in the drafting of the report and write the final product, together with a coordinating author from WWF. We also expect the partner to present findings in potential launch events and assist in distribution of the report.

WWF is also in dialogue with other NGO partners that may contribute to/review the report and potentially enter the drafting team.

Deliverables

- Report (~25-30 pp.) assessing the relevance of the European Union's regulatory approach for the development of a new global agreement to tackle marine plastic pollution.

Timeframe

Start-date: *11 January 2021*

Due date for deliverable: March 15, 2021 (Duration: 12-14 weeks)

Estimated number of days work 20-25.

Please send you offer including a short description of services delivered, staff involved, methodology and cost estimate to Eirik Lindebjerg, Global Plastics Policy Manager, elindebjerg@wwf.no, by COB December 15th.

Annex I: tentative structure of report

(To be discussed and finalised together with partner institution.)

1. Foreword
2. Executive summary
3. Introduction
4. The context (the story so far; growing calls for new treaty; need for more analysis of scope and parameters)
5. The problem (plastic pollution as transboundary/cross-sectoral/complex/collective-action problem; typical challenges in solving such problems and key considerations for treaty effectiveness)
6. The EU approach (how does the EU directive deal with the main challenges identified, and to what extent can well-designed provisions be reproduced in the new treaty?)
7. The prospects (issues for consideration going forward: what can we learn from the EU approach? is there a need to go beyond—if so, where?)
8. Conclusion