

Virtual Preparatory Meeting
Ad hoc open-ended expert group on marine litter and microplastics
Monday 28 September 2020, 14:00 to 16:00 (GMT+3)

Note from the Secretariat: Summary of comments, response options and stocktaking survey submissions received and incorporated in the analysis of effectiveness

1. Introduction

The purpose of this document is to summarise the key components from submissions by Member States and major groups and stakeholders that have been incorporated in the analysis of effectiveness, and to provide an outline of a revised approach for the working document.

For comments received from Member States and major groups and stakeholders relating to the methodology for analysis of effectiveness, a short explanation is provided on how these comments have been included in the study.

Those comments that were not included are listed with an explanation of the considerations for exclusion.

The response options submitted in delivery of UNEA Res. 3/7 para. 10(d) have also been considered and incorporated in the study.

The draft working document provided in March 2020 (DRAFT UNEP/AHEG/2020/4/4) has been modified to reflect the above submissions and a summary of the overall approach to the working document is provided.

This document further outlines the integration into this analysis of the stocktaking survey conducted in delivery of UNEA Res. 4/6 para. 7(a).

2. Comments incorporated into the methodology

Comments were received from member states, the Scientific Advisory Committee and major groups and stakeholders on the methodology. The following have been incorporated into the methodology:

1. **Comment:** The full life cycle of plastics is to be included.
 - 1.1. The Bowtie analysis has been used to identify pressures, controls, barriers and barrier controls within each life cycle phase of the response option archetype. This has allowed for the identification of performance indicators (outputs and outcomes) relevant to the controls within each of the four life cycle phases.
 - 1.2. Similarly, the mitigative and remedial controls were identified, as well as monitoring and evaluation activities, allowing for performance indicators to be grouped accordingly.
2. **Comment:** Barriers are to be discussed.

- 2.1. The Bowtie analysis allows for the identification of barriers that limit the effectiveness of control measures. This provides the opportunity to identify barrier controls that could mitigate the effect of barriers.
- 2.2. Barriers have also been considered as identified in the discussion paper on barriers to combating marine litter and microplastics, including challenges related to resources in developing countries (UNEP/AHEG/2018/1/2).
- 2.3. Barriers have been incorporated where appropriate into the final discussion of the effectiveness of each response option as per requests by member states to understand what circumstances contribute positively or negatively to the effectiveness of a response option.
3. **Comment:** Enabling conditions are to be discussed.
 - 3.1. Indicators were agreed with Member States, the Scientific Advisory Committee and major groups and stakeholders.
 - 3.2. Some indicators may contribute to an enabling environment for improving the likelihood of a response option being effective.
 - 3.3. Further enabling conditions could include administrative, policy, finance, infrastructure, or cultural circumstances that may contribute to the circumstances that improve effective outcomes of a response option.
4. **Comment:** Activities are to be assessed within the context of what that activity aims to achieve.
 - 4.1. Each response option has been reviewed to determine its primary objective. This is supplemented by the primary role of the response option within a high-level non-interdependent policy hierarchy that provides context at international, regional and national level.
5. **Comment:** Drivers-pressures-state-impact-response model could be included.
 - 5.1. This model is incorporated in the Bowtie analysis.
6. **Comment:** The multi-disciplinary & cross-sectoral nature of combating plastic pollution across the full life cycle of plastics should be acknowledged.
 - 6.1. The Bowtie analysis illustrates this, supported in some cases by barriers and enabling conditions.
7. **Comment:** Do not assess the effectiveness of response options based on current domestic implementation, or limit analysis to Member States or regions in isolation.
 - 7.1. This has not been included in the analysis.
8. **Comment:** It is not appropriate to measure progress by comparing against projected or predicted increases, such as a business-as-usual scenario, as this can lead to a false sense of progress.
 - 8.1. This has not been included in the analysis.

3. Comments not incorporated into the methodology

The following lists suggested concepts that presented challenges to the study and were not included in the analysis of effectiveness.

1. The cost of implementing an activity.
 - 1.1. Costing of an activity is unique to each situation at the national and regional level. The response options identified at the international level were all potential response options and therefore presented challenges to calculate hypothetical costs.
2. The impact on biodiversity.
 - 2.1. This would be challenging to calculate on a global basis.
3. The cost of inaction.

- 3.1. This would be challenging to calculate on a global basis.
4. Social, economic & ecological impacts, including the creation of alternative economic and social opportunities.
 - 4.1. These are recognised in the analysis and discussed at a high level, but a full study relevant to different contexts has not been included.
5. Reduction or elimination of greenhouse gas emissions and toxic impacts to the environment and humans.
 - 5.1. These co-benefits have been recognised at a high level, but a full life cycle assessment or analysis of the toxicity to humans and the environment is not possible within the required timeframe.
6. Microplastics:
 - 6.1. This is a cross-cutting issue and should not be a response option on its own.
 - 6.2. Primary and secondary microplastics should be handled separately.
 - 6.3. **Response:** Submission by California Ocean Protection Council in the stocktake survey (ID 545728-545719-54555559) listed Senate Bill 1263, Microplastics Strategy as “A law requiring the development of a statewide microplastics strategy to address microplastics in California's marine environment.” This, together with the explicit listing of microplastics in UNEA Res. 3/7 and UNEA Res. 4/6 has supported the inclusion of microplastics as an individual response option.

4. Comments received on the pilot studies

Three pilot studies were conducted to illustrate the methodology across a diverse range of response options. This included a potential response option at the international level, a mature existing response option at the regional level and a potential response option at the national level that incorporates some existing national actions.

Comments included in the updated methodology and information document:

1. Pressures and barriers:
 - 1.1. Clarify sources for identifying pressures and barriers.
 - 1.2. Pressures and barriers do not accurately reflect all regions and what can be applied on the ground in different regions.
 - 1.3. Assumptions are not well explained and should be made clearer in the beginning.
 - 1.4. Explain why some barrier controls are not included.
2. Indicators:
 - 2.1. The yes/no indicator analysis should be expanded similar to Table 10 presented and include greater analysis such as low/med/high.
3. For each response option, clarify which are existing, improvements to existing or new.
4. Add references to documents for conclusions of quantitative evaluation.
5. New international framework:
 - 5.1. Performance indicators should be included.
 - 5.2. The language is too prescriptive – e.g. change “should include” to “could include”.
 - 5.3. The response option should be more hypothetical.
6. Final outcome document:
 - 6.1. Explain the relationship between the two methodologies more clearly (operational measures and management measures).

- 6.2. Cover note to explain methodology.
- 6.3. Present indicators similarly to table 10 on Regional Action Plans with some improvement.

7. Matrix

- 7.1. Present a picture of the benefits and drawbacks of each response option.
- 7.2. Present a comparison matrix showing which options are best used/fit for purpose and closes the gaps at each level (international, regional, national).

5. Response option submissions incorporated into the methodology

Ten response options have been suggested for the analysis of effectiveness. These were based on suggestions made in:

1. The 2017 study by UNEP titled *Combating marine plastic litter and microplastics: an assessment of the effectiveness of relevant international, regional and subregional governance strategies and approaches* (UNEP/AHEG/2018/1/INF/3).
2. Submissions made by Member States and major groups and stakeholders in previous AHEG meetings.
3. Submissions on potential response options (UNEA Res. 3/7 para. 10(d))

Submissions on response options submitted after the presentation of the ten suggested response options suggested for the analysis of effectiveness have been reviewed. These response options support the selection described below and, in some cases, provided greater detail on the objectives and measures to be considered.

The response options identified for analysis which will be covered by UNEP/AHEG/2020/4/4 and further detailed in UNEP/AHEG/2020/4/INF/9 are:

International

1. Strengthen & enhance existing global instruments
2. Global design standards
3. A new harmonised global framework

Regional

4. Regional marine litter action plans
5. Strengthen & enhance existing regional instruments

National

6. National action plans
7. Sustainable waste management
8. Regulatory measures (SUP bans)
9. Market-based instruments (supply & demand)
10. Microplastics

6. Inclusion of submissions to the stocktaking survey (UNEA Res. 4/6 para. 7(a)).

As per the request of Member States, the submissions to the stocktaking survey undertaken in delivery of UNEA Res. 4/6 para. 7(a) have been included in the study. Where the activities submitted provide support for or match the activities identified within a response option, these have been included as examples under that response option. Not all submissions to the stocktake survey have been included and some may target the same type of activity more broadly. Where appropriate, the survey submissions have been grouped but referenced individually.