



CONVENTION ON MIGRATORY SPECIES

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MANAGEMENT OF MARINE DEBRIS

Adopted by the Conference of the Parties at its 12th Meeting (Manila, October 2017)

Recalling CMS Resolution 10.4 on *Marine Debris* and Resolution 11.30 on *Management of Marine Debris*¹ and *reiterating* the concern that marine debris has negative impacts on many species of migratory marine wildlife and their habitats,

Concerned that marine debris, including abandoned, lost or otherwise discarded fishing gear (ALDFG) and microplastics, negatively impacts substantial numbers of migratory marine animals, including many species of birds, turtles, sharks and marine mammals that are threatened with extinction,

Aware that entanglement in and ingestion of marine debris are both conservation and welfare concerns,

Also aware that microplastics have the potential of increasing the bioavailability of toxic substances to marine organisms, which may have impacts on all parts of the marine food chain,

Noting that concerted effort needs to be made in upstream locations and estuaries and other systems where marine debris can enter the marine and coastal environment and impact upon migratory species listed under the Convention,

Welcoming United Nations Environment Assembly (UNEA) Resolution 1/6 on *Marine Plastic Debris and Micro Plastics* (2014), and Resolution 2/11 on *Marine Plastic Litter and Microplastics* (2016),

Recalling that in the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, entitled *The Future We Want*, States committed “to take action to, by 2025, based on collected scientific data, achieve significant reductions in marine debris to prevent harm to the coastal and marine environment”,

¹ Both now consolidated as Resolution 12.20

Recalling the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development adopted in September 2015 by the United Nations General Assembly, and especially Goal 14 to *Conserve and sustainably use the oceans, seas and marine resources*, which includes the following targets:

- By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution,
- By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans,
- Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission's Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries,

Welcoming the G20 Action Plan on Marine Litter as adopted by the G20 Leaders on 8 July 2017,

Recognizing Resolution 60/30, *Oceans and the law of the sea*, adopted by the United Nations General Assembly, which emphasizes the importance of protecting and preserving the marine environment and its living marine resources against pollution and physical degradation,

Acknowledging the substantial work on this subject being undertaken by other regional and global instruments, including *inter alia* the United Nations Environment Programme Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (GPA-Marine), the Regional Seas Conventions and Action Plans (RSCAPs), the Global Partnership on Marine Litter (GPML), the Global Partnership on Waste Management (GPWM), the **International Convention for the Prevention of Pollution From Ships (MARPOL)**, the International Maritime Organization (IMO), the **Convention on Biological Diversity (CBD)**, the International Whaling Commission (IWC), the **London Convention, London Protocol**, the Food and Agriculture Organization (FAO), the International Organization for Standardization (ISO), and the **Inter-American Convention for the Protection and Conservation of Sea Turtles**,

Further acknowledging actions undertaken by States to reduce the negative impacts of marine debris in waters within their jurisdiction,

Noting the formulation of the Honolulu Commitment and the development of the Honolulu Strategy which aims to reduce the impacts of marine debris over the next ten years,

Noting with gratitude that the extensive reviews called for in CMS Resolution 10.4² have been carried out with financial support from the Government of Australia,

Recognizing that information on marine debris remains incomplete, especially regarding the quantity present in the ocean and entering the ocean annually, as well as its sources, pathways, prevalence in different sea compartments, and fate in terms of fragmentation, decomposition, distribution and accumulation,

Concerned that currently available information is not sufficient in order to generally understand which populations and species are the most affected by marine debris, especially the specific effects of marine debris on migratory as opposed to resident species, and that population level effects of marine debris are unknown in many cases,

² Now consolidated as Resolution 12.20

Emphasizing that preventing waste from reaching the marine environment is the most effective way to address this problem, and that moving to a more circular economy reducing the amount of waste generated is the only sustainable solution,

Recognizing the key role of industry and Governments in establishing a circular economy that prevents waste and implementing actions that eliminate sources of marine debris,

Further emphasizing that despite the knowledge gaps relating to marine debris and its impacts on migratory marine wildlife, there is clear evidence of adverse impacts and immediate action should be taken to prevent debris reaching the marine environment,

Aware that a significant proportion of marine debris is the result of discharges of ship-generated waste and cargo residues into the sea, abandoned, lost or otherwise discarded fishing gear (ALDFG), and that the protection of the marine environment can be enhanced significantly by reducing these,

Recognizing that a range of international, regional and industry-based measures exist to manage waste on board commercial marine vessels and prevent the disposal of garbage at sea,

Further noting the adoption by the International Maritime Organization of amendments to Annex V *Prevention of Pollution by Garbage from Ships* of the **International Convention for the Prevention of Pollution from Ships** (MARPOL) which prohibits the discharge of all garbage from ships into the sea from 1 January 2013, except in very limited circumstances,

Also recognizing that the International Maritime Organization is the authority regulating shipping on the High Seas,

Conscious that a wide range of target audiences needs to be addressed through effective public awareness and education campaigns in order to achieve the behavioural change necessary for a significant reduction of marine debris,

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

Interpretation

1. *Considers* marine debris to include any anthropogenic, manufactured or processed solid material, irrespective of its size, present in the marine environment, including all materials discarded into the sea, on the shore, or brought indirectly to the sea by rivers, sewage, storm water or winds;
2. *Takes note* of the reports on Management of Marine Debris published as UNEP/CMS/COP11/Inf.27, Inf.28 and Inf.29, which cover (i) *Knowledge Gaps in Management of Marine Debris*, (ii) *Commercial Marine Vessel Best Practice*, and (iii) *Public Awareness and Education Campaigns*;
3. *Stresses* the importance of the precautionary approach according to which lack of full scientific certainty should not be used for postponing cost-effective measures to prevent environmental degradation, where there are threats of serious or irreversible damage;

Knowledge Gaps in Management of Marine Debris

4. *Encourages* Parties to identify coastal and oceanic locations where marine debris aggregates to identify any potential areas of concern;

5. *Further encourages* Parties to work collaboratively with regional neighbours and other states to identify and address the sources and impacts of marine debris on migratory species, acknowledging that marine debris is not constrained by sovereign borders;
6. *Requests* that Parties provide – if available – information on the amounts, impacts and sources of marine debris in waters within their jurisdiction on marine species listed on Appendix I and II of the Convention in their National Reports;
7. *Encourages* Parties to establish or continue monitoring programmes, using standardized methodologies, that give particular regard to:
 - a) the prevalence of all the types of debris that may, or are known to, have impacts on migratory species;
 - b) sources and pathways of these types of debris;
 - c) geographic distribution of these types of debris and identification of hot spot areas;
 - d) impacts on migratory species, within and between regions;
 - e) identification of the most threatened species or most vulnerable populations in view of densities and seasonal distribution of marine debris;
 - f) the presence and effects of micro- and nanoscale plastics, including sub-lethal effects;
 - g) population level effects on and welfare of migratory species as appropriate to national circumstances;
8. *Encourages* the Scientific Council, with support from the Secretariat, to promote the prioritization of research into the effects of microplastics on the species ingesting them, and support research on the significance of colour, shape or plastic type on the likelihood of causing harm;
9. *Further encourages* the Scientific Council to promote harmonization or standardization of protocols for the analysis of marine litter, including microplastics, in stranded organisms;
10. *Requests* the Secretariat, subject to availability of resources, to work with the United Nations Environment Programme Regional Seas Programme to support standardization and implementation of methods for studies monitoring impacts in order to produce comparable data across species and regions that will allow robust ranking of debris types for risk of harm across different species groups;
11. *Requests* that working groups established under the Scientific Council address the issue of marine debris where relevant, drawing on the work already undertaken by the Convention;

Commercial Marine Vessel Best Practice

12. *Calls upon* Parties and *invites* other stakeholders to address the issue of abandoned, lost or otherwise discarded fishing gear (ALDFG), by following the strategies set out under the Food and Agriculture Organization's Code of Conduct for Responsible Fisheries;
13. *Further encourages* Parties and *invites* other stakeholders to work towards achieving Goal B of the Global Framework for Prevention and Management of Marine Debris, agreed as part of the Honolulu Strategy: "Reduced amount and impact of sea-based sources of marine debris, including solid waste; lost cargo; abandoned, lost, or otherwise discarded fishing gear (ALDFG); and abandoned vessels, introduced into the sea";
14. *Invites* Parties to MARPOL Annex V to review and improve, if required, provisions regarding applicability to fishing vessels and deliberate abandonment of fish aggregating devices (FADs) and other types of fishing gear that contain plastics;

15. *Encourages* Parties to promote measures such as the Clean Shipping Index and marine environmental awareness courses among shipping operators;
16. *Calls upon* Parties to require of their shipping operator's adherence to national obligations also when in areas beyond national jurisdiction;
17. *Invites* the United Nations Environment Programme to continue and increase its leading role in acting as a moderator between the different stakeholders in the maritime industry, and facilitating coordination to enable best practice measures to be implemented;
18. *Welcomes* activities of MEAs and fora related to marine issues to agree waste prevention measures on vessels and implement relevant ISO standards; such activities might or should include: shipping operators, ports and other key industries involved with the international transport of goods driving environmental demands, such as by adopting fee systems in ports that incentivize waste delivery through supporting the improvement of port waste reception facilities in general, requiring fishing equipment to be subject to mandatory deposit-and-refund schemes under extended producer responsibility, adopting—waste prevention measures on vessels and implementing relevant ISO standards;

Industry Action, Public Awareness and Education Campaigns

19. *Acknowledges* activities of industry bodies and other entities in the private sector to give high priority to debris prevention measures and to promote such measures across their industries, welcoming *inter alia* the following priority actions:
 - a) progressive elimination of single-use plastics;
 - b) re-design of products and packaging for reuse and implementation of new delivery and collection models based on reusable packaging;
 - c) introduction of design changes that ensure high-quality, economic recycling;
 - d) establishment of after-use systems, collection and sorting infrastructure;
 - e) elimination of microplastic ingredients;
 - f) establishment of measures that prevent loss of pre-production plastics (pellets, flakes and powders) to the marine environment;
20. *Encourages* Parties to establish public awareness campaigns in order to assist in preventing waste from reaching the marine environment and set up management initiatives for the removal of debris, including public beach and underwater clean-ups, such as 'fishing for litter' or 'dive against debris' schemes;
21. *Strongly encourages* Parties to note the examples of successful campaigns provided in UNEP/CMS/ScC18/10.4.3 when considering campaigns to address the most pressing needs in their area of jurisdiction, and to support or develop national or regional initiatives that respond to these needs;
22. *Recommends* that Parties planning to implement regulatory measures or economic instruments in order to reduce the amount of waste entering the environment to accompany these with behavioural change campaigns aiding their introduction by communicating the rationale for introducing the measure, and therefore increasing the likelihood of support;
23. *Encourages* Parties and the Secretariat to cooperate with organizations currently campaigning on marine debris, and seek to engage organizations dealing with migratory species to promote campaigns and raise awareness of marine debris amongst their members;
24. *Further encourages* Parties, the Secretariat and stakeholders to develop marine debris campaigns of specific relevance to migratory species;

25. *Calls on* campaigning organizations to survey the campaign reach, message recognition and impact upon the target behaviour or levels of marine debris in order to evaluate the success of a campaign and readily share that information to enable future campaigns to be effective;

Collaboration and Policy Interventions

26. *Calls upon* Parties to implement already existing Regulatory Frameworks, Plans and Policies to fight marine litter;
27. *Calls upon* Parties to establish and implement policies, regulatory frameworks and measures consistent with the waste hierarchy and the circular economy concept to achieve prevention and environmentally sound management of waste, and develop incentives for the private sector to consider the circular economy concept in their approach;
28. *Requests* Parties to cooperate regionally and globally on clean-up actions of hotspots of marine debris, with particular attention given to areas where migratory species are at higher risk, and to follow best available techniques and responsible environmental practices for the removal and sound disposal of debris;
29. *Urges* Parties to develop and implement their own national plans of action which should address the negative impacts of marine debris in waters within their jurisdiction, including the establishment of domestic programmes for the management of marine debris, including in relation to lost, abandoned, and otherwise discarded fishing gear (ALDFG) and the problems of 'ghost fishing' that arise from these;
30. *Encourages* Parties and organizations to build capacity in and support the efforts of Parties with limited resources in the development and implementation of their national plans of action for marine debris;
31. *Calls upon* Parties to incorporate where possible quantitative targets of relevance to marine debris reduction when developing marine debris management strategies, including targets relating to impacts on migratory species, and to ensure that any marine debris management strategies plan for and carry out evaluation;
32. *While welcoming* activities in other multilateral environmental agreements and fora, *invites* Parties, in partnership with the private sector and civil society, to consider implementing market-based instruments or other measures making use of incentives for the prevention of debris, such as:
 - a) levies or bans on single-use carrier bags and other single-use plastics;
 - b) deposit refund systems for beverage containers;
 - c) extended producer responsibility;
 - d) establishment of new business models based on reusable products and packaging;
 - e) obligations for the use of reusable items at events as appropriate to national circumstances;
 - f) phasing-out of disposable plastics;
 - g) phasing out of primary microplastics in products such as personal care products, industrial abrasives, printing products, and their replacement with organic or mineral non-hazardous compounds;
 - h) facilitating of technical solutions to prevent the entering of synthetic laundry fibres into the waste water;
 - i) promoting technical material innovations to halt microplastics from tyre abrasions entering the environment, taking into account ongoing studies;
 - j) subjecting fishing gear to mandatory deposit-and-refund schemes;

- k) promoting waste delivery in ports through an indirect fee and deposit-refund system;
- l) phasing out of the most hazardous, toxic plastics;

33. *Also calls upon* Parties to report on measures taken and their relative success;
34. *Encourages* Parties that have not yet done so to join other relevant Conventions such as MARPOL Annex V and the London Protocol, to join Protocols to Regional Seas Conventions on Pollution from Land Based Sources, and to include the prevention and management of marine debris in relevant national legislation;
35. *Further encourages* the Parties to engage, as appropriate, with other global marine initiatives such as the United Nations Environment Programme's Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (GPA-Marine), the Regional Seas Programmes, the Global Partnership on Marine Litter (GPML), the Global Partnership on Waste Management (GPWM) and the Global Ghost Gear Initiative;
36. *Further encourages* Parties to continue working on the issue of management of marine debris in order to reach agreed conclusions on this subject;
37. *Requests* the Scientific Council, with support from the Secretariat, to further the Convention's work on the marine debris issue and investigate the feasibility of—close cooperation with other biodiversity-related agreements by means of a multilateral working group;
38. *Invites* CMS Family Agreement Secretariats to submit data related to the impacts of marine debris, including microplastics, on migratory species covered by these Agreements for the consideration of the Scientific Council;
39. *Requests* the Secretariat to engage actively in the Global Partnership on Marine Litter (GPML) and to promote the consideration of migratory species-related aspects in all activities;
40. *Further requests* the Secretariat, subject to availability of resources, to foster linkages with relevant regional and other international instruments, such as IMO, FAO, United Nations Environment Programme Regional Seas Conventions and other fora, to promote synergies, to avoid duplication, to share information and to maximize efforts to reduce the impact of marine debris on migratory species; and

Final Provisions

41. *Repeals*

- a) Resolution 10.4, *Marine Debris*; and
- b) Resolution 11.30, *Management of Marine Debris*.