

Seminario web #8

Basura marina, contaminación plástica y justicia ambiental

Serie de webinars

Basura marina: herramientas legales para afrontar la crisis



15 de diciembre de 2021

Webinar #8

Marine Litter, Plastic Pollution and Environmental Justice

Series of webinars

Marine litter: legal tools to address the crisis



December 15, 2021

Agenda

1

Palabras de apertura

2

EN ESTADO DE NEGLIGENCIA: El impacto de la basura marina y la contaminación por plásticos en la justicia ambiental

3

Mesa redonda: Derechos humanos y medio ambiente sano

4

Preguntas y comentarios

5

Espacio de interacción

6

Palabras de cierre

Agenda

1

Welcome Remarks

2

NEGLECTED: Environmental Justice Impacts of Marine Litter and Plastic Pollution

3

Roundtable: Human rights and healthy environment

4

Q&A session

5

Interaction session

6

Closing remarks

Palabras de apertura

Opening remarks



Patricia Kameri-Mbote

Directora de la División de leyes

Programa de la ONU para el Medio Ambiente



**Acceda aquí para visualizar las palabras de
apertura por parte de Patricia Kameri-Mbote**
Contraseña: KB^e29mu

**Click here to view opening remarks by Patricia
Kameri-Mbote**
Password: KB^e29mu

Andrea Brusco

**Coordinadora Regional de Gobernanza Ambiental,
Oficina Regional del PNUMA para América Latina
y el Caribe**



Presentación de reporte

EN ESTADO DE NEGLIGENCIA: El impacto de la basura marina y la contaminación por plásticos en la justicia ambiental

Presentation of the report:

NEGLECTED: Environmental Justice Impacts of Marine Litter and Plastic Pollution

Angela Kariuki

**Oficial de Gestión de Programas, División de leyes,
Programa de la ONU para el Medio Ambiente**



Marce Gutiérrez- Graudiņš

Directora Ejecutiva de AZUL



NEGLECTED: Environmental Justice Impacts of Marine Litter and Plastic Pollution

**Report Authors: Juliano Calil, Marce Gutiérrez-Graudiņš,
Steffanie Mungia, and Christopher Chin**



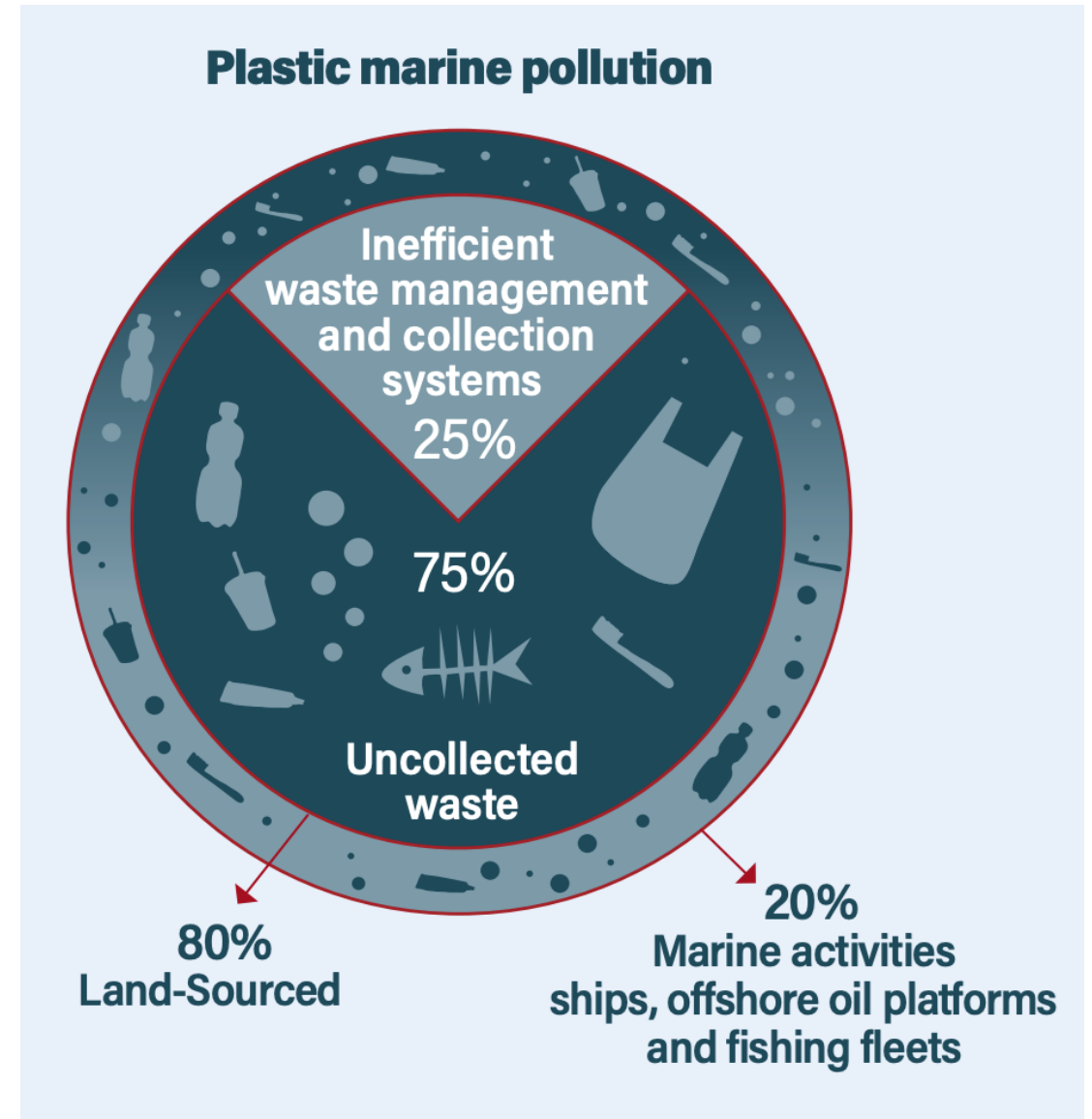


Report Objectives:

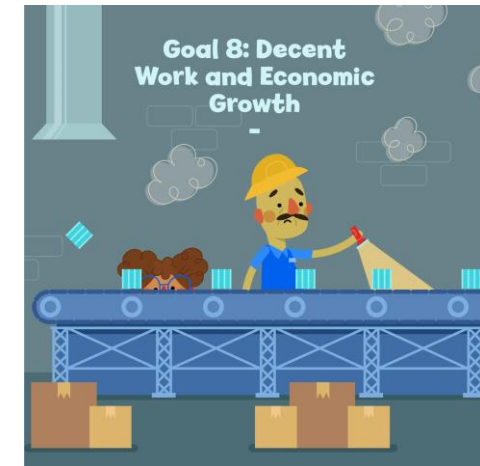
1. Clarify the interlinkages between environmental justice and plastic pollution.
2. Understand the impacts of plastic pollution to people's rights, health, and wellbeing in the context of the SDGs.
3. Make recommendations that may be used by stakeholders to address these challenges.

The report outlines the impacts of:

- COVID-19 on plastic pollution and a global assessment of plastic pollution and marine litter.
- The plastic death-cycle on Indigenous peoples, women, and fenceline communities, including use, transport, and waste management of plastic products, including single-use plastics.
- Marine plastic pollution and microplastics on vulnerable populations and industry.



Main Finding: Plastic pollution and marine litter disproportionately impact people in vulnerable conditions and present challenges to meeting each of the 17 Sustainable Development Goals.



- We reviewed a select number of international agreements and non-binding efforts related to waste disposal and controls of hazardous waste, as well as the global impacts related to the trading of “recyclable” materials between nations.
- The report concludes by outlining 6 categories of targeted **recommendations** for business and industry stakeholders, countries, non-governmental actors, and consumers.



Education



Monitoring



Cooperation



Regulation



Purchasing
& Funding



Advocacy

**As we endeavor
to achieve the United Nations'
Sustainable Development Goals,
we must prioritize the needs
of those disproportionately
affected by plastic pollution
around the world.**

-

Thank you!

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Mesa redonda: Derechos humanos y medio ambiente sano

Round table: Human Rights and Healthy Environment



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David R. Boyd

Relator Especial de la ONU sobre los derechos humanos y el medio ambiente



Dra. Elvia Barrios Alvarado

**Presidenta de la Corte Suprema de Justicia de la
República y del Poder Judicial del Perú**



Hon. Sr. Winston Charles Anderson

Juez del Tribunal de Justicia del Caribe



Marine Litter, Plastic Pollution, and Environmental Justice Caribbean Perspectives

Winston Anderson JCCJ





Marine Litter and the Caribbean

- Caribbean economies depend on a healthy marine ecosystem.
- The Caribbean region is in the top ten global marine polluters per capita.
- Marine pollution is driven by illegal plastic waste dumping due to poor waste management systems with limited recycling, and weak enforcement.

Marine Litter: Single Use Plastics

- Plastic bags.
- Styrofoam food service products.
- Food service containers (clamshell and hinge containers, hotdog containers) made of Expanded Polystyrene (bowls, plates, hot and cold beverages cups, lids, caps).
- Plastic Utensils.
- Styrofoam coolers.



International and regional policy-making

- United Nations Environmental Assembly (UNEA)
 - Res. 6-2014
 - Res. 11-2016
 - Res. 7-2017
 - Res. 6- 2019
 - Res. 7- 2019
- LAC Forum of Ministers of the Environment
 - XXI Meeting October 2018
 - Intersessional November 2019
- Legislation/Marine Litter Action Plans/Judicial decision-making





Objective: Bans on Single Use Plastics

Legislative Initiatives/Policies

- **Antigua and Barbuda** : *External Trade (Shopping Plastic Bags Prohibition) Order 2017; Environmental Protection (Control of Plastic Pollution) Bill, 2019
- **Bahamas**: Environmental Protection (Control of Plastic Pollution) Bill, 2019
- **Barbados**: Control of Disposable Plastics Act, 2019
- **Belize**: Environmental Protection (Pollution from Plastics) Regulation 2020
- **Dominica**: Budget Address 2018–2019: From Survival, to Sustainability and Success: A Resilient Dominica
- **Grenada**: Non-Biodegradable Waste Control (Plastic Bags) Order

Legislative Enactments/Policies

- **Guyana:** Litter Regulations
- **Jamaica:** The Trade Act The Trade (Plastic Packaging Materials Prohibition) Order, 2018 The Natural Resources Conservation Authority (Plastic Packaging Materials Prohibition) Order, 2018
- **Montserrat :** 31 December 2018 Go Green Initiative
- **St. Kitts and Nevis:** No legislation in place. In 2018 the Plastic Free July, initiative began to educate citizens on the personal, natural and economic effects of plastic pollution.
- **St. Lucia:** The Styrofoam and Plastics (Prohibition) Act No. 22 of 2019
- **St. Vincent and the Grenadines:** The Environmental Health Control of Disposable Plastics Regulations 2019
- **Trinidad and Tobago:** January 1, 2020 – National ban on the use and importation of single-use plastic and polystyrene Remove customs duties on eco-friendly alternatives



Acts prohibit the importation, distribution, sale and use of:

- Shopping plastic bags.
- Styrofoam food service products.
- Food service containers (clamshell and hinge containers, hotdog containers), and all other containers made of Expanded Polystyrene (bowls, plates, hot and cold beverages cups, lids and caps).
- Utensils (plastic spoons, forks, knives, and straws), fruit trays, meat trays, vegetable trays and egg cartons.
- Styrofoam coolers.
- WTO/CSME environmental Exceptions

Enforcement (1): Penalties

Country	Fines	Imprisonment
Antigua and Barbuda	US\$1,110	6 months
Barbados	US\$25,000. Continuing offence - US \$500 for each day or part thereof, during which the offence continues after which a conviction is first obtained.	1 year
Guyana	No less than \$50,000 (US\$240). Businesses - issued written warning prohibiting the use of expanded polystyrene; or a fine of no less than \$100,000 (US\$480).	None in legislation
Jamaica	Not exceeding J\$2m (US\$14,040).	Not exceeding 2 years

Enforcement (2) Public education

MAKE ANTIGUA AND BARBUDA STYROFOAM FREE

Styrofoam:

- Bad for your Health: *Linked to cancer*
- Bad for the Environment: *Takes 500 years to decompose*



MAKE THE SWITCH, AVOID THE RISK



Use any of these environmentally friendly, biodegradable alternatives!

- Sugar Cane/Bagasse
- Wheat Straw
- PLA Cornstarch
- Cardboard/Paper
- Bamboo
- Areca Palm

FIRST STAGE OF BAN ON IMPORTATION AND USE OF STYROFOAM FOOD SERVICE PRODUCTS BEGINS ON

JULY 1ST 2017



Guyana's Single-Use Plastics Ban!

STARTING FROM 2021

Proposed Items to be Banned:

- Plastic Carrier Bags
- Plastic Straws
- Plastic Plates
- Plastic Cups
- Plastic Knives, Spoons and Forks



PLASTIC POLLUTION

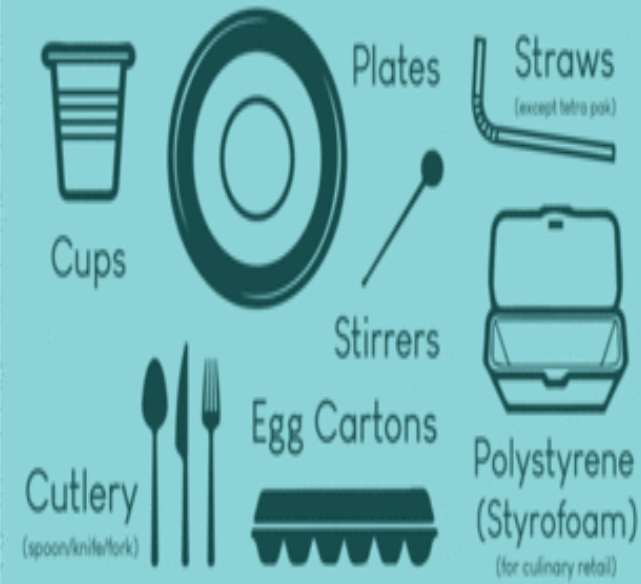
One Caribbean working together...

- Dominica**
 - Full ban on all common plastic and Styrofoam single-use food containers.
- Jamaica**
 - Full ban on all Styrofoam, single-use plastic bags, plastic containers and plastic straws.
 - Investing \$75 million towards a plastic bottle deposit scheme
- Trinidad and Tobago**
 - At home, Massy Stores is leading the fight against plastic waste. To date, they have...
 - Removed all single-use plastic bags from all stores and implemented a 50 cent deterrent fee.
 - Reduced plastic and Styrofoam trays from its produce area
 - Installed Plastikeep collection bins for plastic containers
 - Partnered with Kansmacker International to install reverse vending machines at key locations. These machines enable the proper disposal and recycling of plastic and glass bottles, as well as aluminium cans.
 - Distributed FREE Massy Points to customers who recycle via the Kansmacker machines instore.
- Barbados**
 - Nationwide 15 cent deterrent fee on all single-use plastic bags.
- Grenada**
 - Full ban on single-use plastics i.e. plastic shopping bags, plates, cutlery, straws, and cups.
 - Non-biodegradable waste control act, calling for a complete ban on Styrofoam importation
 - Sale sanctions on all polystyrene products.
- Antigua & Barbuda**
 - Nationwide ban on Styrofoam i.e. containers, bowls, plates etc
 - Ban on plastic utensils i.e. spoon, forks, knives, straws etc

Join the fight against plastic waste. Together we can do better!



BARBADOS BANS PLASTIC



April 1, 2019, the ban will prohibit importation of items above.
 July 1, 2019 the ban will prohibit retail and use of items above.
 Jan 1, 2020 petroleum based plastic bags will be added to ban.

Societal Acceptance



“Help Dominica go plastic bag free by reusing these bags again and again”

To help every household prepare for this, the government have provided two environmentally friendly reusable bags to your household.

1. Jute shopping bag

Jute is a strong, natural fibre, sustainable and environmentally friendly. 100% bio-degradable, you will be able to reuse this shopping bag for many years to come.

2. Cotton Bag

Easy to store and carry with you on any shopping trip, this reusable, cotton bag has been responsibly sourced and ethically produced.

Both bags are ethically produced, reusable bags. The bags are fully compliant to the Ethical Trading Initiative Base Code (ETI) which is a worldwide standard for ethical production. They are subject to full, independent, third party audits to the SEDEX Standards, ensuring full transparency and compliance.

Thank you for helping to preserve our nature island and protect the environment.

NEWS

Massy eliminates 18m single use plastic bags from circulation

CARLA BRIDGLAL FRIDAY 29 MARCH 2019



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2ND NATIONAL BIODIVERSITY CONFERENCE 2021
"Living in Harmony with Nature: Issues, Challenges and Solutions"
December 7-8, 2021
Virtual >>> eventvivo.com/nbc2021
#ourbiodiversityyourfuture
getonboardwithbiodiversity
MHRRECC
SCAN ME

41 Companies and Individuals Charged for Breaches of Plastic Ban

LOCAL GOVERNMENT | DECEMBER 20, 2020 | WRITTEN BY: TANESHA MUNDLE



Judicial possibilities

- **Constitution:** Protection of the environment
 - Article 149J (1) of the Guyanese Constitution “everyone has the right to an environment that is not harmful to his health or wellbeing”.
 - *Sooden v Attorney General of Trinidad & Tobago* (1996)
- **Public Health Act:** Statutory nuisance
“a nuisance or prejudicial to health”
- **Common Law:** Nuisance
Occupiers Liability

Further Reading

- **UNEP:** POLICIES, REGULATIONS AND STRATEGIES IN LATIN AMERICA AND THE CARIBBEAN TO PREVENT MARINE LITTER AND PLASTIC WASTE, Information Report to the XXII LAC Forum of Ministers of Environment, UNEP – Latin America and the Caribbean Office, Draft 13.01.2021.
- C. Andrea Clayton, Tony R. Walker, Joana Carlos Bezerra, Issahaku Adam, **Policy responses to reduce single-use plastic marine pollution in the Caribbean**, Marine Pollution Bulletin, Volume 162,2021.

Thank You.



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Palabras de cierre

Closing remarks



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¡Muchas
gracias!
Thank you!

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