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Combating the Plastic Garbage Crisis: International Maritime Organization Adopts Action Plan

Transportation Legal Update

The International Maritime Organization (IMO) has become increasingly concerned with the crisis of plastic litter threatening the world's marine environment. On October 26, 2018, the Marine Environment Protection Committee (MEPC) adopted an Action Plan to address the health and environmental problems caused by plastic litter from ships. The Action Plan should be completed by 2025, and the implementation of the Plan will be applicable to all ships, including fishing vessels. The MEPC Action Plan supports the IMO's target goals in the UN 2030 Sustainable Development Goal 4 (SDG 14) of the oceans.[1]

International Law Prohibits Ocean Dumping of Plastic

For more than thirty years, IMO Member States have been increasingly concerned with the crisis of plastic debris threatening the oceans of the world. As a first step, Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL), was entered into force in 1988. Annex V prohibits the disposal of plastics into the sea. MARPOL requires governments of member states to assure that ports provide suitable receptacles for garbage from ships at ports. MARPOL Annex V extends more strenuous protection to eight sensitive regions designated as Special Areas. These Special Areas include the Mediterranean Sea, the Baltic Sea, the Black Sea, the Red Sea, the Arabian Gulf, the Wider Caribbean region including the Gulf of Mexico, the Caribbean Sea and the Antarctic.

The plastic debris crisis has been at the forefront of IMO concern. Existing IMO Guidelines implementing Annex V include avoidance of single-use plastic containers; management of garbage and accurate record keeping; establishment of a global partnership on marine litter; and recycling of ships when they have reached their useful life. Further, the London Convention and Protocol allows only permitted materials to be dumped at sea after the waste has been fully examined to assure that it does not contain plastic litter.

Plastic Debris in the World's Oceans Is Pervasive

Notwithstanding the collective efforts of IMO maritime Member States to prevent dumping of plastics into the world's oceans, marine contamination from plastic debris has reached catastrophic levels. Plastic refuse is easily detected in all of the world's oceans. The Great Pacific Garbage Patch, which is a large floating mesh of plastic debris trapped by ocean currents, is estimated to be twice the size of the continental United States. The most significant amount of plastic debris discovered to date is located in the North Atlantic region, including the Sargasso Sea. Ultimately, these large rafts of plastic sink to the seabed floor where they will remain for centuries. Some scientists have predicted that by 2050, the quantity of marine plastics littering the world's waters will exceed the number of fish and the resulting damage to the environment will be irreversible.

Notably, only 20 percent of the plastic garbage littering the oceans is caused by the shipping industry or off-shore oil industry. Plastic litter is a particular threat to the marine environment because it degrades very slowly. For example, one piece of plastic may not completely decompose for as long as 450 years. It is estimated that fishing lines do not completely decompose or degrade for nearly 600 years, although scientists freely admit that this is only speculation. In particular, microplastics manufactured specifically for industrial or domestic use, or resulting from fragmenting larger materials, have littered the oceans, threatening sea life, surface waters, and sea beds. It is well-documented that both fish and shellfish ingest microplastics, potentially threatening the environment and food safety.

Plastic debris leaches known carcinogens, including polychlorinated biphenyls and polycyclic aromatic hydrocarbons, into the marine environment. Moreover, plastic netting poses a threat to the shipping trade by becoming entangled on propellers. Fragments of plastic fishing nets often trap, strangle, and drown marine mammals and litter the seabed. Plastic drink containers often confine and trap small fish and other marine organisms.[2]

The IMO's Action Plan

The IMO Action Plan charts the following course to eliminate harmful disposal of plastics:

- Reduction of contribution to marine plastic litter by the shipping trade;
- Enhancing public awareness, education and training of seafarers;

- Improving the effectiveness of port reception and facilities to reduce marine plastic litter disposal in the ocean;
- Reducing marine plastic litter generated from and retrieved by fishing vessels;
- Improving the global understanding of the contribution of the shipping industry to the marine plastic litter;
- Improving the understanding of the regulatory framework associated with marine plastic litter from ships; and
- Enhancing and strengthening international cooperation toward the common goal of preserving the marine environment.

The MEPC Action Plan is a targeted effort to reducing future plastic contamination.[3]

Plastic Debris Was a Topic at the March Meeting of the United Nations Environment Assembly

Commensurate with its goal to reduce plastic pollution, IMO representatives attended the Sea-Based Sources of Marine Litter at the United Nations Environment Assembly held in March in Nairobi, Kenya. The event was co-organized by the Food and Agriculture Organization of the United Nations, the Global Partnership on Marine Litter and the Ocean Conservancy.[4]

[1] <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/20-marinelitteractionplan>

[2] <https://blogs.ei.columbia.edu/2011/01/26/our-oceans-a-plastic-soup/>

[3]

<http://www.imo.org/en/MediaCentre/HotTopics/marinelitter/Pages/default.aspx>.

[4] <http://www.imo.org/en/MediaCentre/WhatsNew/Pages/default.aspx>.