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## Background

The attached draft HELCOM Recommendation on Regional Action Plan on Marine Litter is a revised version of the Recommendation submitted in document 2-11, based on the input from the Meeting.

## Action required

The Meeting is invited to consider and adopt the revised draft HELCOM Recommendation on Regional Action Plan on Marine Litter.



## Baltic Marine Environment Protection Commission

### DRAFT HELCOM RECOMMENDATION 36/X<sup>1</sup>

Adopted X X 2015,  
having regard to Article 20, Paragraph 1 b)  
of the Helsinki Convention

### REGIONAL ACTION PLAN ON MARINE LITTER (RAP ML)

#### THE COMMISSION,

**BEING CONCERNED** of the harmful effects of marine litter on the marine ecosystem such as entanglement of biota in marine litter, ingestion of marine litter by marine organisms, litter as potential source of accumulation of toxic substances within the marine food web or pathway for transport and introduction of alien species through transport of marine litter items up to damage and degradation of marine habitats due to the presence of marine litter;

**BEING ALSO CONCERNED** of the harmful effects of marine litter on the human beings, including safety risks caused by marine litter such as sharp items at beaches or entanglement of divers, ~~risk to navigation safety at sea and~~ the potential introduction of toxic and ~~hormonal-effective substances-endocrine disruptors~~ in fish and shellfish for human consumption ~~and of risk to navigation safety at sea~~;

**BEING AWARE** of the severity of the marine litter problem in the oceans, while recognizing that more evidence is needed to adequately reflect about the scale of the problem in the Baltic Sea;

**BEING ALSO AWARE** that the main activities contributing to marine litter inputs in the Baltic Sea are ~~deriving from associated with~~ household related/municipal solid waste activities, coastal-based recreational and tourism activities, transport and waste collection/dumping, fishing activities ~~[and micro-particles from land-based sources/as well as land-based activities involving the use and generation of micro-particles]~~;

**NOTING** at the same time the socio-economic losses that marine litter is causing to many activities of the Baltic Sea, e.g. fishing, shipping, coastal tourism, ~~tidal power activities~~ cooling water systems;

**RECALLING** the United Nations Convention on the Law of the Sea and its obligations for States to protect and preserve the marine environment (Art 192) including to take measures to prevent, reduce and control pollution (Art 194) and related United Nations General Assembly Resolutions on Oceans and the Law of the Sea, recently Resolution A/RES/68/71 (2013) and earlier submissions;

**RECALLING ALSO** the Rio +20 commitment to take action to achieve significant reductions in marine debris by 2025 and the achievement of the goals and strategy objectives of the Honolulu strategy, as outlined in Resolution A/RES/66/288 (2012);

**RECALLING FURTHER** the London Convention 1972 and the 1996 Protocol thereto aiming to promote the effective control of all sources of marine pollution and to take all practicable steps to prevent pollution of the sea by dumping at sea of wastes and other matter generated on land;

**ACKNOWLEDGING** marine litter to be one of the eight contaminant categories of UNEP's Global Programme of Action for the Protection of the Marine Environment from Land-Based Sources (GPA) as well as one of the key issues of the Regional Seas Programme (RSP) of UNEP;

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<sup>1</sup> FI has study reservation

**RECALLING FURTHERMORE** the provisions on ship generated waste management under Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78);

**RECALLING** other relevant regional programmes and activities developed in the framework of structures stemming from international agreements such as the Regional Action Plan for Prevention and Management of Marine Litter in the North-East Atlantic (OSPAR Agreement 2014-1);

**RECALLING ALSO** the HELCOM Baltic Sea Action Plan (2007) on encouragement of projects to remove litter from the coastal and marine environment, and related HELCOM Recommendations, among others Recommendation 28E/10 on application of the No-special-fee system to ship-generated wastes and marine litter caught in fishing nets in the Baltic Sea Area and agreement to raise public awareness on the negative environmental and socio-economic effects of marine litter in the marine environment;

**NOTING** related agreed HELCOM actions to reduce litter input in the Baltic Sea environment, especially *via* Recommendations 10/5 concerning guidelines for the establishment of adequate reception facilities in ports (1989); 10/7 concerning general requirements for reception of wastes (1989); 19/14 concerning a harmonized system of fines in case a ship violates anti-pollution regulations (1998); 19/9 (supplemented by 22/1) concerning the installation of garbage retention appliances and toilet retention systems and standard connections for sewage on board fishing vessels, working vessels and pleasure craft (1998) and 31E/4 concerning proper handling of waste/landfilling (2010);

**RECALLING** the HELCOM Moscow Ministerial Declaration (2010) with agreement to take further steps to carry out national and coordinated monitoring of marine litter and identify sources of litter;

**RECALLING ALSO** the 2013 HELCOM Copenhagen Ministerial Declaration for further coherent action in addressing the pollution of the marine environment by litter, prevention and reduction of marine litter from land- and sea-based sources, together with the decision to develop a Regional Action Plan on Marine Litter by 2015 in order to achieve a significant reduction of marine litter by 2025;

**RECALLING** that this complementary approach is without prejudice to the implementation of related regulations and policy initiatives applicable for HELCOM countries being EU members such as EU initiatives, Directives and Regulations, among others, the Waste Framework Directive, the Packaging and Packaging Waste Directive, the Port Reception Facilities Directive, the Landfill Directive, the Water Framework Directive, the Marine Strategy Framework Directive (MSFD), the Bathing Water Directive, the Urban Wastewater Treatment Directive, the Ecodesign Directive and the Common Fisheries Policy Regulation;

**RECALLING** that the provisions of this Recommendation shall be without prejudice to ~~stricter~~ provisions concerning marine litter management contained in other ~~existing or future~~ national, regional or international instruments or programmes;

~~REFERRING TO~~ **NOTING** ~~RECALLING~~ the aspirational target of the European Commission's Communication 'Towards a Circular economy' (COM(2014) 398, 2014) to reduce marine litter by 30 % by 2020 for the ten most common types of litter found on beaches, as well as for fishing gear found at sea, with the list adapted to each of the four marine regions in the EU;

**RECALLING** the related regulation of the Russian Federation, the Federal law on wastes of production and consumption; Water code of the Russian Federation; The law on internal waters, territorial sea and contiguous zone of the Russian Federation; The law on environmental protection of the Russian Federation and subordinated legal acts.

**ACKNOWLEDGING** related, including stricter, national and international legislation, provisions, criteria and guidance for marine litter prevention and sustainable management as complementary marine litter approaches;

**RECOMMENDS** to the Governments of the Contracting Parties to the Helsinki Convention to jointly develop, assisted by the relevant HELCOM subsidiary bodies including *via* a lead country approach, appropriate regional actions (collective HELCOM actions) as well as voluntary national ~~actions based on the list of possible actions to be finalized and agreed by mid-2015~~ into concrete measures aiming at:

- a) The achievement of a significant quantitative reduction of marine litter by 2025, compared to 2015, and prevention of harm to the coastal and marine environment in the Baltic Sea area as stated in HELCOM Copenhagen Ministerial Declaration 2013;
- b) Prevention of further introduction from land-based and sea-based sources in the Baltic Sea and reduction of marine litter already present in the marine environment and of its potential impact on marine biota, habitats, public health and safety and of its socioeconomic costs;  
The enhanced coordination, cooperation and coherent implementation, ~~on the basis of utilising~~ the list of ~~possible agreed~~ regional and proposed voluntary national actions, ~~as outlined in the [Annex to this Recommendation]~~;
- c) A framework under which Contracting Parties can identify where a regional approach can add value to actions on marine litter of individual Contracting Parties, including measures under the MSFD for those HELCOM countries being EU members as well as under relevant regulations of the Russian Federation, and exchange platform for gaining and sharing information on technical, socio-economic and policy aspects of such actions ;

**DECIDES** to base further work on fundamental principles, as contained in Articles 3, 6, 8, 9 and 15 of the Helsinki Convention, as well as the following approaches:

- a) “Public participation and stakeholder involvement”: Procedures and methods to create awareness for the problems of marine litter and ensuring a sense of public ownership for broad-based support to preventive and removal measures;
- b) “Sustainable consumption and production”: The use of goods and services that respond to basic needs and bring a better quality of life, while minimizing (1) the use of scarce natural resources; (2) the generation of toxic materials; (3) the emissions of pollutants and waste generation over the life cycle of the service of product;
- c) “Best available knowledge and socio-economic effectiveness”: Actions and operational aspirational targets to be based on available knowledge of the predominant amounts, materials, items and sources of marine litter found in the Baltic Sea as well as social and economic costs of degradation compared to the cost and benefits of proposed measures and, where available, costs for non-action;
- d) “Integration”: Marine litter management to be an integral part of the solid waste management to ensure any environmentally sound anthropogenic management including rational use of resources;
- e) “Application of waste hierarchy”: Solid waste management to follow the five-step waste hierarchy, as introduced by the EU legislation in 2008<sup>2</sup>, starting from prevention to preparing for re-use, recycling, other recovery up to final disposal;
- f) “Ecosystem approach”: Management of human activities according to the 2003 Joint HELCOM and OSPAR Ministerial Statement on the Ecosystem Approach to the Management of Human Activities;

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<sup>2</sup> Waste Framework Directive 2008/98/EC (art. 4).

**RECOMMENDS ALSO** to

- a) ~~develop~~finalize, by mid-201~~6~~5, common indicators and associated definition of Good Environmental Status (GES) related to marine litter for ~~joint~~regional application in the years to follow;
- b) identify, by 201~~5~~6 the way forward to establish coordinated monitoring programmes for the common marine litter indicators including data collection for regular assessment of the state of marine litter in the Baltic Sea area;
- c) report on the implementation of actions for the first time in by 201~~7~~8 according to the simplified format in Appendix I and on the effectiveness of the implemented actions and achievement of corresponding targets where defined in 2020 using the format in Appendix II and thereafter in regular cycles;
- d) engage in a dialogue and enhanced cooperation with the business and industry, sea users, local communities and other relevant civil society groups as well as national stakeholders focusing on marine litter, at the appropriate level, to promote the removal of litter from the marine environment in a practical, feasible and environmentally sound manner, to develop best available techniques (BAT) and best environmental practice (BEP), including identification of circumstances of “escapes” of litter into the marine environment as well as new waste management and adaptation practices to achieve a good environmental status;

**RECOMMENDS FURTHER** that the Contracting Parties review and, if necessary, update this Recommendation and its action plan in 2021;

**RECOMMENDS FURTHERMORE** that the Governments of the Contracting Parties to the Helsinki Convention foster cross-sectorial cooperation and seek close cooperation with other relevant regional and global organizations and initiatives to combat marine litter, including UNEP and other Regional Seas Conventions (i.a. OSPAR Commission, Barcelona Convention, Black Sea Commission), the International Maritime Organization, the Convention on Biological Diversity, the Baltic Sea Advisory Council, and River Basin Commissions including via partnerships with the private sector and with non-governmental organizations.