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# ANALYZING POLICIES TO ADDRESS MARINE PLASTIC POLLUTION: FILLING LEGAL GAPS THROUGH THE ENGAGEMENT OF INTERNATIONAL ACTORS

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## Abstract

Plastic pollution is as a type of transboundary pollution, once it originates in one place, but when crossing borders via air or water, causes several damages to the environment of other regions. Principles and rules regarding transboundary marine pollution were first established in the United Nations Convention on the Law of the Sea, demanding that States don't cause damage by pollution, but if so, it shouldn't spread beyond jurisdictions. In the case of plastic pollution, nonetheless, States haven't been able to properly exercise administrative control. Since 2014 debates on the urgency of the plastics problem took place and, in 2017, through UN Resolution 3/7 on Marine Litter and Microplastics, options for dealing with plastic pollution at a global level became more tangible. There are some instruments that somehow already address marine plastic litter and microplastics, but, so far, there isn't properly an agreement that prevents and minimizes it; resources and technical cooperation are lacking; and there is an absence of standards aimed at monitoring the release of plastic waste into the environment. A new global treaty proves to be essential to fill these and other important hiatuses. Therefore, in March 2022, the UN launched the Resolution "End Plastic Pollution" which expresses the engagement of Member States to hopefully conclude a Global Plastics Treaty by 2024. The document demonstrates a high level of ambition, recognizing that microplastics are a part of the problem and advocating that the treaty should address the entire lifecycle of plastics. This theoretical, bibliographical, descriptive, exploratory and qualitative study proposes reflections about the essential elements that should be in the final document, observing how it will interact and coordinate among existing policies by pervading legal instruments developed until reaching the negotiations for this treaty, which might fill so many of the gaps that undermine ocean's resilience.

**Keywords:** Transboundary pollution, Marine plastic pollution, Global Plastics Treaty.

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