

Opening Statement.

I would like to thank the Chair and members of the committee for inviting the Department here today to contribute to these discussions.

As the Committee will be aware, marine litter is a persistent problem affecting all regions of the world which needs to be urgently addressed. Plastic, in all its forms, is a particular problem. Due to its buoyancy, it can easily be carried by currents or blown by winds from landward or seaborne sources. It persists in the environment for an extremely long time. It breaks down into secondary micro-plastic particles and there is now a growing body of strong evidence that plastics and microplastics are impacting on marine fauna.

As well as being created by the breakdown of larger items, microplastics are also entering the marine environment directly in a wide variety of forms, such as fibres, lost raw material pellets or through tyre wear. Some marine microplastic litter is also caused by plastic microbeads used in cosmetics, cleansing products and detergents.

A legal prohibition on microbeads has been the subject of two recent Private Members Bills in the Oireachtas and in these debates this Department committed to drawing up legislation on this issue. I know that members of this Committee are passionate about the marine environment and all issues connected with it as evidenced by the contributions made to these recent Oireachtas debates.

As with many areas of the public service, our Department has faced very considerable challenges across all of its areas of operation in meeting its critical business objectives and priorities with limited level of human resources.

Addressing the prohibition of microbeads through primary legislation is a policy priority for this Department, however staff resource issues coupled with a wide array of other urgent marine environmental policy demands has meant that progress has been slower than anticipated.

As well as overseeing the implementation of the Marine Strategy Framework Directive monitoring programme and programme of measures and the general implementation of the OSPAR convention, Ireland has a lead role in a number of actions under the OSPAR Convention regional Action Plan to address marine litter. These include developing regulatory and economic recommendations for measures to reduce the impact of single use items on the marine environment; identifying marine litter hotspots in the North East Atlantic; examining wastewater and stormwater as pathways for marine litter including microlitter; and developing measures to reduce the impact of expandable polystyrene in marine and coastal environments - DHPLG is the lead Irish partner on the OCEANWISE INTERREG programme to reduce the impact of Expandable Polystyrene as marine litter.

We commission, support and are involved in the oversight of an array of monitoring and research programmes related to marine litter. We are also working to develop an integrated national approach to the marine litter problem with other Departments and State agencies and are working to develop number of measures with key stakeholders.

The Department is supporting a wide range of awareness raising and citizen activation measures such as An Taisce's world leading Clean Coast range of

programmes, and the Green Schools *Global Citizenship: Marine Environment* programme and we are working to incorporate marine litter awareness into mainstream anti-litter programmes.

However, it must be remembered that marine litter represents just one aspect of our marine environmental work. For example, we need to make progress on developing environmental spatial protection measures such as marine protected areas and also need to commence preparatory work for cycle two of the implementation of MSFD, such as revising our initial assessment of the environmental status of our maritime area including targets and indicators.

However, I am pleased to inform that additional staff resources have now been made available and will shortly be employed on a full time basis on marine environmental legislation with the legislation on microbeads prohibition being the priority item. Proposals to prohibit the sale and manufacture of certain products containing plastic microbeads are included in our 2018 legislative programme and a Memorandum to Government will issue within a month seeking permission to draw up Heads of a Bill. It is expected that these Heads will be published by summer. The Bill will be put to the Oireachtas at the earliest opportunity thereafter. Minister Murphy has indicated that he wants to see the Bill become law this year. However this may require choices as to which legislation is prioritised.

I should point out that our Department has done some work on this issue. In February 2017, the Department launched an online public consultation process on the proposed legislative ban. We received over 3,000 responses. The volume and

diversity of responses demonstrates the concern of civil society and stakeholders and these submissions are now informing our policy and legislative development.

In relation to the 2016 Prohibition of Micro Plastics Bill, our primary concern is that the legislation which will be required is technically more complex and challenging than is drafted in this legislation. As an example, as well as ensuring we have robust and future proofed definitions of microbeads and plastic, we have to work out how the prohibition can be enforced, who will enforce it and what staffing and financial resources, will be required to do so. We are very concerned about the confusion between microbeads and microplastics in this proposed legislation as microbeads are only a small subset of microplastics.

As has been highlighted in previous Oireachtas debates, a national prohibition of products containing microbeads will have implications for the principle of free movement under the provisions of the Treaty on the Functioning of the European Union. EU Commission approval will be required to obtain derogation from single market rules. We are working on the development of a robust justification for our proposed national ban, which will have to be evidence based in tandem with the development of the legislation.

In January, the EU Plastics Strategy was announced and it proposes an EU wide ban on microbeads and other problematic plastic products under REACH regulations. Reach is an EU regulation, adopted to improve the protection of human health and the environment from the risks that can be posed by chemicals. Reach applies to all chemical substances and places responsibility on industry to manage the risks from

chemicals, to provide information on the properties of their products and to register this information in a central database. However, this ban may not be in effect for several years. We will continue to work with the Commission on this issue but will do this in tandem with progressing our own national legislation.

However, to keep this in context, addressing microbeads is only one small aspect of the overall marine litter problem. Also, while it is a priority, marine litter is only one of many categories we must address under the Marine Strategy Framework Directive and OSPAR Convention. These include pollution and contaminants, biodiversity and habitat loss and a wide range of other potential threats to the sustainability of our seas.

In conclusion Chair, this Department is fully committed to addressing the issue and look forward to the advancement of microbeads legislation within the timeframe that I have outlined.