



**ELAW**

WINTER 2020

**advocate**

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## Taking on the Plastic Peril



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Saying no to plastic in Jakarta, Indonesia. PHOTO: ICEL

A plastic six-pack ring chokes a sea turtle, trees flutter with plastic bags, and drainage canals are clogged with plastic waste. The world is drowning in plastic, but producers want to make and sell more plastic.

ELAW is working with grassroots advocates around the world to strengthen and enforce laws that move us past plastic. We have joined forces with the Break Free From Plastic (BFFP) movement to help communities learn about the perils of plastic, challenge government inaction, and hold polluters accountable. We aim to advance strategies to dramatically reduce single-use plastic packaging and eventually eliminate all non-essential use of plastic.

“Communities all over the world are tired of plastic trashing rivers, beaches, and special places,” says Jennifer Gleason, ELAW Staff Attorney. “We want to help grassroots lawyers solve the plastic problem.”

ELAW is collaborating with lawyers in many countries who are working to reform laws and litigate to reduce the manufacture and distribution of single-use plastic, stop inappropriate waste trade, and hold corporations

accountable for the environmental, social, and health impacts created by their plastic packaging.

Our partners are researching innovative legal strategies and sharing lessons through the global ELAW network. We will launch a website in 2020 that will help lawyers understand existing legal frameworks for addressing plastic and inspire them to develop more robust laws to protect communities and the environment from plastic.

#### **ELAW provides partners with the help they need to:**

- Craft laws that limit the manufacture and use of plastic
- Bring cases calling on governments to reduce plastic
- Develop legal theories to hold producers accountable

The following are brief reports on ELAW partners around the world working to rein in plastic.

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# Taking on the Plastic Peril

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The Environmental Law Alliance Worldwide (ELAW) helps communities speak out for clean air, clean water, and a healthy planet. We are a global alliance of attorneys, scientists and other advocates collaborating across borders to promote grassroots efforts to build a sustainable, just future.

The ELAW Advocate is a publication of ELAW U.S. and does not represent the views of ELAW partners around the world.

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## INDONESIA Tackling the Plastic Menace

Q&A with Fajri Fadhillah, Researcher, Indonesian Center for Environmental Law (ICEL)

### Q. Is plastic waste a problem in Indonesia?

A. Yes, plastic waste is a big problem. Our landfills are overloaded and this waste pollutes the environment and our ocean.

### Q. What is ICEL doing to address the problem?

A. We have conducted research on Indonesia’s existing regulations on waste management, with a focus on plastic. In our study, we identify gaps in the existing regulations, starting with the manufacture of plastic and ending with the disposal of plastic waste. We have also identified what local government can do to help reduce plastic and plastic waste.

We have been successful supporting the ban on plastic bags, straws, and Styrofoam in Bali. In July 2019, the Indonesian Supreme Court ruled that Bali’s single-use plastic (SUP) ban survived judicial review. This means all other localities in Indonesia may now create their own local bans. We gathered legal expertise and developed the amicus curiae supporting the SUP ban and ensured that it conformed with our Waste Management Act.

### Q. What is your biggest challenge, moving forward?

A. Our biggest challenge is to fight the narrative of the business sector that is hampering our plastic reduction effort. We are also facing challenges from a new administration that promotes facilities such as incinerators.

### Q. What will be the focus of your work in the year ahead?

A. We will be supporting progressive regulations on plastic reduction. For example, at the central government level, we will push a progressive regulation on the duty of plastic producers to reduce their waste. We will also partner with other organizations on an initiative at the local level that develops policy and/or regulation on waste reduction.

### Q. How has ELAW helped?

A. ELAW has helped us with plastic advocacy through sharing knowledge aimed at decision makers – in this case, the judges. This shared knowledge is significant, provides new perspectives, and shifts mindsets in our favor. ICEL staff also attended the 2019 ELAW Annual Meeting and collaborated to advance laws reining in plastic.



Rallying against single-use plastic in Indonesia. PHOTO: ICEL

## HONDURAS Protecting Reefs and Coastlines

In Honduras, we are working with attorney Laura Palmese to protect reefs and coasts in the Bay Islands from plastic waste. ELAW Staff Scientists Drs. Heidi Weiskel and Meche Lu traveled to Honduras to help Laura work with communities and the government to better manage municipal solid waste.

Heidi collaborated with Laura and her team of volunteers on a field experiment that deployed 2,600 plywood drift cards around the island of Roatán to learn where marine waste travels when it is dropped in nearshore waters.

The results showed that floating waste dropped on the southern side of Roatán is likely to travel back and forth along the coastline. In addition, waste may be coming from the mainland to the island and getting trapped in the shore currents on the southern side. In contrast, much of the waste from the northern side of the island is carried away as far as Belize or Mexico on ocean currents.



A waste bin on the coast of Roatán, Honduras. PHOTO: Meche Lu



## Taking on the Plastic Peril



Daniel Johnson at St. Joseph's Primary School, Freetown, Sierra Leone.



A poster in Roatán says "Let's Keep Our Community Clean."

These data have important implications for Roatán, the largest of the three Bay Islands and the most heavily-visited by tourists. "They suggest that the government has an urgent solid waste problem," says Laura. "Not only is Roatán generating trash on the island that is staying on the reef and washing back onshore, but they may be absorbing trash from elsewhere that they have to manage and also contributing to other countries' trash problems."

Roatán has suffered from terrible waste management for years. Laura is hoping that these data can help convince the government that they need to enforce existing statutes.

Meche traveled to Roatán in September 2019. She visited the city dump and presented the results of her report on the problem of

municipal solid waste management in Roatán to health authorities and community organizations. She also spoke with authorities, local organizations, and students at the Technical University of Honduras (UTH) about the environmental and health impacts of municipal waste incinerators.

"There is no sanitary landfill on the island, just a dump located about 200 feet from the north coastline," says Meche. "It was covered with soil, to prevent fires, but had no liners or other protection to prevent contamination of underground aquifers and the marine environment."

In December 2018, the Roatán City Council approved three municipal ordinances to reduce plastic. A plastic bag and straw ban came into force in February 2019 and the first phase of an expanded Styrofoam phaseout began in July 2019. Public education and pressure on the government to enforce these changes will be key to their success.

Laura continues to work diligently on these efforts. She has drafted a new ordinance for the municipality of Roatán to require material separation at the source. She also drafted an ordinance banning plastic bags, straws, and Styrofoam containers for the Bay Island of Utila, which the municipal government has already adopted.

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**Forum for Environmental Advocates is working to create awareness about the dangers of plastic waste, starting with school children.**

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### SIERRA LEONE Educating the Next Generation

Plastic trash is clogging drainage canals and triggering floods in Sierra Leone, leading to loss of life and property. Daniel Johnson, Executive Director of the Forum for Environmental Advocates, has provided more than 1,000 school children in Freetown with educational programs about the dangers of plastic waste.

"The project aims to create awareness on the dangers of plastic waste, as a first step towards enacting bans," says Daniel, who envisions holding stakeholder meetings, engaging lawmakers, factory owners, and market vendors in strategies to reduce plastic waste.

Daniel was inspired to launch his organization in 2017, with encouragement from ELAW Director David Hunter. David is an international environmental law professor at Washington College of Law where Daniel completed an LL.M. in international environment law.

Daniel's work to move past plastic is supported by ELAW and Friends Foundation International.



# Taking on the



## SRI LANKA Saying No to Plastic

ELAW partner Hemantha Withanage appealed to Sri Lanka's President Maithripala Sirisena, Prime Minister Ranil Wickremesinghe, and Members of Parliament to ban single-use plastic.

"Our soil, coastlines, wetlands, lakes, and other ecosystems have all become dumping grounds for plastic," says Hemantha, Executive Director and Senior Environmental Scientist at the Centre for Environmental Justice (CEJ).

Hemantha is a member of a technical committee appointed by the Sri Lankan government to draft regulations to reduce plastic waste. He has proposed an immediate ban on a long list of single-use plastics.

Hemantha Withanage (right) is interviewed in Ceylon Today, March 31, 2019.

CEJ conducted "brand audits" at two sites in 2019 to determine which companies are responsible for Sri Lanka's plastic waste. CEJ found that Coca-Cola, Nestle, and Unilever were the top brands. CEJ's audit was held in parallel with global brand audits conducted by the Break Free from Plastic movement.

CEJ is planning similar audits in 15 other locations, covering the mouths of many coastal rivers, as well as case studies about plastic waste in Sri Lanka, Malaysia, Australia, Bangladesh, and Nepal.

Hemantha attended the 2019 ELAW Annual Meeting in Eugene, where he collaborated to advance laws to keep plastic out of the waste stream. In 2020, CEJ will host the ELAW Annual Meeting in Colombo and strategize with ELAW partners around the world to tackle the plastic menace.

## GUATEMALA Tackling Plastic Waste in the Motagua River Basin

The Motagua River flows from Guatemala's highlands, collects waters of 29 major rivers, and drains to the Gulf of Honduras. Tons of domestic and industrial waste, untreated effluent, and sewage pollute the river. A report by ELAW partner Alianza de Derecho Ambiental y Agua (ADA2) found roughly 40% of the waste is plastic.

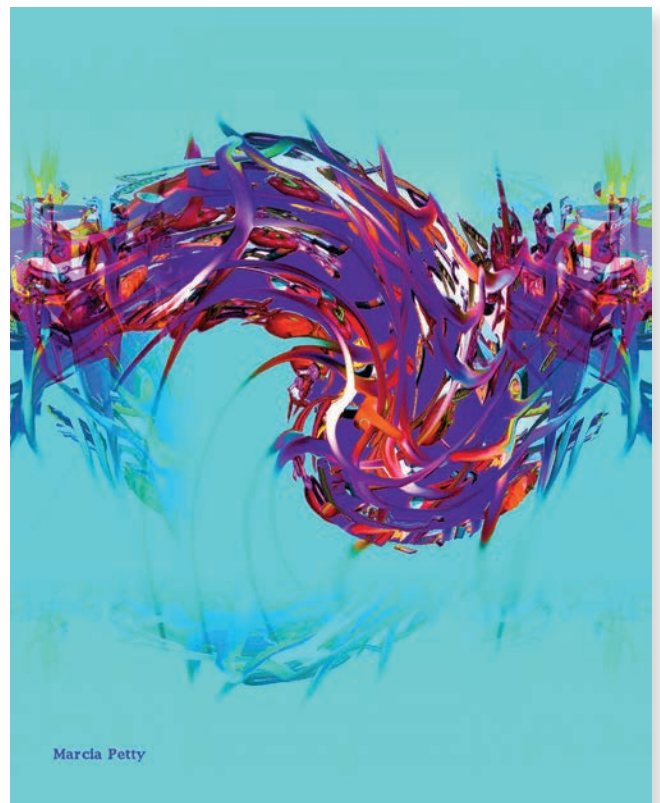
ELAW and ADA2 are engaging citizens and government authorities in waste management strategies. Leaders from the watershed's three largest municipalities signed a formal agreement to share responsibility and work together to manage solid waste. ADA2 joined leaders from Puerto Barrios, Los Amates, and Morales in the Department of Izabal to design and implement bans on single-use plastic, straws, and Styrofoam. The new regulations were approved in 2018, and in September 2019, Guatemala announced the ban on single-use plastic and Styrofoam. The measure will take full effect in two years.

"Local development plans already recognize the connection between healthy communities and effective solid waste management," says Jeanette de Noack, a lawyer with ADA2. "Our organization helps these cities in Izabal coordinate efforts."

ADA2 developed pilot projects for separating waste at its source in homes in each municipality. Community members were trained in waste separation and projects were implemented by municipal technical teams and students, both at the neighborhood level and with local merchants.

ADA2 drafted solid waste regulations for the municipalities, with the ELAW team providing model solid waste management practices, laws, and regulations, and single-use plastic bans from around the world.

"It is a big challenge, but we must ensure clean rivers for future generations," says Jeanette.



Pacific Ocean Plastic Vortex, by Marcia Petty.

# Plastic Peril



Causeway Fishing Beach, Kingston, Jamaica.



Jamaican Environment Trust's Recycling Depot.

## JAMAICA Taking on Plastic

Jamaica is plagued by plastic — “mostly single-use plastic,” says Suzanne Stanley, CEO of the Jamaica Environment Trust (JET), a non-government organization at the forefront of efforts to rein in plastic in the Caribbean.

Suzanne says up to 30% of Jamaica’s waste is dumped illegally then travels to the coast via rivers and gullies, becoming marine debris. Drains and gullies blocked with plastic cause millions of dollars in damage to towns and cities each year due to flooding after heavy rainfall. And stagnant water tied to plastic waste contributes to the spread of mosquito-borne viruses such as Dengue, Zika, and Chikungunya.

“When plastic packaging began flooding our local markets in the early nineties, JET consistently advocated for improvements in solid waste management,” says Suzanne.

JET has been the national coordinator for International Coastal Cleanup Day in Jamaica for over a decade. In 2019, more than 11,000 volunteers cleaned up more than 137,000 pounds of garbage, 33% of which was single-use plastic beverage bottles. JET’s Clean Coasts Project launched a national public education campaign called Nuh Dutty Up Jamaica, and JET conducts environmental education projects in schools and communities to improve solid waste management and reduce plastic waste.

At the 2019 ELAW Annual Meeting, Suzanne shared JET’s work promoting laws that limit plastic and protect Jamaica’s coast and environment. Her expertise was invaluable to other ELAW partners working in the Caribbean and around the world to combat plastic.

“I enjoyed sharing our experience in Jamaica where we call the single-use plastic bags given by stores ‘scandal bags,’” says Suzanne.

The release of JET’s publication, *Regulating Plastic Waste: Time to Act* (2016) triggered a series of responses by the Jamaican government, including Jamaica’s ban on single-use plastic bags (measuring less than 24" x 24"), imported Styrofoam food and beverage containers and single-use plastic straws, effective January 1, 2019. A ban on all Styrofoam food and beverage containers will come into force January 1, 2020, and a deposit refund scheme for plastic bottles is expected to roll out in early 2020.

“Reducing the use of single-use plastic among Jamaicans will require a huge cultural shift,” says Suzanne. “Sustained public education coupled with effective legislation and enforcement are the keys.”

## Thank you 2019 ELAW Volunteers!

Volunteers and interns help ELAW provide the legal and scientific tools partners need to protect the environment and advance human rights. We appreciate the people who contribute their time and expertise to support grassroots advocates working around the world to build a sustainable, just future.

Sonia Altenhoff • Kabitanjali Amatya • Tyee Atkin • Craig Austin • Callan (Callie) Barrett • Arunima Bhattacharjee Caidan Cao • Bren Catt • Gloria Chelang’at • Aya Cockram • Martine Coguiec • Cheryl Coon • Peggy Dame Alex Dashman • Chris Galloway • Jessica Hetzel • Emily Hunt • Jaclyn Kellon • Bryn Lewin-Ofell • Carlos Lucas Ashley Lyons • Alvaro Molina • Morgan Mooney-McCarthy • Juste Sylvain Obouonombele • Benjamin Perez Madeleine Rasmussen • Byron Riggins • Christian Tettelbach • Sierra Waechter

Many thanks to the following individuals for lending their expertise as members of the ELAW U.S. Board of Directors: Michael Axline • Roanne Bank • John Bonine • Maxine Burkett • David Hunter • Manuela Huso • William Jaeger Glenn Miller • Cleven Mmari • Jim Offel • Scott Pope • Kay Treakle • Amy Shannon • Mick Westrick



ELAW legal intern Callie Barrett (left) and legal extern Sierra Waechter.



## ELAW Fellows Program



Pascal enjoyed speaking with U.S. Forest Service staff at the Cape Perpetua Lookout, Oregon Coast.

### Saa Pascal Tenguiano

Executive Director

Centre du Commerce International pour le Developpement (CECIDE)

Conakry, Republic of Guinea

September 25 – December 6, 2019

**Saa Pascal Tenguiano** wants communities in Guinea to benefit from the rich natural resources of his West African nation. He is the Executive Director of Centre du Commerce International pour le Developpement (CECIDE), a non-profit organization based in Conakry and working across West Africa to protect local communities and the environment. CECIDE was founded 19 years ago to give communities a voice in decisions about projects exploiting natural resources for export. CECIDE has grown into one of West Africa's most trusted defenders of community rights and natural resources. Internationally operated gold, diamond, and bauxite mines in Guinea are some of the richest in the world,

but local communities are paying the price. They are displaced from their traditional lands and suffer from contaminated water, soil, and air.

CECIDE uses a many-pronged approach, including strengthening the rule of law through community education and training local police to respect human rights.

Pascal's ELAW Fellowship made it possible for him to meet one-on-one with ELAW Staff Attorneys and Staff Scientists to advance his work defending communities impacted by mining operations. Pascal also met with natural resource economist Ernie Niemi and visited protected areas at the Oregon Coast and in the Cascade Mountains. Pascal strengthened his English skills by completing the Intensive English Program at the University of Oregon's American English Institute (AEI), where he was awarded a Director's Distinction Scholarship.

Support from The 11th Hour Project has made it possible to expand ELAW's work in Francophone Africa, including hosting Pascal for this ELAW Fellowship. Many thanks to The 11th Hour Project and AEI for making Pascal's ELAW Fellowship possible.

### ELAW Host Family Program



L to R: Kenny Watkins, Saa Pascal Tenguiano, Lauren Herbert.

ELAW Fellows gain skills and build strong organizations that will work to protect communities and the planet for years to come. ELAW Fellows also enrich the Eugene community and share lessons learned from their work around the world. If you are a Eugene area resident and wish to host an ELAW Fellow, please contact Maggie Keenan, ELAW Fellows Program Coordinator, [maggie@elaw.org](mailto:maggie@elaw.org).

*"It has been wonderful to have Pascal share our home. We have enjoyed learning about his work, his family, and the politics and landscape of Guinea.*

*We often feel distant from the environmental and social impact of the corporations which provide those in the USA with ready access to inexpensive goods, yet we know that our consumption is linked with their suffering. It is an honor and privilege to host a lawyer with the courage to confront these corporations, the ability to understand the complexity of the interactions of government, business, citizens and environment, and the compassion for the natural environment and its people.*

*We hope that in this way we have contributed a little bit to improving our world."*

Lauren Herbert, MD



## #HumansofELAW



*The ELAW network is a collaboration between hundreds of inspiring grassroots advocates. This summer, ELAW was excited to highlight the voices of a few of our partners through #HumansofELAW.*

- 1** "Our Waste to Opportunity project empowers informal recyclers at municipal dumps to reduce the amount of waste that ends up in our oceans."  
 Laura Palmese-Hernandez | Attorney | HONDURAS
- 2** "I was inspired to start LEAT because there was no organization of lawyers in East Africa's Great Lakes region to defend the environment & rights of communities."  
 Rugemeleza Nshala | Executive Director, Lawyers' Environmental Action Team (LEAT) | TANZANIA
- 3** "Fracking is coming to Morocco and we face the same environmental issues as the U.S."  
 Samira Idlallène | Legal Consultant for eNGOs | MOROCCO
- 4** "For indigenous people, the forest is more than just the physical land or the physical trees. It is their way of life."  
 Alfred Brownell | Co-Founder, Green Advocates | 2019 Goldman Prize winner | LIBERIA
- 5** "I was illegally detained for my work defending communities from transnational mining companies . . . Thanks to ELAW and the extraordinary work of my fellow lawyers, I obtained my freedom."  
 Eduardo Mosqueda Sánchez | Executive Director, Instituto de Derecho Ambiental, A.C. (IDEA) | MEXICO
- 6** "We should not speak for the communities, they should speak for themselves . . . The underlying problem is the fight for dignity."  
 Shweta Narayan | Coordinator for Community Environmental Monitoring, The Other Media | INDIA
- 7** "The whole country is suffering due to the pollution... All of the natural resources have been severely degraded and depleted."  
 Rizwana Hasan | Executive Director, Bangladesh Environmental Lawyers Association (BELA) | BANGLADESH
- 8** "We want to hold the government accountable and force them to properly assess and address the urgent issue that is climate change, this means not authorizing more coal-fired power stations."  
 Nicole Loser | Attorney, Centre for Environmental Rights (CER) | SOUTH AFRICA
- 9** "I am motivated by the perseverance, passion, and dedication of people working for social change. Climate change and the security of environmental defenders are our most urgent environmental issues."  
 Aaron Pedrosa | Secretary-General, SANKLAS | Co-Chair, Energy Working Groups, Philippine Movement for Climate Justice | PHILIPPINES
- 10** "Opposition against coal is growing strong even in Poland's mining heartland. Poland needs to phase out coal as quickly as possible. And society is ready."  
 Milosz Jakubowski | Legal Counsel, Frank Bold | POLAND
- 11** "We want a peaceful and secure Africa, with people-centered development that realizes the potential of women and youth."  
 Brice Séverin Pongui | Executive Director, Institut Cerveau VERT 2063 | CONGO-BRAZZAVILLE

*Many thanks to ELAW intern Kabitanjali Amatya for bringing to life the #HumansofELAW campaign.*





# ELAW

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## Environmental Law Alliance Worldwide

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## Protect Communities and Ecosystems from the Plastic Menace

### Give the gift of a world free from plastic pollution!

When you give to ELAW in honor of family or friends, we will send them a special card featuring a beautiful place protected through ELAW's work with local communities.

**Your tax-deductible contribution will support ELAW's high-impact work to end the wasteful use and disposal of plastic, and hold polluters accountable.**

To give, please visit [elaw.org/tributegifts](http://elaw.org/tributegifts), return the enclosed envelope, or contact ELAW Outreach Coordinator, Karen Guillory, [karen@elaw.org](mailto:karen@elaw.org), 541-687-8454 x.105.

## THINK GLOBALLY. ACT GLOBALLY.

