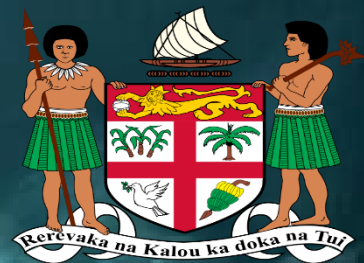


# BATTLING PLASTIC POLLUTION WITH THE LAW

OFFICE OF THE ATTORNEY-GENERAL





# BRIEF INTRODUCTION

Fiji is known for its pristine beaches, vibrant coral reefs, and rich biodiversity. However, like many island nations, it faces significant environmental challenges due to plastic pollution.

The use of plastics in Fiji began in the mid-20th century, with increased availability and affordability making it a popular material for packaging, utensils, and household goods.

As tourism grew in the 1970s and 1980s, so did the consumption of single-use plastics. Plastic bags, straws, and bottles became commonly used items, contributing to a growing waste problem.





# DO WE NEED TO REGULATE PLASTICS?

The simple answer to this question is YES and some of the reasons are as follows:

1. **Marine Pollution:** Fiji's extensive coastline and ocean ecosystems have been severely impacted by plastic waste, with micro-plastics found in marine life. This contamination threatens not only biodiversity but also the health of local communities reliant on fishing.
2. **Landfill Overload:** Limited waste management infrastructure has led to significant amounts of plastic waste ending up in landfills and natural environments, including beaches and forests.
3. **Cultural and Aesthetic Impact:** The presence of plastic debris has altered the natural beauty of Fiji's landscapes, impacting tourism and local culture, which values the pristine environment.



# CURRENT DOMESTIC LEGAL FRAMEWORK

- The Environment Management Act 2005 ('EMA') provides a framework for environmental protection and sustainable development in Fiji.
- Under the EMA, regulations can be created to manage waste and address pollution, including plastic waste. It establishes the requirement for Environmental Impact Assessments (EIAs) for development projects that may affect the environment.
- Existing regulations include the Environment Management (Waste Disposal and Recycling) Regulations 2007.
- Ban on single use plastic bags with the thickness of less than 50 microns and are partly or wholly made up of polyethylene.
- National Waste Management Policy
- 2020-2025: Fiji National Biodiversity Strategy and Action Plan (NBSAP) recognizes the need to protect biodiversity from pollution, including plastic waste. It aims to ensure the sustainable use of Fiji's natural resources.





# GAPS

## 1. Specificity in Regulations

Lack of Specific Guidelines: The EMA does not provide detailed regulations addressing plastic waste management and pollution. This lack of specificity makes it challenging to enforce focused measures targeting plastic pollutants. Absence of Comprehensive Plastic Policies: Comprehensive policies specifically addressing the lifecycle of plastics (production, use, disposal, and recycling) are not fully developed under the EMA framework.

## 2. Implementation and Enforcement Challenges

Limited Capacity for Enforcement: Even with existing regulations, enforcement can be weak due to inadequate resources, training, and staffing within environmental agencies. This often leads to non-compliance with existing laws and regulations related to plastic waste.

## 3. Integration with Other Policies

Weak Cross-Sector Collaboration: Collaboration among different government sectors (e.g., environmental, health, tourism) is often insufficient, which can lead to competing priorities and diluted efforts in addressing plastic pollution.



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### 4. Community Involvement and Education

Awareness Campaigns: There is a need for more structured programs within the EMA to support continuous awareness campaigns regarding the environmental impacts of plastics and proper waste management practices.

### 5. Lack of Incentives for Alternatives

Limited Support for Sustainable Alternatives: The EMA does not provide incentives or support for businesses and communities to shift towards sustainable alternatives to plastics, such as biodegradable materials or reusable products e.g. tax concessions.





# OPPORTUNITIES

- The EMA is also quite outdated in that it does not wholly encompass best international practices in the management of various forms of waste.
- Although there are gaps, this provides an opportune time to review the EMA and all related legislation as well as related policies.