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The Price of Plastic

Analyzing the actors that influenced the EU's
Single-Use Plastic Directive, 2004-19

Master's thesis in European Studies

Supervisor: Michael J. Geary

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Abstract

This thesis is a study of the actors which influenced [Directive (EU) 2019/914] better known as the single-use plastic ban. The study is focused on the governmental and non-governmental actors which ultimately influenced the Directive's creation. Document analysis provides a means to examine former environmental legislation within the EU, followed by an investigation of the Directive itself. The previous Commissions of Barroso (2004-14) and Juncker (2014-19) are also examined to determine their impact on the plastic waste management policy to come. The core of the thesis finds both external and internal actors to have had a profound influence on the Directive being passed. The most prominent external actor was observed in China's ban on the importation of plastic waste. This foreign policy actor was understood to be the most influential on the Directive's creation, indicated by how the Directive forced the EU to turn inward and reflect on its own plastic waste management. The influence from 'green' member states, as well as the EU moving away from its dependency on oil and gas, were also examined in light of the Directive, yet found to be less conclusive. Finally, the internal or non-governmental actors which influenced the Directive are analyzed. This analysis found that Environmental NGOs and industry interest groups lobbied to influence the Directive. It was perceived that environmental NGOs had the most significant influence on the policymakers who compiled the Directive. This was found by comparing the nuances between the single-use plastic legislation and environmental NGOs' own policy goals. Individual 'changemakers' and the growing green movements across Europe were also examined as plausible influences on the Directive from non-governmental actors. It was uncovered that although these changemakers had a significant influence in terms of consenting to the single-use plastic ban, their influence on the Directive's creation itself was less coherent. Despite these findings, it is understood that more research can be conducted to find the specific routes of influence on the single-use plastic Directive. Transparency between policymakers and interest groups is understood to be of utmost importance in future works.

Acknowledgements

The idea behind this thesis comes from what I believe to be a time of urgency in human existence. In the spring of 2019, I was excited to learn about the passing of the Single-use plastic ban. Yet, disappointed to find a lack of literature around the subject of plastics outside of scientific research. I believe that the environmental choices governments make now will be monumental in the coming decade. We all share the same planet, and this legislation will affect us all in one way or another. My evolving interest in energy and the environment has also propelled my eagerness to study the topic of single-use plastics.

First and foremost, I would like to give my sincerest thanks to my wonderful advisor, Michael J. Geary. Thank you for your fundamental feedback which helped truly piece this thesis together. Many thanks for providing me with constructive critiques and your availability, even during the busiest time in the semester.

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Emily Christine Cowan

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Abbreviations

ALDE	Alliance for Liberals and Democrats of Europe
CEAP	Circular Economy Action Plan
DG	Directorate-General
EC	European Commission
EEC	European Economic Community
ENGO	Environmental Non-Governmental Organization
ENVI	Environmental Committee
EP	European Parliament
EPR	Extended Producer Responsibility
EU	European Union
FOE	Friends of the Earth
LDC	Less Developed Countries
NEPI	New Environmental Policy Instruments
OECD	The Organization for Economic Cooperation and Development
SEA	Single European Act
SUP	Single-Use Plastic
TFEU	Treaty on the Functioning of the European Union
UK	United Kingdom
UN	United Nations
US	United States

Introduction

The European Union (EU) is known for having the strictest environmental policies of any geographical region. This was made possible by the EU's ability and ambition to make its mark on environmental policy in regard to plastic pollution. Since the EU currently embodies 27-member states, after Brexit, it means that its policies hold over 446 million Europeans accountable. According to a summary within the EU's environmental legislation, each policy it creates helps the economy to become more environmentally friendly while safeguarding the health and natural resources of Europe.¹ Safeguarding health and natural resources is becoming more important in the evolving world we live in. A world where all species are becoming ever-more surrounded by plastic. Plastic has been instrumental in the growth of developed societies over the past 100 years. The lightweight material is cheap and can nowadays be found in numerous products for human use. Since plastics arrived into human everyday life, specifically over the past 30 years, people are beginning to learn of its harmful impacts on human health, and the environment.

Unfortunately, this is a problem that has seen a recent rise. Over the past 10 years we have produced more plastic than in the previous century combined.² Moreover, at least 85 percent of the litter found in and around oceans and beaches across the globe is composed of plastic, and by 2050 scientists predict that plastic will outweigh all the fish in the world's oceans.³ Every year Europeans generate over 61 million tons of plastic waste, and less than 30% of that is collected for recycling. Moreover, not all plastics are even considered suitable for our recycling systems, this is most predominantly referring to plastics for single-use.⁴ A major issue facing the EU in recent years are the negative environmental effects created by the mismanagement of plastic waste. Plastic is a contributor to climate change through the greenhouse gases used and emitted during its production, as well as after it has been recycled and attempted to be regenerated into new plastic. Currently, there is almost no transparency surrounding how the EU's plastic waste is exported and managed in other countries, especially in Asia where most plastic waste currently ends up.⁵ To curb plastic waste, European national governments will be implementing [Directive (EU) 2019/904] better known as the Single-Use Plastic (SUP) Directive. The Directive passed in early 2019 and will come into effect on July 3rd, 2021. The Directive formed by the European Commission (EC) aims to halt the use of over 8 commonly used SUP items. These items and details surrounding the legislation will be examined further in chapter one. The aim of this thesis is to provide readers with a comprehensive analysis of both the governmental and non-governmental actor's role in the development of the SUP Directive in the period between 2004-19.

Why is European environmental legislation stepping up when powerful nations such as the United States (US) are seen pulling out of monumental treaties such as the Paris Climate Agreement? To understand the answers from a European perspective, researchers are able to turn to the Eurobarometer. The Eurobarometer is a standardized

¹ Eur-lex. (2020). "Environment and climate change". [online]

² Basel Convention. (2020). "Household waste partnership". [online]

³ European Commission. (2020). "The seductive power of single-use plastics". [online]

⁴ Boffey, D. (2018). "The EU declares war on plastic waste". [online] The Guardian.

⁵ Briefing no. 7/2019. (2019). "The plastic waste trade in the circular economy". [online] European Environment Agency.

survey conducted from the EC's office. Every year one thousand randomly selected citizens from each member state are interviewed on various schools of thought such as unemployment, immigration, energy, and most important to this study, the environment. According to a special 2019 Eurobarometer questionnaire, nine out of ten Europeans claimed that they are distraught over the harmful effects that plastic has on the environment.⁶ Europeans realize that change is coming, and humans are not able to deplete the world's resources endlessly without backlash seen in the form of climate change and pollution.

The elected and bureaucratic officials within the EU heard its citizen's opinions of plastic and understood how important it is to create legislation to protect the environment. This is a recurring theme throughout the thesis, centering around the specific actors that helped to influence the SUP Directive. This study is of utmost importance in a world that is becoming ever more affected by climate change and waste pollution. It underlines the pieces that must fall into place which guides environmental policies to be created. These pieces include just how costly plastic pollution is for governments in all stages of plastics creation, use, and cleanup. This study not only centers on the societal actors surrounding SUP, but the political aspects both internally and externally which influenced them. A light is shed on the actors which help to influence European plastic legislation, while highlighting the gaps that exist in the literature today. These gaps stem from lack of transparency within the lobbying process in the EU, as well as a general consensus about the actors that have had a profound influence on the Directive. Both of these actors will be analyzed in more detail in chapters three and four.

Research Question

In order to examine the actors that created the pivotal piece of legislation known as the SUP ban, this thesis is therefore framed around the following research question:

What is the influence that governmental and non-governmental actors had in the push and development of the SUP ban known as [Directive (EU) 2019/904].

In order to answer the main research question, a set of sub-questions are addressed within the thesis: How did the pressures influencing the European Commission since 2004 encourage the Directive to pass? How was the consensus achieved on the SUP Directives legislation across party lines within the European Parliament? How was the international arena able to influence the European legislation on single-use plastics? How were environmental NGOs able to gain influence over the Directives policy goals?

The overarching aim of this thesis is to empirically unmask the 'sudden' push towards banning SUP waste in Europe. It is the goal of this thesis to analyze the contributions of the most prominent actors which paved the way for the SUP Directive. As a result of the recentness of this policy, the numerous gaps that exist in the literature surrounding plastic legislation in the EU will attempt to be uncovered. The main hypothesis is that the profound influence on the SUP Directive started with the rise of

⁶ DG COMM. (2019). "Special Eurobarometer 468: Attitudes of European citizens towards the environment". [online]

environmental movements, similar to the ones started by Greta Thunberg in Sweden. Rising environmental awareness among citizens was also crucial last century in obtaining environmental legislation in the EU. It can therefore be suggested that citizen organizations involving the environment could be a valid argument as to why the SUP ban was created. Even more so with the increase of travel and internet availability in recent years, which brings citizens up close and personal with the effects SUP waste has on the environment. In order to achieve the goal of uncovering the starkest influences on the Directive the thesis will begin by examining previous environmental legislation at the European level. This is to give readers a background and understanding of the constraints faced when passing such a Directive. This study will measure the effectiveness of both governmental and non-governmental influences in the creation of the SUP Directive. It examines the rhetoric and policy from countries on how the Directive was influenced, as well as, policy goals from environmental NGOs and member states. The relevance of this study is apparent in the rising number of plastic wastes generated throughout the world each year. Without restrictions from the highest levels of government on the most commonly used plastic items (SUP) this problem will only be exacerbated.

Literature Review

The EU wide ban on SUPs, though recent, will be up to member states themselves to implement. In order to properly examine the actors which influenced this important piece of legislation, it is useful to acknowledge the historical perspectives on environmental policy in the EU as well as previous research conducted around its creation. To accomplish this, scholars are divided into three sub-categories. The first category includes scholars who emphasize the importance of history in terms of creating environmental policy and its influence on legislation setting and eventually policymaking. The next subcategory includes scholars who believe that EU environmental policy is shaped by non-governmental organizations (NGOs) in the form of lobbyists and activists. The final group of scholars includes those who stress that environmental policies are fundamentally shaped by supranational and governmental actors.

The EU has one of the longest histories in attempting to combat climate change with introducing stronger environmental policies. Although, it is not to presume that this policy area came about by European governments on the national and supranational levels desire to reduce their emissions. According to authors Delreux and Happaerts, the 'founding fathers' of European integration were not interested in the inclusion of environmental policy in their first treaties. As a result, the protection of the environment was extremely limited in the European Communities in 1957.⁷ The scholars synthesized that environmental policy was merely a 'side-effect' of Europe's overarching goal of achieving economic integration to unite Europe after being war-torn in the previous decades. However, environmental policy has since evolved into one of the most powerful policy domains as it is seen today in the EU. In order to examine its evolution, milestones are set out by respected authors within the study of the five phases of EU environmental policy.⁸ When assessing the different phases, it is important to keep in mind the goal of this thesis in attempting to uncover the most influential actors in the

⁷ Delreux, T., & Happaerts, S., (2016). "Environmental policy and politics in the European Union." Macmillan International Higher Education, 12-14.

⁸ Ibid.

creation of the SUP ban within European environmental policy. Without an accurate assessment of the evolution of environmental policy one isn't able to properly analyze its monumental change and in turn understand why it is held with such importance in Europe today. Historical trends are important in understanding the style and form of research reports, and also for evaluating the quality of the findings.⁹ This analysis will also include an assessment of the nuances that occur between the actors, leaving the end result not so clear cut on the actors which had the most influence.

The *first phase* of European environmental policy took place between 1957-72 and included 'environmentally-related' measures which aimed at serving the common market. As expressed earlier, the first phase was not about protecting the environment, but more-so, destroying the trade barriers among the then European Economic Community (EEC). It is interesting to note that when the European Communities came together after WWII environmental policies were not at the top of their agenda. Instead, it was the chance for the new European Communities to economically prosper within the booming fossil fuel sector. Scholars simplify this phase to a 'by-product of economic integration.'¹⁰ Within the Treaty of the EEC, specifically Article 2, the founding member states known as the 'inner six' including Belgium, France, Italy, Luxembourg, the Netherlands, and West Germany agreed to improve the living standards of their citizens uniformly. However, at the start of the first phase the world consumed only 1.5 million tons of plastic, far less than the 322 million consumed in 2015 alone.¹¹ This is a major indicator for the lack of legislation surrounding plastic pollution in the EU at the time. The next phase of the policy evolution comes with stronger ties towards environmental unity and took place between 1972-87.

The *second phase* is often referred to as the expansion of environmental legislation. Scholars characterize this phase by its continuation of failing to explicitly provide a legal basis of environmental protection.¹² At the same time, the witness of citizen organizations starting to rise with protective visions for the environment drew premonitions of the green movement that was decades away. The early seventies up until the late eighties was still considered a failure at the supranational level due to policymaking in the EEC's continuation of governance towards the outdated Treaty of Rome. Meanwhile, civil societies around the world started rising in the late 1970s due to social debates which in turn led to citizens organizing and later institutionalizing around environmental concerns.¹³ This idea of citizens organizing is true to what is witnessed today in regard to stronger environmental policies. One teenager from Sweden can create a movement that brings awareness and concern for the environment with human consciousness around it. These movements mobilize youth to take part and demand action in the policy-making process. This second phase was also largely characterized by the creation of the Environmental Action Program (EAP) of 1973 which created the first real environmental policy adaptation to reduce pollution across Europe. The EAP is currently on its 7th revision, where it has resources efficiency as a top priority in the

⁹ Thorne, S., Joachim, G., Paterson, B., & Canam, C. (2002). "Influence of the research frame on qualitatively derived health science knowledge. *International Journal of Qualitative Methods*", 1(1), Article 1. pp.3

¹⁰ Knill, C., & Liefferink, D. (2007). "Environmental Politics in the European Union: Policy-Making". Manchester., 15.

¹¹ European Parliament. (2018). "Plastic waste and recycling in the EU: Facts and Figures". [online]

¹² Delreux, T., & Happaerts, S., (2016). "Environmental policy and politics in the European Union" Macmillan International Higher Education, 18.

¹³ *Ibid.*, pp. 17-19.

next decade, however efficient use of resources was not always built into the EAP.¹⁴ The first EAP was a starting example of where scholars were able to observe the EEC working together without main concern over the common market. This program can be seen as a precursor for the SUP ban. The next shift of phases, started in the late 1980-92, and showed a potential for environmental competences to grow and spread across countries at the European level.

The *third phase* is known for its legal basis and supranational decision-making efforts. This phase was dominated by the creation of the Single European Act (SEA) which gave a constitutional base to the EEC's environmental policy as well as defined its objectives.¹⁵ This time period was largely illuminated by providing legal means and basis to European environmental policy through the addition of 'Title VII - Environment' to the SEA.¹⁶ Through this new legal basis, environmental policy was now able to be adopted at the European level, in combination with the newly added lens of environmental conservation and protection. The articles founded under the SEA for the environment were eventually turned into the articles found in the EU constitution known as the Treaty on the Functioning of the European Union (TFEU). The articles 191, 192, and 193 in the TFEU discuss the principles in environmental policy, the legislative procedure, and the possibility for member states to enact stricter environmental policies at the national level. These policies at the national level are witnessed in the SUP directive since the EC created them, while the member states must decide individually on how to carry them out. In chapter four member states themselves are analyzed in terms of their influence on the Directives creation. Many of the member states are found to have created stronger SUP policies on their own, and thereby can be considered to have influenced the ban at the EU level.

The next phase in the evolution of EU environmental policy took place between 1992 - 2009. There is no doubt that this *fourth phase* is dominant within the world of European Studies. Environmental protection was now widely considered a general EU objective, as will be addressed in chapter two.¹⁷ It is also interesting to note that 1992 marks the start of China opening its borders for plastic imports from across the world. This suggests that the EU may have started this fourth phase by having a country to export their plastic waste too. Nevertheless, a large amount of climate legislation was adopted throughout the early 2000s during the new wave of accession during 2004-07 where over 1.2 hundred million new EU citizens had adopted EU environmental policies.¹⁸ Scholars agree this was also a phase where the Barroso Commission delivered stronger environmental policies and the precursor for the SUP Directive.

Finally, the fifth and final phase of the evolution of EU environmental policy is where the beginning stages of the SUP Directive [Directive (EU) 2019/904] were formed. Known as the 'green economy' phase, it is widely considered still taking place today. The *fifth phase* includes better implementation within the environmental policy area.¹⁹

¹⁴ European Commission. (2019). "7th EAP priority objectives". Environment [online]

¹⁵ Vandermeersch, D. (2017). "The single European act and the environmental policy of the European Economic Community". In *European Environmental Law* Routledge, 79-101.

¹⁶ Delreux, T., & Happaerts, S., (2016). "Environmental policy and politics in the European Union" Macmillan International Higher Education, 25.

¹⁷ Ibid. 29.

¹⁸ Magen, A.; Risse, T.; McFaul, M. (2009). "Promoting Democracy and the Rule of Law". [online]

¹⁹ Ibid., pg. 32

However, many critics claim this phase was and is still merely focused on economic growth, with undertones of environmental protection.²⁰ The start of this phase was met with a lack of impact in policy-making within the environmental field due to the emergence of the financial crisis as one scholar argued.²¹ However, it is argued in chapter two that the financial crisis was an excuse to pass stronger environmental legislation through its framing. Framing being a way to describe context and present a problem to readers and scholars alike.²² The EU decided to use the financial-economic crisis to contribute to environmental policy. Catchphrases were formed such as 'green jobs', 'green economy', and 'sustainable growth'. These names were compiled into the 'Europe 2020' growth strategy to both help the economy and achieve stronger environmental awareness from citizens. These catchphrases and economic contribution continue to be the rhetoric of the Environment Ministers within the EC, as to why plastic restrictions would make for popular growth policy. After understanding more about the creation and evolution of the EU's environmental policy, the influence scholars believe to have stemmed from government and non-governmental actors are examined.

The second group of scholars chosen for this study are those who believe that environmental policy is largely shaped by NGOs. Environmental scholar Zito (1999), argues that the complex web of EU institutions gives opportunities for member state governments and NGOs to gain influence in the decision-making process of the EU.²³ Yet, he fails to mention how this can be both positive and negative as environmental lobbying can be considered a double edged sword, heavily influenced from opposing sides. This is witnessed within the SUP Directive from the environmentally friendly NGOs and big industry lobbyist. This will also be a main factor analyzed in chapter four. On the other hand, Bomberg (2007) agrees with Zito's argument and synthesis' how environmental non-governmental organizations (ENGOS) are the new core policy instrument in shaping EU environmental policy.²⁴ ENGOS were also found to be at the forefront in the policy-making process for the SUP Directive. Both authors would agree that EU establishments can be viewed as too institutionalized and therefore heavily influenced by environmental lobbyists making the government actors obsolete. Yet, the authors fail to discuss the importance of having policymakers on the side of ENGOS. This is important to get legislation passed in the first place, as ENGOS claim their voices are European voices. Moreover, the scholars fall short in exploring what some critics believe is a lack of transparency and legitimacy within the ENGOS. This is due to many top level ENGOS receiving funding from the governing supranational EU bodies such as the Commission.²⁵ Jordan, Wurzel, Zito, and Brückner (2003) have examined the 'new' environmental policy instruments (NEPI) which Bomberg (2007) continues to write about and explains how the financial incentives of non-state actors behind the NEPI are curdling.²⁶ An example of this can be seen in taxes and subsidies. To illustrate what the

²⁰ Rankin, J., (2019). "EU climate goals 'just a collection of buzzwords'". [online] The Guardian.

²¹ Benson, D., & Jordan, A. (2010). "The scaling of water governance tasks: A comparative federal analysis of the European Union and Australia". *Environmental Management*, 46(1), 7-16.

²² Druckman, J.N. (2001). "The Implications of Framing Effects for Citizen Competence". *Political Behavior*. 23 (3): 225-56.

²³ Zito, A. (1999). "Creating Environmental Policy in the European Union". Springer. pp. 128

²⁴ Bomberg, E. (2007). "Policy learning in an enlarged European Union: environmental NGOs and new policy instruments". *Journal of European Public Policy*, 14:2, pp. 248-268

²⁵ Delreux, T., & Happaerts, S. (2016). "Environmental policy and politics in the European Union". Macmillan International Higher Education. pp. 134

²⁶ Jordan, A., Wurzel, R., Zito, A.R. and Brückner, L., (2003). "European governance and the transfer of 'new' environmental policy instruments (NEPIs) in the European Union". *Public Administration*, 81(3), pp.555-574.

scholars mean by NEPI the European Union Emission Trading Scheme can be assessed. This was the first trading scheme to reduce greenhouse gas emissions.²⁷ The scholars agree that the border between public and private spheres continues to blur when creating new policy, making the analysis of its creation complicated. This is almost identical to the criticism raised in this study which finds it extremely difficult to point out the direct influence from NGOs on the SUP ban. Another factor that the authors bring into the assessment is why and how EU environmental policy is mainly shaped by non-governmental actors. This is due to the fact that many believe the EU lacks democratic legitimacy. Policies are seen having to be implemented by member states such as the SUP Directive. The EU member states can be seen as more legitimate and able to exercise their legitimacy superior to that of the EU.²⁸ This idea is explored further in chapter three and four which directly analyzes the inside and outside influences on the SUP Directive.

The third and final group of scholars who emphasize the importance of supranational actors in regard to shaping environmental policy are now examined. Princen (2011) was decidedly between both categories when he emphasized the importance of agenda-setting strategies, and how they could only be used by member state governments and national experts in the Commission.²⁹ However, Princen fails to address the reasons behind why governments and EU policymakers need to set agendas for new policies in the first place. Chapter four will examine this in more detail by analyzing China's foreign policy as a pivotal actor in the EU's SUP ban agenda. Other scholars, Christoph Knill & Jale Tosun (2009) bring to the forefront the expanding power the EU has in shaping the political agenda for its member states and beyond.³⁰ They use the framework of both internal and external effects of Europeanization while looking for general mechanisms the EU uses in its environmental policy. The core similarity between these scholars is their ideas surrounding the sheer power they emphasize the EU has in adapting environmental legislation. Yet, they too leave out the understanding from a fulfillment of a Directive, which is up to the member states to implement. All scholars seem to have failed to discuss the issues of institutionalism within forming their ideas about environmental policy. Notwithstanding, the various scholars' ideas form a coherent hypothesis within the traditional state actors section in analyzing how supranational and governmental actors can influence environmental policy. Yet, since there is such a dramatic gap in the literature when it comes to how SUP is influenced it is understandable why these scholars fail to mention the pitfalls in policy agendas being set only at the government level. Although the overall policy-making stems from the supranational bodies in the EU, they aren't seen as having a profound influence on why a policy is created. The SUP Directive for example wasn't merely formed by Brussel bureaucrats. It had a variety of influences which forced the hands of policymakers to focus on plastic waste management.

²⁷ Ellerman, Denny, A, and Buchner, B., (2007). "The European Union emissions trading scheme: origins, allocation, and early results." *Review of environmental economics and policy* 1, no. 1: 66.

²⁸ Gilley, Bruce. (2009). "The right to rule: how states win and lose legitimacy". Columbia University Press. 9.

²⁹ Princen, S. (2011). "Agenda-setting strategies in EU policy processes". *Journal of European Public Policy*, 18:7, pp. 927-943

³⁰ Knill, C.,I & Tosun, J. (2009). "Hierarchy, networks, or markets: how does the EU shape environmental policy adoptions within and beyond its borders?". *Journal of European Public Policy*, 16:6, pp. 873-894

Methodology

In order to uncover which factors had the most profound influence on the SUP ban the way in which data is collected for this study is of utmost importance. This thesis will explore the environmental policy-shaping process around SUP, which is therefore used as a policy tool to operationalize the methodology. A mixed-methods approach was used within the study.³¹ This includes record keeping, such as analyzing data from the EU and ENGOs primary documents in regard to the SUP Directive. The rhetoric from ENGOs on their SUP goals are utilized to determine how much influence they had on the legislative process. The documents used for this analysis stem from Journal Articles, EU archival data, as well as newspaper articles. Many of the sources analyzed in this thesis are primary sources from European supranational bodies. This is done in order to develop a strong narrative at the EU level on the policymakers for and against the Directive. There will also be a significant number of secondary sources, including news articles from member states across Europe which provides insight to public opinion. The thesis also includes analyzing previous interviews on EU plastic policy with Commissioners in regard to their sense of urgency and understanding of 'why now?'. In examining these documents, the thesis gained valuable information on the different actors which influenced the SUP ban. As a result of the lack of research concerning the SUP Directive, the study was forced to analyze documents which provided general information about theories on the actors which may have influenced it. The process of observation was also widely employed as a method in the second half of this mixed-methods approach. This includes comparing the nuances between China's introduction of their own plastic importation ban in comparison to the EU agenda-setting phases of the SUP Directive. It also includes observing the EP debates on the SUP Directive to understand where MEPs believed the SUP ban was influenced from. This study is conducted in a qualitative manner as it is descriptive and conceptualized through the use of interpretation of available sources. The sources were examined through an analytical lens in order to attempt to understand where SUP legislation came from in the EU. Seeing that this thesis includes the actors surrounding the decision-making process in the EU, it will be of an exploratory nature as it is not possible to track the precise details on how NGOs & external actors influence the EU, as there is no data on it. Instead, it will analyze the nuances found between policymakers and NGOs, in relation to their policy goals and what eventually passed under the SUP Directive.

Apart from this introductory section the thesis has five main chapters. Chapter one begins with an examination of EU environmental legislation while focusing on the circular economy, and within that, the main theme of the study, the SUP Directive. The impact and deeper understanding of the SUP ban's implementations will be examined. This is done in order to assess the impact the ban would have on European industries and consumers. Chapter two includes an analysis of environmental policy at the supranational level. This chapter examines the previous two Commission's, Barroso and Juncker, in their advancement and influence of the Directive at the supranational level. This is followed by an analytical examination of the EP debates on the SUP Directive. The purpose of this chapter is to obtain necessary background information on policymaking in the EU, which is crucial in understanding how the SUP ban was influenced. Chapter three turns its attention towards the influence beyond Brussels both internationally and

³¹ Hesse-Biber, S., (2010). "Qualitative approaches to mixed methods practice". *Qualitative inquiry*, 16(6), pp.455-468.

inside Europe, to decipher the external actor's role on the creation of the SUP Directive. This chapter critically explores the plastic importation bans in China. It also analyzes if the SUP influence came from EU member states or the desire to abandon oil and gas dependency. Chapter four examines the non-governmental actors which includes a thorough analysis of their role in the push towards banning plastic waste. ENGOs and industry lobbyists, as well as youth movements from across European member states are analyzed to determine their influence on the SUP ban. It will further attempt to address the lack of literature and transparency available in regard to the influence from non-state actors. Finally, the conclusions will bring together the assessment on which actors had the most predominant weight in the push and development of the SUP plastic ban. This will include an overall analysis on if the hypothesis was correct in its prediction that citizen built environmental coalitions were a major cause of the SUP Directive being formed. In the end, advice to future policymakers and an evaluation on if this legislation is exportable will be assessed.

1. Plastic Legislation within the EU

This chapter analyzes environmental legislation through the eyes of its creator, the supranational governing body of the EC. The beginning of the 21st century saw the emergence of more coherent environmental policies being produced in the EU. This chapter examines the legislation surrounding the creation of the 2015 Circular Economy Action Plan (CEAP), where the SUP ban [Directive (EU) 2019/904] is a main feature of. In order to understand the SUP ban, and the debates behind its influence and eventual passing, it is essential to understand the 'Extended Producer Responsibility' (EPR) scheme. This concept was chosen due to its importance within the framework of environmental policy, and more importantly the debate on the SUP ban. The EPR scheme is a principal policy tool used by policymakers within the SUP Directive to shift the focus from consumers to producers in terms of responsibility for environmental cleanup and protection. Chapter four will explore the relevance of this to interest groups, as well as, how it was a heavily lobbied factor within the Directive. Finally, an in-depth exploration of the circular economy and SUP ban are addressed in detail to provide the basis for analysis within the following chapters. This includes the origins and development, as well as, the potential impacts that the ban may have when in effect. This will also shed a light on which actors influenced the SUP Directive in the first place.

Although the EC is tasked with proposing new policies and legislation, it is in the hands of the European Parliament (EP) to enact the legislation by voting on its details. Numerous debates took place between the MEPs on the SUP Directive, which will be examined in chapter two. The evolution within the number of pieces of environmental legislation in force in the EU has changed dramatically in the past 50 years. According to EUR-Lex data from the early 1970s, there were less than 25 pieces of signed environmental Directives and Regulations in force. By 2014 environmental legislation had grown to over 425 pieces, with large amounts being formed in the mid-2000s during Barroso I and II Commissions.³² It is clear that the ambitions for environmental legislation has changed and become a priority. This can be explained from Commissioners, MEPs, and citizens leaning towards greener ideologies, which will be examined in chapter four. The clear-cut promoters of environmental legislation came about in 2004 when Commission President Barroso entered office. More on his presidency in regard to environmental legislation are examined in chapter two.

When analyzing legislation, it can sometimes be difficult to understand the difference between a Directive and Regulation, specifically in how they are carried out. It is extremely important to recognize the difference between the two as it applies to the SUP ban. Although both are succumbed to EU law, a *Regulation* is a binding legislative act, which must be applied across all EU member states equally, and is immediately enforceable by law.³³ A *Directive* on the other hand, is a legislative act that sets goals to all member states that they themselves are required to achieve. While a Directive is still punishable by law if requirements aren't met, the SUP Directive has environmental critics, many of whom are NGOs who claim a Directive is too weak. These NGOs such as Greenpeace maintain that it is not enough to force member states to regulate a Directive on their own, and better equipped monitoring methods need to be put in

³² Delreux, T., & Happaerts, S., (2016). "Environmental policy and politics in the European Union". Macmillan International Higher Education. 13.

³³ European Union. (2019). "Regulations, Directives and other acts". [online] European Union.

place.³⁴ This is considered one of the main downsides of a Directive like the ban on SUP items, the fact that it is in the hands of the individual member state to devise their own laws on how to achieve it.³⁵ The EPR scheme specifically narrows in on the SUP Directive vis-à-vis a 'producers pay' principle. This EPR scheme is defined as an environmental policy approach in which the producers are responsible for a product. This responsibility is extended to the post-consumer stage of a product's life.³⁶ Ergo, the policy falls under the SUP Directive and will make it illegal for producers of SUP to avoid the responsibility for the waste clean-up in which they themselves created.

The EPR scheme first appeared in Sweden in the 1990s when Thomas Lindhqvist coined the term, and described the needed shift in responsibility (administratively, financially, & physically) from governments on the local and national levels, to the producers. EPR has forced producers to take environmental considerations into account during the design and manufacturing phases of a product's creation. This ultimately attempts to halt plastic materials from ending up in mass landfills. Yet this policy addition has intense backlash from the producers who still believe it is the consumer's overall responsibility to dispose of SUP properly.³⁷ The idea of the EPR scheme's opponents are analyzed in chapter four when discussing the role of lobbyist within the Directive creation. To counteract the mass buildup of waste in landfills across the world, the EU has devised a solution known as the Circular Economy Action Plan (CEAP). This plan can be considered to be the 'mother' of the SUP ban.

1.1 Circular Economy Action Plan

In an effort to move away from the previous industrial model of how a linear economy works, known as; 'take, make, use, dispose', the EU has made enormous efforts on the front of keeping its resources flowing throughout its economy.³⁸ The well-known standard of a linear economy is not only inefficient and costly, but it depletes natural resources without providing a way for materials to be properly recycled back into our societies. Enter the CEAP, where the focus is on 'reuse, share, repair, and recycle' to create a closed-loop system.³⁹ The new circular model would minimize the continuous use of resources and creation of waste, pollution, and carbon emissions. SUP legislation fits into the circular economy being that plastic waste pollution was a precursor to the 2008 Waste Framework Directive, which was the predecessor of the circular economy. Understood as beginning efforts, the EU moved away from a linear economy, and set the standard for waste recovery and recycling in their new circular economy. The origins of the circular economy stem from scholars Walter Stahel and Genevieve Reday who provided a vision of an 'economy in loops' as early as 1976 in a research report to the EC titled, 'The potential for substituting manpower for energy.' Stahel and Reday both provide through their research, that a circular economy would create jobs, boost economic competitiveness, provide resource savings, and prevent harmful waste.⁴⁰

³⁴ Stairs, K., (2018). "EU Agrees Unprecedented Cuts To Single-Use Plastics". [online] Greenpeace.

³⁵ Ibid.

³⁶ OECD. (2019). "Extended producer responsibility". [online]

³⁷ European Commission. (2014). "Development of guidance on Extended Producer Responsibility (EPR)". [online] Environment.

³⁸ Vickers, E. (2019). "In the circular economy, it's take, make, use, reuse". [online] Bloomberg.

³⁹ Geissdoerfer, M; Savaget, P; Bocken, N.; Hultink, E (2017). "The Circular Economy – A new sustainability paradigm?". *Journal of Cleaner Production*. 143: 757–768.

⁴⁰ Stahel, W., & Reday, G. (1976). "Report The Potential for Substituting Manpower for Energy".

Boosting the economy and creating jobs is still the rhetoric used today within the SUP ban from supporters across Europe, including the past and present Environmental Commissioners in the EC.

More recently, the reduction of marine litter was one of the main targets at the 7th annual Environmental Action Program, which was adopted by the EU in 2013, during the Barroso II Commission. Moreover, at a waste conference in Australia in May of 2019, Rozalina Petrova, the former European Commissioner for the Environment, stated that the circular economy is aimed at keeping resources and products in the 'loop' as long as possible.⁴¹ This leads scholars to believe that plastic waste has been on the EU agenda for quite some time, even as far back as the Barroso I Commission with their earlier discussions on waste policy. Petrova affirmed that there are four main areas to act on when it comes to the circular economy, production/design, consumption, waste management, and secondary raw materials. The Environmental Commissioner noted that the key to creating a thriving circular economy lies in the design phase of a product, where 90% of a product's life cycle is already determined. Although the first phase of the circular economy was proposed in December of 2014, the EC eventually decided to withdraw its legislative proposal on waste alone while at the same time committing to stronger horizontal working methods to present a new package by the end of 2015 which covered the full economic cycle.⁴² This is an interesting find as later this study will uncover that the SUP Directive itself was put on hold for stricter commitments to be adopted within the ban. This suggests that the working supranational bodies of the EU encourage stronger environmental legislation such as the CEAP. The new plan was adopted in 2015 and it included measures to help stimulate the transition towards a circular economy, boost Europe's global competitiveness, all while fostering sustainable growth that generates new jobs. Recycling and waste were top priorities in the plan presented in 2015. Fast forward to 2019 where plastics and waste management moved to the top priority within the 54 actions of the circular economy. Within these 54 actions the EC compiled five priority sectors as seen below.

1. Biomass and Biowaste Products
2. **Plastics**
3. Food Waste
4. Critical raw materials
5. Construction and demolition

Through Parliamentary debates, MEPs have on numerous occasions pointed out how over 70% of marine litter accumulates from SUP items, and 85% of pollution in the world's oceans are plastic.⁴³ This demonstrates that policymakers know how massive this SUP plastic problem truly is. More on the MEPs stance and their vote on the SUP Directive is assessed in chapter two. Without the CEAP and support from the EP it can be argued that the SUP ban would not have been created in the first place.

⁴¹ Waste Management Review. (2019). "European Commission's Rozalina Petrova to present Waste 2019 keynote address". [online]

⁴² European Commission. (2020). "Circular Economy Strategy". [online] Environment.

⁴³ Benson Wahlen, C. (2019). "European Parliament Passes Single-use Plastic Ban". [online] International Institute for Sustainable Development.

1.2 Single-Use Plastic Ban [Directive (EU) 2019/904]

Throughout the past 50 years the global consumption and production of plastics has increased more than twenty times over. From a waste perspective, the 15 million tons of plastic waste created in 1964 has grown to over 322 million tons as of 2015.⁴⁴ If nothing is dramatically changed in society's dependence on plastic consumption, scientists predict the amount of plastic waste produced will double over the next twenty years. Bans are a powerful avenue to change the system, as they alter the environment in which consumer behavior takes place. A ban would abolish the need for consumers to make conscious decisions, which are typically cheaper decisions with plastic products.⁴⁵ The EU was one of the first supranational governing bodies to take note and legislative action against SUP pollution. On October 24th, 2018 a historical Parliamentary vote of 571 - 53 favored a complete ban on the top ten SUP items in Europe.⁴⁶ The vote signaled to Europe that plastic pollution is clearly a bipartisan matter. By 2021 the Directive will impact the lives of every EU citizen and halt the build-up of waste on European beaches and seas. Together the SUP Directive banned items such as straws, cotton swabs, plates, cutlery, coffee stirrers, and plastic balloon holders. These items alone make up well over 70% of marine litter on European beaches.⁴⁷

The EC's green enthusiast, Frans Timmermans, first joined the Commission under Juncker's presidency in 2014, and was later appointed as the first ever Vice President of the EC. Moreover, Timmermans was placed in charge of the European Green Deal, a set of policies and initiatives such as [Directive (EU) 2019/904] with the overarching goal in making Europe climate neutral by 2050.⁴⁸ As part of the EU's long-term goals for 2050, climate neutrality was at the core of the discussions. Moreover, climate neutrality aims at having a society with net zero greenhouse gas emissions. The Commission stated that the Green Deal will impact all of Europe's sectors including industry, mobility, construction, agriculture and forestry.⁴⁹ This in no sense means that Europe will simply cut off all sources of its greenhouse gas emission, but it plans to arrive at a net zero emission by offsetting the greenhouse gasses it emits. For example, this can be done in the new phenomenon of carbon capture, or simply planting more trees to absorb the amount of carbon emitted. More importantly, as will be addressed in chapter three, cutting out SUP from Europe would have a positive effect on greenhouse gas emissions. This is due to plastic being largely made from petroleum products. The rhetoric from both the EC and EP are major indicators that the EU wants to be seen moving towards more environmentally friendly policies. By appointing Commissioners in charge of Climate Action and the Environment since 2009, it is no question why the SUP Directive passed. Especially as the rhetoric and sources from the EU suggest that it has been a long time coming for a plastic ban.

In May 2018, as part of the European Green Deal, the EC put forth their legislative proposal which attempted to address the issues of marine litter from plastics. In a briefing from the EP on the SUP ban, the EC estimated that plastic marine litter cost

⁴⁴ Ellen Macarthur Foundation. (2016). "The New Plastics Economy: Rethinking the future of plastics". [online].

⁴⁵ Pahl, S., Wyles, K.J. and Thompson, R.C., (2017). "Channeling passion for the ocean towards plastic pollution." *Nature human behaviour* 1, no. 10: 697-699.

⁴⁶ European Commission. (2019). "European Parliament votes for single-use". [online] European Union.

⁴⁷ European Commission. (2019). "European Strategy for plastics". [online] Environment.

⁴⁸ Simon, F., (2019). "EU Commission unveils 'European Green Deal': The key points". [online].

⁴⁹ European Commission. (2020). "2050 long-term strategy". [online] Climate Action - European Commission.

the European economy between 300 to 700 million euros per year. This estimate from the Commission stated that marine litter would mainly impact the tourism industry and recreation sector which amounts to 695 million euros, as well as 62 million euros in the fishing and agricultural industry.⁵⁰ This indicates that the price of cleaning up plastic is hefty, something policymakers would desire to avoid. Commissioner Franz Timmermans believed that the Directive was able to pass due to the global attention it gained. This included the average citizens growing knowledge of the health and environmental risk associated with plastic as well as its suffocating effects on our oceans. Yet, Timmermans still maintains that the EU needs more environmental regulations to ensure that Europe continues on this course. This suggests that it was not merely the 'global attention' from citizens that influenced the SUP ban to pass, but the enormous yearly bill the EU receives from its SUP waste that influenced the policy-making process. Moreover, although the Directive passed and gained momentum from citizens, it will be up to the individual member states to implement it into their national legislations by the deadline of July 3rd, 2021. This will result in member states guaranteeing that their manufacturers, producers, retailers, importers, and distributors, as well as anyone trying to sell SUP items on the European market will be forced to comply with the Directive. In doing so the top companies, more-so, top polluters, will have to pay out of their own pockets for cleanup, awareness, and waste management efforts of plastics.⁵¹ This will be included in the EPR scheme within the SUP Directive to make sure that 'polluters pay.' The next section examines where [Directive (EU) 2019/904] generated from and how its origins, development, and overall impact on European citizens have and will be affected.

A pivotal component in the circular economy as examined earlier was the European strategy to end plastic waste, which was first published by the Commission in January 2018.⁵² The committee within the EP responsible for the development of the SUP Directive was none other than the Environmental Committee (ENVI) headed by Frederique Ries of the Alliance for Liberals and Democrats of Europe (ALDE). In a press release, Reis stated that "This legislation [SUP Directive] will reduce the environmental damage bill by 22 billion euros, which is the estimated cost of plastic pollution in Europe until 2030."⁵³ Ries and the EC claim that member states will have to achieve a 90% collection rate for all plastic bottles by 2029 (as of 2020 that rate is under 30%).⁵⁴ This suggests that the EU is already planning for stronger plastic policies outside of the SUP ban. According to the communication briefing from the EC this new plastic initiative included;

"...a major initiative to fund innovative projects under the umbrella of the EU's Horizon 2020 research program, and targeted action in areas such as plastics, food waste, construction, critical raw materials, industrial and mining waste, consumption and public procurement."⁵⁵

⁵⁰ Halleux, V. (2019). "Single-use plastics and fishing gear Reducing marine litter". [online] Briefing EU Legislation in Progress.

⁵¹ Copello de Souza, L. (2019). "Unfolding the Single-Use Plastics Directive Policy briefing". [online] 7.

⁵² Keller and Heckman LLP. (2019). "Single-Use Plastics Directive is Published in the Official Journal of the EU". [online] The National Law Review.

⁵³ Chatain, B. (2019). "Parliament seals ban on throwaway plastics by 2021". [online] Press Release.

⁵⁴ European Commission. (2018). "A European Strategy for Plastics in a Circular Economy". [online] COM(2018) 28 final.

⁵⁵ European Commission. (2018). "Closing the loop - An EU action plan for the Circular Economy". [online] COM(2015) 614 final.

Overall, the initiative wasn't a stand-alone project, but part of Europe's strategy to create a more sustainable planet in the first ever EU wide scheme in the fight against plastics. The initiative was not simply created by the 27 European Commissioners, but through the opinions and values of its citizens and stakeholders. As part of the 'Commission's Better Regulation Agenda', the EC opened their policy up to, according to them, be ever more transparent and effective. Citizens can express their views and provide feedback during this process, as well as participate in public surveys which include the ability to provide feedback on proposed legislation.⁵⁶ One of the more principal contributions to the initial legislation process for the SUP Directive was the approval from EU's stakeholders. Since plastic is found in almost all sectors of Europe's business entities it was important for the Commission to consult their stakeholder's views on the soon to be proposed plastics strategy. Between December 2017 and February 2018, the EC received over 1800 contributions from public consultation.⁵⁷ The results were overwhelmingly in favor of the use of the EPR over the cost of cleaning up litter - which was an important revision in the SUP Directive. It found that 95% of the respondents considered the ban 'necessary and urgent'. Over 79% believed that unless measures were taken at the EU level the Directive would be deemed ineffective.⁵⁸ It will be interesting to witness and examine in future studies how the various member states decide to implement the SUP ban come Summer 2021. This will of course provide a better indicator for what type of legislation needs to be passed in future plastic legislation.

Another important aspect of the origins and development of this Directive can be traced to the impact assessment which is given to the EC and undertaken by the Regulatory Scrutiny Board. The board found in their final impact assessment that marine litter from plastic causes not only environmental harm, but also social and economic degradation. The assessment established that in relation to SUP, waste legislation will most certainly have its effects on increased recycling and less impact from littering.⁵⁹ Due to the fact that SUP is a heavily littered item, banning them will avoid this issue altogether. The assessment also found increased risk within market fragmentation in terms of how member states handle the issue of SUP. This suggests that economic impacts may very well be found at the center influencing policymakers to vote on the SUP ban. The proposal from the EU for handling this was found to ensure a minimum coherency of measures across member states. As stated in the same Commission strategy on SUP: "...This legislative proposal strikes the right balance between the availability of alternatives and the need for harmonization."⁶⁰ Finally, the EU is seen as a global leader in the fight against plastic pollution and in creating this piece of legislation it is believed it will 'trigger' other countries to act and take direct action against marine litter. As for the development of the SUP Directive, there was already a broad acceptance of it at the supranational level, only MEP's from the UK and Italy pushed back during democratic debates due to their own nations attempts at building biodegradable plastic items (which will be banned under the Directive). The swiftness of the SUP

⁵⁶ Ibid.

⁵⁷ European Commission. (2018). "Directive of the EP and the Council on the reduction of the impact of certain plastic products on the environment". [online] COM(2018) 340 final.

⁵⁸ Ibid., pg. 9

⁵⁹ European Commission. (2018). "A European Strategy for Plastics in a Circular Economy". [online] COM(2018) 28 final.

⁶⁰ Ibid., pg 11

Directive may also be seen as being caused by China putting a complete ban on the imports of foreign nations plastic waste forcing both the EU and USA in a frenzy. The EU lost its ability to export over 80% of their plastic waste to China as they had done for almost three decades. This is one of the most interesting discoveries on the influence of the SUP Directive as China's foreign policy appears to be leading in the influence of the SUP ban. Both factors, along with others, will be analyzed in more detail in Chapter three.

It is essential to address the potential impact the Directive has and will have up to its full implementation in July 2021, as well as on the future generations to come. The hope for the SUP Directive is that it marks the beginning of the transition to make plastic more sustainable and reusable within the circular economy. One of the most prominent areas where the SUP impact can be seen is in the waste management and prevention sector. In the 2005 Thematic Strategy on the Prevention and Recycling of Waste in the EU, the producer's cleanup responsibility was highlighted. Coming out of the Barroso Commission, waste management was of utmost importance. The EPR scheme would be used as a policy tool for increased recycling in regions where market factors did not otherwise have financial incentives for the collection and recycling of plastic.⁶¹ According to a 2019 report from the European Environmental Agency, the currently traded plastic waste in Europe could provide a potentially substantial amount of material resources for the manufacturing industry. Moreover, increased recycling would provide a new benefit for the economy, job growth, and environment. The SUP Directive will force the EU in the direction of reducing plastic waste of low value and high environmental impact, to enable economically sustainable plastic and waste management.⁶²

There is the other side of the coin however, plastic has contributed to major growth in society as well as employment. The European plastic industry brings in almost 400 billion euros annually, employs over 1.5 million people, and is made up of over 60,000 companies.⁶³ However, with the introduction of the SUP ban comes the aims to help the plastic sector transition into becoming more sustainable and circular. There is expected to be over 500 new sorting and recycling facilities added across Europe contributing to the job growth of at least 200,000 new positions.⁶⁴ This insinuates that the rhetoric from policymakers is believing that the economy is a large portion of the influence behind the SUP ban. Furthermore, in a Q&A session with the EC asking if the Commission would fund external action on the plastics strategy, the answer was overwhelmingly yes. However, without a proper avenue and voice for how this funding will come about for the new jobs created from the SUP ban, it is difficult to place this as a major influence on it. The EC noted that an extensive amount of research and innovation will need to go into the strategy for plastics. Although there are already many existing areas for EU funding, such as structural funds and the EU fund for strategic investment, more will be created. Horizon 2020, an innovative network reaching across Europe has already provided over 250 million euros to fund research and development in accordance with the strategy. They will also provide an additional 100 million euros

⁶¹ European Commission. (2014). "Development of guidance on Extended Producer Responsibility (EPR)". [online] Environment.

⁶² Briefing no. 7/2019 (2019). "The plastic waste trade in the circular economy". [online] European Environment Agency.

⁶³ Brivio, E., (2018). "Questions & Answers: A European Strategy For Plastics". [online] European Commission - Press Corner.

⁶⁴ Ibid.

devoted to financing priority actions, specifically including the development of smarter and more recyclable plastic materials, as well as the removal of hazardous substances which a plethora of plastics are well-known for having, such as BPA.⁶⁵ The funding can help provide more jobs and stronger innovation for the future of plastic in Europe. A circular economy for plastics will not only significantly lower Europe's greenhouse gas emissions, but also end Europe's dependency on imported fossil fuels to create the plastic.

1.3 Discussion

This chapter examined the background on how European plastic policy was created throughout the EU's supranational institutions. It was centered around the importance of understanding the SUP Directives development and potential impact. A major revelation was that SUP items alone make up over 70% of marine litter on European beaches. It also demonstrated that a vast majority of Europeans are in favor of a ban on SUPs. This suggests that policymakers may have opted for this legislation to gain approval from the majority of European citizens who are concerned about plastics environmental damage. This chapter also found that plastics is one of the top components of the circular economy. The circular economy itself is the principal guide to ensure plastics stay in society and are reusable. It steered away from the previous linear model of an economy which left waste to be disposed of after single use, to the creation of an economy in loops. The economy was found to be a vital discussion point when it comes to policymakers' willingness to adopt the SUP ban. Commissioners are becoming more keen on passing stronger environmental policies for the future of Europe. A key argument policymakers use is how moving towards a circular economy and banning SUP will only lead to new inventions and job growth for new industries to come. Outside of Horizon Europe's funding programs for sustainable innovation it can be argued that the EU needs to have a set of guidelines for how they plan to create jobs and grow their economy outside the SUP ban. This chapter also brought about the importance of the EPR scheme in terms of its foundations within the SUP ban. This EPR scheme will be revisited in chapter five. However, the scheme was examined to be a major point of interest for ENGOs and industry lobbyists to lobby the SUP ban on. Moreover, lobbyists within ENGOs believe there is not enough monitoring to have member states implement the Directive efficiently on their own. These complaints raised by the ENGOs can indicate that they are able to gain influence on the Directive if their concerns are legitimized by the EC. This will be a crucial point of chapter four in the analysis of if ENGO were able to influence the ban on SUP. The next chapter will analyze the influence on the SUP Directive from the previous two Commissions. It will end with an analysis of the EP debates on SUP, to uncover where MEPs believe the influence stems from.

⁶⁵ European Commission. (2018). "Questions & Answers: A European strategy for plastics". [online] Press Corner.

2. Supranational Push for the Directive

This chapter provides an analysis at the European level of the supranational influence the EU had on the SUP Directive. The first section includes an abstract of the previous Commissions' push towards banning SUP items in Europe. Next, an analysis of the two most recent Commissions with regard to environmental policy will be examined. This investigation will be centered around the ways the EC advocated for the environment, which eventually led to the outright ban on SUP items. Finally, a systematic evaluation of the EP debates on [Directive (EU) 2019/904] will be examined to address the overall reaction of the MEPs in favor of, and against the ban. This is done to assess the general acceptance of the Directive, and to decipher where and why backlash arose in the legislative process. The assessment of Parliamentary debates is informed by a 2019 study conducted by Linda Mederake and Doris Knoblauch. The analysis will help in understanding the factors behind the MEPs decisions in the plastic vote. This will be an indicator for the final two analytical chapters of this study that analyzes which actors had the strongest influence on the SUP Directive.

The top supranational bodies of the EU who ultimately had the final say in the policy-making process of the SUP Directive are the Commission and Parliament. There are seven EU institutions in all and the two chosen to be highlighted within this thesis are important in terms of balancing the legislative powers of the EU. The EC has executive responsibility in creating and drafting proposals. In turn, they must have overall approval of said proposals from the legislative branches known as the EP and Council. Both had jurisdiction in the way the law was written for the Directive, and the Parliament was even seen as imposing stricter regulations within the SUP Directive before it was passed.⁶⁶ One of the former Environmental Commissioners, Karmenu Vella, highlighted how important this legislation was by stating that "...it is one of the most called for and also one of the most supported EU initiatives among European Citizens." He went on to state how their main task was to ensure ambitious actions were taken to implement the ban on SUP quickly.⁶⁷ Vella was Commissioner during the Juncker Commission until 2019. It is clear from his rhetoric that the SUP Directive was an important piece of legislation, as well as, highly agreed on by EU citizens, making it a policy triumphant. The next section will explore the Barroso Commission, followed by an in-depth examination of the Juncker Commission and their push towards banning SUP.

2.1 Barroso Commission (2004-14) and SUP

José Manuel Barroso served as the 4th and 5th EC president. He entered office during a time of massive legislative consolidation, and as a result, more transparent and coherent environmental policies were soon to follow. As Commission president, Barroso presided over 27 commissioners from the various member states after the 2007 EU enlargement. This section will cover a brief time at the beginning of Barroso's first presidency as well as his second term to analyze the impact his Commission had on environmental legislation. Numerous scholars believe that because of the financial crisis

⁶⁶ Chatain, B. (2019). "Parliament seals ban on throwaway plastics by 2021". [online] Press Release.

⁶⁷ European Parliament (2018). "Reduction of the impact of certain plastic products on the environment". Debate.

towards the end of Barroso's first term, environmental legislation was unable to pass.⁶⁸ This thesis argues the contrary, Barroso's Commission was able to use the financial crisis to create more 'green jobs' and subsequently start the movement which eventually led to the overall ban on SUP. There is no question that Europe had been advocating for less plastic use and waste since before Barroso's first presidency term. Plastic wasn't at the forefront of Parliamentary debates and Commission meetings over a decade ago, yet waste management and a strategy for plastic waste in the environment was already on the Commissions table since the early 2000s. Merely half a year before Barroso came into office a plastic regulation was enacted by the EP and EC: [Regulation (EC) 850/2004]. This tackled the persistent organic pollutants in plastics. The Regulation itself stated that the European Community is 'gravely concerned' of the chemical substance pollutants that plastic has on the environment and human health.⁶⁹ In hindsight persistent organic pollutants in plastics would later be considered the least of the EU's plastic concerns after Europe quickly had to find a way to get rid of their plastic waste at the start of 2018 after China banned its importation. The 2004 plastic Regulation also aimed at identifying the importance of waste separation for Europeans to better understand and carry out recycling at home. This regulation, which reversed a previous directive from the 1970's, is arguably the first step towards the larger fight against plastic pollution in Europe.

However, better recycling at home would not make a significant impact without proper waste management schemes. This suggests that the banning of SUP waste, while keeping other plastics circulating in the economy may have been influenced from this previous Regulation. A shift can be witnessed soon after the Regulation was passed, when both the EC and EP were recognized as working together to act against harmful pollution in marine wildlife. This shift was viewed as being comparable to the decisions the Commission expressed were made for the SUP ban, especially when it comes to marine plastic pollution. There is a unified belief that SUP pollution can't continue, and if bans are in place it will only increase economic gains for European communities.⁷⁰ The Barroso Commission later went on to create a Directive, which consolidated the previous ones on waste management. This provided a stronger framework on how waste should be properly disposed of. It can also be conceived as the foundations of the circular economy where Barroso made it clear that by 2020 the EU would be fully prepared for reusing and recycling waste materials such as; paper, plastic, glass, and metal from European households.⁷¹

The Barroso II Commission can be examined as being weighed down by other pressing matters and therefore lacking a coherent focus on its energy and environmental protection. This in turn meant that environmental policies would be slowed down due to the economic crisis, yet that was not necessarily observed. When examining the State of the Union Address from Barroso to his own Commission in 2009, a sense of achievement and Environmentalism is found at its core. The end of the 2000's was seen as being largely defined by the financial crisis. During Barroso's time in office he opted for better regulation across all policies in the EU by simplifying the 'rulebook' and consolidating

⁶⁸ Burns, C., Eckersley, P. and Tobin, P., (2020). "EU environmental policy in times of crisis". *Journal of European Public Policy*, 27(1), pp.2.

⁶⁹ Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC

⁷⁰ Potočník, J., (2012). "Any Future for the Plastic Industry in Europe?". [online] European Commission.

⁷¹ Ibid.

legislation. The EC did this by proposing to remove almost 10% of legislation from its statute book.⁷² As witnessed in the section above, various pieces of legislation were consolidated. Many scholars have gone on to study the effects of environmental policy dismantling against the backdrop of the economic crisis of 2009 and found that although widely believed that environmental policy would take the backseat during the financial crisis, quite the opposite was found true. In the years following the financial crisis, stricter environmental policy changes came as a result, as well as action against member states who weren't complying to said policies.⁷³ This draws a resemblance to the other topic discussed that was at the heart of the Commissions framing for the SUP Directive: the economy. Environmental Commissioners and Commission presidents have on numerous occasions made the claim that the SUP ban will boost the economy by providing new jobs. If this argument holds up in terms of having a stronger influence than the external and non-governmental actors on the SUP ban will be determined in chapters three and four.

In 2005 the Thematic Strategy on Prevention and Recycling Waste was able to highlight the EPR scheme that would soon become the enemy of the plastics industry. The EPR scheme was a paramount policy tool used in Barroso's Commission to provide an incentive for the collection and increase of recycling. This policy tool was portrayed as a way for Europe, a less resource rich country, to use its resources efficiently.⁷⁴ The EPR scheme can be viewed as a catalyst in getting plastic producers to make materials that can be better recycled. In the years following Barroso's Commission EPR would become a 'buzzword' in the environmental community and later a hot topic of lobbying discussion within the SUP Directive. The EPR scheme would soon be fully developed after the succession of Jean-Claude Juncker's Commission.

2.2 Juncker Commission (2014-19) and SUP

Jean-Claude Juncker, the 6th president of the European Commission truly brought environmental and plastic policy to the forefront of Europe's agenda. Although when campaigning in the first ever Spitzenkandidaten election for president of the Commission, Juncker had stated his mission would be focused around securing a digital single market, energy union, and a monetary union. Notwithstanding, he ended up passing some of the most prestigious environmental legislations that Europe had seen.⁷⁵ When starting his tenure in office in 2014, Juncker's Commission was still inherently feeling the loss of jobs and financial uncertainty. This section argues that although Juncker was faced with these daunting hurdles, his Commission was able to create powerful cohesive policy around plastics & waste management, unforeseen to the rest of the world.

A new means of addressing environmental issues that was passed down by the Barroso Commission, was the responsibility the Commission has when tackling said issues. Currently, the task is spread out over two additional Commissioners with a vice-president in charge of the Energy Union as well as a first vice-president responsible for

⁷² Barroso, J. (2009). "European Parliament Plenary". [online] SPEECH/09/391.

⁷³ Knill, C., Steinebach, Y., & Fernández-i-Marín, X. (2018). "Hypocrisy as a crisis response? Assessing changes in talk, decisions, and actions of the European Commission in EU environmental policy". *Public administration*.

⁷⁴ European Commission. (2014). "Development of guidance on Extended Producer Responsibility (EPR)". [online] Environment.

⁷⁵ Juncker, J. (2014). "My priorities". [online] EPP.

overseeing sustainability issues as well as environmental policy.⁷⁶ It can therefore be theorized that due to this enhancement of leadership in the environmental arena in the EC, the circular economy and therefore, SUP ban were able to succeed. Moreover, it is vital to understand that these environmental vice-president positions were largely lobbied for by ENGOs. This indicates that the supranational influence might not be as powerful and the Commission itself portrays. It can stem from external influences who wish to achieve their own goals through EU policy. Nevertheless, Juncker's Commission Built itself on the framework from Barroso's Commission. This includes the circular economy, and within that, the European strategy for plastics can be found, which tackles the waste and leakage of plastic into the environment. This action plan portrays how the Commission planned to use the circular economy to achieve less plastic waste in the environment.⁷⁷ Legislation surrounding waste management was already present in Juncker's Commission and thus a way to enforce the Directive within member states was considered crucial. An environmental implementation review was therefore created in 2016 by Commissioners to help member states implement Directives such as the SUP ban. Juncker walked a fine line within his Commission as he proceeded to make the EC stronger and more supranational than his predecessor. The issues deemed necessary for the environmental implementation review were due to the ineffective coordination of administrative levels, lack of knowledge and insufficient capacity for change.⁷⁸ This change can be assessed as a step towards the greater implementation of the SUP Directive in the following years.

Within the time that numerous reports and legislation were being created in the late 2010's, the idea of banning SUP was proposed in May of 2018.⁷⁹ According to a press release created during Juncker's Commission the immense need for plastic legislation was crucial to take Europe further in its economic and political development. The press release, which included a Q&A section, asked why Europe needs a strategy for plastics? The reply was simple: '...plastics are everywhere, yet only 5% of their value is retained in the economy, the rest is lost after a short first-use of the item'.⁸⁰ This statement and view from Juncker reinforces the idea that the economy goes hand in hand with SUP legislation in the policymakers ideology. On top of this, the price for annual clean up and cost associated with plastic pollution is between 70 to 105 billion euros, which was simply unaffordable to the EU.⁸¹ It is obvious why Juncker's Commission moved quickly on the SUP legislation, yet they still had massive oversight from the EP which debated the issue and ultimately agreed on the ban with few stipulations. The section below discusses the coded EP debates on the SUP Directive. The next section is pivotal in understanding why MEPs voted for or against the Directive. This ultimately provides insight into the analysis for chapters three and four on which actors influenced the SUP ban.

⁷⁶ Delreux, T., & Happaerts, S. (2016). "Environmental policy and politics in the European Union". Macmillan International Higher Education. pg. 35

⁷⁷ European Commission. (2018). "Directive of the EP and the Council on the reduction of the impact of certain plastic products on the environment". [online] COM (2018) 340 final.

⁷⁸ European Commission. (2017). "Environmental Implementation Review". [online] Press Release.

⁷⁹ European Commission (2018). "SUP: New EU rules to reduce marine litter". [online] Press Release.

⁸⁰ Brivio, E., (2018). "Questions & Answers: A European Strategy For Plastics". [online] European Commission - Press Corner.

⁸¹ Ibid.

2.3 Parliamentary Debates on SUP

The EP, together with the Council of the EU, is tasked with the legislative duties on the supranational level. On March 27th, 2019, MEPs voted to adopt [Directive (EU) 2019/904] in banning the most common SUP items from sale in Europe (571 MEP in favor, 53 opposed, 34 abstain).⁸² In order to understand the core of this decision the question of why the MEPs voted for or against the Directive will be analyzed to decipher the root causation in the push SUP legislation. A recent study published in the fall of 2019 on the preliminary debates on both the European plastics strategy and the SUP Directive were coded using qualitative content analysis.⁸³ Scholars utilized the text statements by each MEP to uncover whether SUP in Europe was banned due to environmental or health reasons. In total, 463 text units were coded. This included 244 units for the two debates on the European Plastic Strategy, and 219 units for the two debates on the SUP Directive. The scholars characterized all the debates as a wide consensus from Parliamentarians that strict regulation is on SUP needed.⁸⁴ This can be an indicator that sweeping plastic legislation was influenced objectively by its sheer likeability by both citizens and policymakers. When viewing the final debate on the SUP Directive, many of the MEPs used language that indicated this Directive was a positive first step, yet stronger legislation will need to follow. The Parliament wanted to add stricter stipulations, such as setting concrete binding targets, banning plastic bags outright, as well as, enforcing more vigorous Regulations within the plastic industry. The Regulation could include banning the use of multi-layered packaging and setting minimum standards for recycled content within the 'producers pay' principle. This feedback from the Parliament, signaled that the Directive had an overwhelmingly positive acceptance and Europeans can soon expect stronger SUP restrictions in the future. However, not every MEP was collectively enthusiastic with the SUP Directive as seen below.

The coding done in the study also explored the differences between political party affiliation when it comes to plastic pollution ideology. It found that populist and far-right parties such as EFDD & ENF included over 50 percent of the coded units *against* regulation of plastic waste. The counter arguments were almost exclusively from British and Italian MEP representatives. This backlash was rooted in national economic interest over European environmental protection values. MEPs from the UK were especially vocal in believing that "...The EU is fraudulently harassing British innovation in degradable plastics."⁸⁵ The UK values its industrial sector which is attempting to make oxo-degradable plastics that will be outlawed under the SUP Directive. Other arguments from MEPs include job loss, exclusion of manufacturer's needs, as well as the Directive being viewed as too urgent and passing without more research being collected first. On the other hand, environmental concerns were the core of the majority of MEPs who approved of the SUP ban. This included political parties such as ALDE, S&D, and the eco-friendly party of The Greens (who now hold 50 seats in parliament). All of these parties were strongly for Regulation now, and at the EU level. The scholars' hypothesis was not

⁸² Chatain, B. (2019). "Parliament seals ban on throwaway plastics by 2021". [online] Press Release

⁸³ Mederake, L. and Knoblauch, D., (2019). "Shaping EU Plastic Policies: The Role of Public Health vs. Environmental Arguments." *International Journal of Environmental Research and Public Health* 16, no. 20: 3928.

⁸⁴ Ibid. pg. 5

⁸⁵ Agnew, J.S., (2018). "Reduction of the impact of certain plastic products on the environment". European Parliament Debate March 27th

confirmed due to the fact that environmental concerns were raised over 107 times in the debates, while health concerns over plastic were only raised 47 times. This indicates that in order to pass plastic legislation political parties have to understand the effects of climate change. Otherwise, climate change may be at risk of being thought of as 'fake news'. This could be hypothesized as to why the US has yet to pass a SUP ban, regardless of the fact that they too were massively burdened by China's sudden halt of importing foreign plastic waste.

Finally, not hypothesized by the scholars, economic reasoning behind the introduction of plastic legislation was named over 65 times by MEPs. The rise in economic reasoning is understandable, as the EC determined that green jobs would have higher employment needs than that of non-renewable sources. This gives reason to the investigation that Barroso was able to pass stricter environmental legislation amid the financial crisis by framing it under the increasement of jobs. Scientists, experts, and EU decision makers constantly bring the argument that the EU could likely become independent from the world market, and create a plethora of business opportunities for entrepreneurs and waste management facilities alike when passing legislation such as the SUP ban.⁸⁶ Finally, bringing in the core of the supranational powers over SUP, it was widely stated at the debate that MEPs do not believe plastic pollution can be handled by the member states alone. Many believe plastics must be tackled at the European level to insight pressure on producers. This is also the belief of many NGOs in the fight against plastic, and the policymakers who believe more should be done.

2.4 Discussion

When analyzing the Commission presidencies of both Barroso and Juncker it is apparent that both were able to propel through legislation relating to plastic waste. Simultaneously they were dealing with different crises that defined their terms. This is surprising because it is typically thought of that in times of economic downturn environmental legislation is pushed to the background. For Barroso, it was the economic crash at the end of the 2000's. Juncker, on the other hand, was faced with the resonance of the financial crisis as well as mass refugee immigration that seemed to have turned Europe upside down at the time. Both Commission presidencies had pressures influencing them since 2004. These economic pressures were able to be framed as an advantage in both presidencies by providing more work if environmental legislation is passed. The two Commissions framing of waste management and plastic pollution led to a belief that if policies were to counteract this, it would lead to a stronger economy. Economics and job security are at the center of both Commissions response and influence towards the SUP ban. Moreover, without approval from the Parliament the ban would never have passed in the first place. This chapter examined that during the EP debates on the SUP Directive, environmental and economic reasoning were at the top of the list on reasons why MEPs voted in favor of the ban. This leads to the understanding that the SUP ban could not have been primarily influenced by citizens attitudes towards plastic waste as other reasonings took the lead. The next chapter will dive deeper into the level of influence that external actors had on passing the Directive.

⁸⁶ Mederake, L. and Knoblauch, D., (2019). "Shaping EU Plastic Policies: The Role of Public Health vs. Environmental Arguments." *International Journal of Environmental Research and Public Health* 16, no. 20: 3928.

3. Influence Beyond Brussels

This chapter analyzes the external factors theorized to have had a profound influence on the creation of the SUP Directive. It maintains that it is not only the supranational policy-making institutions that conceived of the Directive, but outside elements that pushed the Directive to be created in the first place. It is argued that there are three main external factors which can be analyzed to have pushed the EU into creating the SUP Ban. This chapter will analyze the threat of China banning the importation of other nation's SUP waste as an influence towards the EU's own ban. Next, the examination of 'green' member states and how they contributed to the SUP Directives creation from their own state policies will be assessed. Due to time constraints, Germany will be examined, as it is already thought of by the Council to be fundamental in developing European Green policies.⁸⁷ Moreover, Germany had strong waste management laws in place long before plastic waste was up for discussion in the EC. In connection with the argument that member states had influence on the Directive, Germany was the perfect example of state influence on the SUP ban. Finally, the presumption that the EU is moving away from oil and gas dependency is examined as an additional external influence on the SUP ban. A major component of plastic is petroleum, and therefore it can be plausibly argued that the SUP plan could aid Europe in moving away from its dependency on it.

State actors outside the EU have had a measurable impact on the EU's response to plastic pollution. There is no doubt that governments have struggled for decades to reduce their plastic waste footprint. In 1973 more than 130 countries signed the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). It was an attempt to eliminate plastic waste that was disposed of at sea. Similarly, the SUP Directive also aims at tackling plastic waste that finds itself in our oceans. Moreover, research has found that marine plastic litter has worsened since MARPOL was signed. The explanation was found to be from incorrect disposal of waste on land, as well as the production of more plastic since MARPOL was signed.⁸⁸ The waste disposal on land is the most prominent reasoning as to why plastic waste ends up in the ocean. It is clear that coherent legislation needs to be adopted at the highest levels of government to have a profound impact on plastic waste pollution, as the SUP Directive can attest. For those who study energy, especially in the EU, the Basel Convention will often come to mind when analyzing waste management at the international level.⁸⁹ Under the umbrella of the United Nations (UN) environmental program, the Basel Convention treaty, which was formed in the 1980s, has been given a new life in 2020 in exploring the control of transboundary movements of plastics within the worldwide trade of plastic waste. Over 187 nations including all EU member states take part in the convention which currently aims at fighting the war on plastic waste from ending up on the doorsteps of less developed countries (LDCs) such as Malaysia and Indonesia. As witnessed in figure 1 below, one can attest to how China and Southeast Asian countries are portrayed as responsible for the creation of mass amounts of the world's plastic waste. Yet, the key

⁸⁷ Delreux, T., & Happaerts, S., (2016). "Environmental policy and politics in the European Union." Macmillan International Higher Education. 81.

⁸⁸ Rochman, C.M., Tahir, A., Williams, S.L., Baxa, D.V., Lam, R., Miller, J.T., Teh, F.C., Werorilangi, S. and Teh, S.J., (2015). "Anthropogenic debris in seafood: Plastic debris and fibers from textiles in fish and bivalves sold for human consumption." *Scientific reports* 5: 14340.

⁸⁹ The Basel Convention, signed in 1989, is an international treaty designed to reduce the movement of hazardous waste, especially in less developed countries.

information missing from this figure is how these countries obtain the plastic waste. Over 87% of plastic waste in the EU and 78% in the US was previously being sold and shipped to China, and therefore not properly represented in the graph below.⁹⁰ In a 2015 study, scholars were tasked with providing a visual for where plastic waste was ending up and ultimately mismanaged. In the figure below one can see that China has a multitude of issues in handling the plastic waste they receive. Researchers estimated that the annual input of plastic waste into the ocean is almost entirely from coastal populations, especially those with inadequate waste disposal systems.⁹¹ The plastic waste can make its way into the ocean through inland waterways as well as by wind and tides. Although plastic waste is mishandled in Asia, it leaves out the important factor that these countries take on the burden of westerners' waste. More on this will be analyzed in the next section when discussing the main point of China's ban on the importation of SUP waste as a pivotal factor behind the EU's SUP ban.

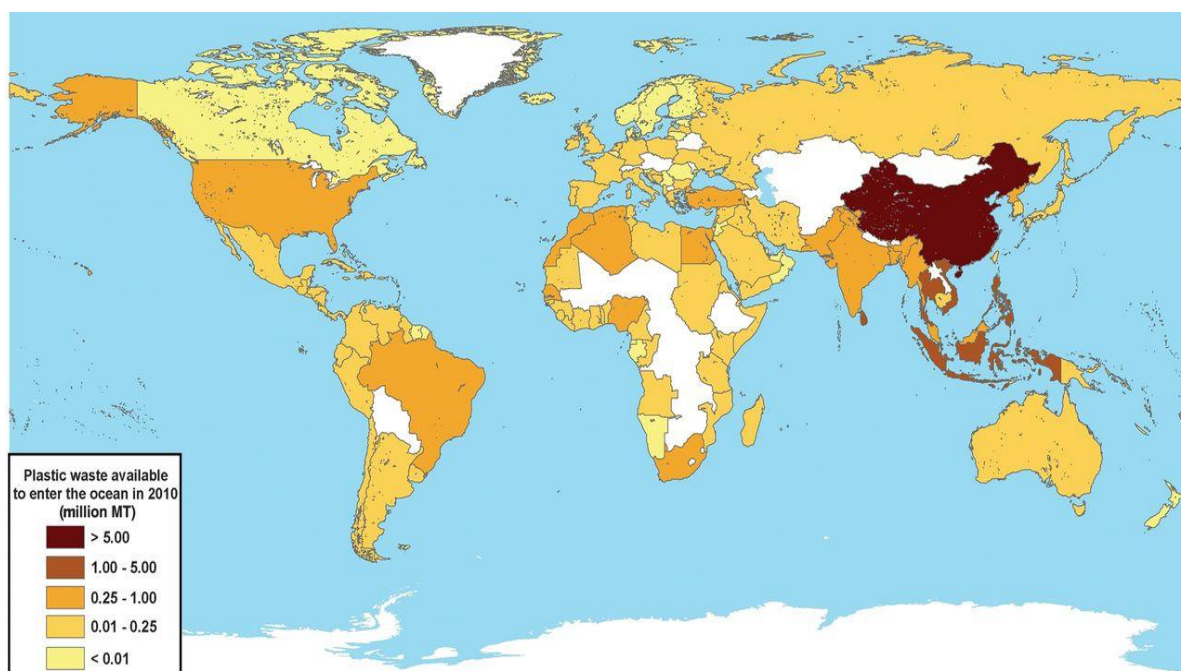


Figure 1: Estimated mass of mismanaged plastic waste generated in 2010 [millions of metric tons (MT)]⁹²

Note: Generated by 192 countries living within 50 km of the coast. Map does not include landlocked countries (in white).

When assessing the figure, it can be understood that aside from China, LDCs carry the weight of mismanaging plastic. Unfortunately, due to weak governmental regulation and inadequate recycling infrastructures in these LDCs plastic more often than not ends up in the ocean.⁹³ In an effort to tackle this global governance fail head on, countries who are

⁹⁰ Wheeler, P., (2019). "Waste Management, Casella Announce Halt To Plastic Waste Exports To Countries With Poor Waste Management". [online] Greenpeace USA.

⁹¹ Jambeck, J.R., Geyer, R., Wilcox, C., Siegler, T.R., Perryman, M., Andrady, A., Narayan, R. and Law, K.L., (2015). "Plastic waste inputs from land into the ocean." *Science* 347, no. 6223 (2015): 768

⁹² Brooks, A.L., Wang, S. and Jambeck, J.R., (2018). "The Chinese import ban and its impact on global plastic waste trade". *Science advances*, 4(6).

⁹³ *Ibid.*, 770.

part of the Basel Convention convened together in May of 2019 to explore options of what is to be done of this global plastic waste mismanagement issue. Together world governments created the 'partnership on plastic waste' a working group set to go into action around the same time the SUP Directive is legally binding in summer 2021. The goal is to improve the environmental qualities at all levels of government (local, regional, national, and international) and to significantly reduce plastic pollution with a hopeful end goal of eliminating it completely in future years.⁹⁴ Since over 40% of marine litter stems from SUPs, many nations could soon follow in Europe's footsteps and learn to ban their own SUP items under the Basel Convention. Yet, with the sudden halt for nations to dispose of their plastic waste to China in 2018 the EU was faced with an important decision on what to do with their plastic waste.

3.1 Foreign Policy from China

As examined in the figure from the previous section one can recognize how China was once held accountable for the mass mismanagement of plastic waste. Yet, it is important to note that China was not responsible for creating the majority of the world's plastic waste.⁹⁵ This section will analyze the Chinese plastic bans as an argument which forced the EU to create its own ban on SUP. China's policy on plastic was analyzed as an actor in the EU's SUP ban as numerous news articles have matched their policy to be the tipping point for Europe to create a plastic ban.⁹⁶ As of 2018 the EU no longer had a place to dispose of the majority of their plastic waste. It is therefore argued that foreign state policy from China had an enormous impact on the creation of Europe's SUP ban.

Perceived as a first-time effort to curb pollution in China, the Chinese government implemented stricter policies in 2010 to attempt to import less contaminated plastic waste.⁹⁷ By 2013 China introduced temporary restrictions on waste imports as they wanted to start requiring countries to send less contaminated plastic. Many experts view this policy known as 'Green Fence', a chess move for China to show the world how much they depended on them as their primary plastic waste importer.⁹⁸ What was the overall goal for China in this? To increase their plastic quality while simultaneously reducing the wide shadow economy of illegal trading and smuggling of foreign plastic into China. The 'Green Fence' policy would later evolve in 2017 when the Chinese government banned the importation of 24 types of waste including plastics, papers, and discarded textiles.⁹⁹ What impact would this have on the rest of the world? Before the Chinese ban on plastic waste, only 9% of plastics were even being recycled and a mere 12% were being burned (which in its own way has significantly negative health effects). China was previously viewed as the juggernaut in processing all types of plastic bottles and packaging from western countries regardless of the amount of contamination it held. This made it easier for westerners to simply not have to think about or deal with the implications of using a simple straw, bottle, or one-time container only to throw it away never to be seen again.

⁹⁴ Basel Convention. (2020). "Household waste partnership". [online] UN Environmental Program.

⁹⁵ China had previously handled over half of the world's recyclable waste for the past 25 years.

⁹⁶ Tamma, P., (2018). "China's trash ban forces Europe to confront its waste problem". [online]

⁹⁷ Contaminated waste meaning the plastic has more than 0.01% contamination from another product I.E. food scraps

⁹⁸ Brooks, A.L., Wang, S. and Jambeck, J.R., (2018). "The Chinese import ban and its impact on global plastic waste trade". *Science advances*, 4(6).

⁹⁹ Chinese Ministry of Environmental Protection. (2017). "Announcement of releasing the Catalogues of Imported Wastes Management," (Announcement no. 39) [online]

This 'out of sight, out of mind' world that western nations have been used to living in will soon see a rapid change. Prior to 2017, over 87% of the EU's plastic waste was sold and shipped to Chinese processors.¹⁰⁰ Once in China, the waste would be repurposed by Chinese plastic manufacturers. This indicates that without a place to properly dispose of their plastic waste, the EU would soon see a massive recycling problem.

Since China started importing foreign plastic waste in 1992 the deal seemed monumental, China was rapidly developing and in need of raw materials no matter the pollution cost. It was a win-win situation for all parties involved for almost three decades. Western nations benefited from the favorable rates of mass cargo vessels arriving from China on their shores already packed with consumer goods. Instead of sending the vessels back to China empty, nations were able to fill the containers with their own plastic waste, all while being able to profit from the transaction. Back in China, there was a low labor cost and a high demand that made importing plastic profitable.¹⁰¹ The importation of plastic waste was utilized as a bonus for China because they used the waste to create more consumer goods to be shipped out again. This vicious circle all came crashing down when China enacted its 'National Sword' policy in January 2018. This was a move deemed an effort from the Chinese authorities to stop the plastic materials imported from abroad from contaminating Chinese processing facilities and creating yet another environmental problem in China.¹⁰² It is also no coincidence that the EC started starting drafting the SUP Directive shortly after China announced its National Sword policy. The EU understood that their almost three-decade long deal with China was soon coming to an end. China has since refused to be the world's dumping ground, and the impact of this ban on the SUP Directive in Europe can be analyzed below.

Scientists have estimated that over 110 million metric tons of plastic waste will be displaced by 2030 following China's National Sword policy. One American science journal claimed that historically over 89% of the plastic exports to China was deemed to be SUPs ranging from food packaging to bottles.¹⁰³ This indicates that the SUP ban will have a monumental impact in lessening the amount of plastic waste in Europe. The EU was not the only geographical region affected by this ban. From the US to Australia, governments on all levels are struggling to deal with what to do with their own plastic waste. After the enactment of China's National Sword policy, European warehouses were full of SUP waste and in turn, over 70 million tons of said waste was burned across Europe in 2017.¹⁰⁴ As a direct result of China's policies, the sorting centers for plastic waste were clogged in Europe. This forced Europe to give the previously shipped away waste to recycling plants across Europe which were now full to the brink.¹⁰⁵ This can be argued as a major factor in forcing the EU to create its SUP ban as only months after China's ban the EU started discussions on their own. With sorting centers overflowing in

¹⁰⁰ Wheeler, P., (2019). "Waste Management, Casella Announce Halt To Plastic Waste Exports To Countries With Poor Waste Management". [online] Greenpeace USA.

¹⁰¹ Katz, C., (2019). "Piling Up: How China's Ban On Importing Waste Has Stalled Global Recycling". [online] Yale Environment 360.

¹⁰² Ibid.

¹⁰³ Brooks, A.L., Wang, S. and Jambeck, J.R., (2018). "The Chinese import ban and its impact on global plastic waste trade". *Science advances*, 4(6).

¹⁰⁴ Recupero, R., (2019). "Burning Waste Turns The Climate On Fire! - Zero Waste Europe". [online] Zero Waste Europe.

¹⁰⁵ Tamma, P., (2018). "China's trash ban forces Europe to confront its waste problem". [online] Politico.

Europe, positivity still shines through. Experts believe this ban will force nations from a throwaway culture to turn inward and find solutions to the plastic problem.

The research found in this section can be a major indicator that external factors such as China's plastic import ban, were in fact largely responsible for the EU's decision to ban SUP. The EU understands that its SUP accounts for most of its plastic waste. It is therefore argued that policymakers saw an opportunity after the Chinese ban (where most of its plastics were being exported to) to put forth fundamental legislation against its own SUP pollution. Chapter two analyzed the EP debates on the SUP Directive as a whole. There have been various nuances between China's new policy and why MEPs voted on the SUP Directive. One MEP from Sweden, Linnea Engstrom (Greens) blatantly stated in a friendly debate with a representative from the European plastics industry that the reason for the SUP Ban was due to China's National Sword policy.¹⁰⁶ Moreover, MEP Françoise Grossetête (EPP) added: "China's decision to ban imports of European plastic waste offers us an opportunity to create the conditions for a genuine internal market for recycled materials."¹⁰⁷ The EC previously had its own vice president Jyrki Tapani Katainen, who was in charge of jobs, growth, investment and competitiveness, state in an interview that he 'thanked China' for spurring a change of action in Europe around plastics.¹⁰⁸ Clearly putting meaning behind the reason why the EC decided to create the SUP legislation in the first place. These statements suggest that the EU was ready to move towards a more sustainable solution, they just needed a push from China and their National Sword policy.

Moving forward, it will be of utmost importance to make the trade of plastic waste more transparent. This includes not allowing the burden of waste to fall on LDCs, which will inevitably move from China to smaller Southeast Asian countries spreading the mismanagement of SUP out even further. Whether or not the National Sword policy will lead to an increase of plastic pollution in the environment is still to be determined.¹⁰⁹ What is understood is that the policy itself forced other nations to turn inward and assess their own plastic pollution and waste problems. For the EU, this meant placing an outright ban on SUP products. Currently, much of the SUP waste is now targeted at being imported to LDCs, while China had previously been the source of more than a quarter of the world's mismanaged plastic. Researchers believe this will create an opportunity for different alternatives outside of plastic, to lead the future in decreasing plastic pollution. This would be an interesting topic to study in the next few years. Yet, because of the recentness of the legislation we are currently unable to determine the true impact of National Sword. The next section will examine another avenue for external influences on the SUP ban which stems from one member state in particular.

3.2 Plastic Management in Germany

Germany is a valuable member state to examine when it comes to influences on the SUP ban. It has been known in the past to personally lean towards environmental policies on its own. Before the plastic trade relationship began between western countries and China in the early 1990s, Germany was viewed as a country ahead of the

¹⁰⁶ Engström, L., (2018). "European Parliament Plenary Debate". [online] Environment.

¹⁰⁷ Recupero, R., (2019). "Burning Waste Turns The Climate On Fire! - Zero Waste Europe". [online]

¹⁰⁸ Tamma, P. and Hervey, G., (2019). "Brussels Goes To War Against Plastic Garbage". [online] Politico.

¹⁰⁹ Woodring, D., and Hyde, T. (2019). "Prepare for Round Three of the Plastic Waste Trade War." *Plastics Engineering* 75 (6): 32-35.

curve in its waste management. In June 1991, Germany put a Packaging Ordinance into effect becoming the first country to introduce binding requirements for the recycling and recovery of packaging and waste.¹¹⁰ Germany was ahead of its neighbors in having one foot into the world of a green future with sustainability, especially in plastic waste. This packaging ordinance was also the first time a country's legislature voted for a preliminary EPR scheme making the producers of waste products responsible for its cleanup on a country wide scale. The packaging ordinance provided an incentive for manufacturers to produce more environmentally friendly products or suffer the cost associated with cleanup. In doing so, retailers and producers alike were required to take back a specific quota of waste within a percentage of the packaging and recyclable materials. After implementation, the quotas increased yearly, meaning more waste products were being recycled. German citizens were already well aware of how to separate their waste items for recycling and composting. The new system would include quotas on glass, paper, tin, aluminum, plastic, and composite for materials to re-enter the marketplace. After the ordinance, researchers found that citizens had returned more packaging to retailers than initially expected.¹¹¹

The public response to the ordinance was enthusiastic, and year after year German citizens continued to exceed quotas on returning waste packaging while simultaneously waste consumption was also reduced.¹¹² This supports the overall theory of this chapter that it is in fact strict government measures that need to be set for change to happen in waste management. Germany is also argued to be the precursor for environmental and plastic waste management legislation in the EU. Their early policies can be viewed as a guide for what the EU would later introduce. The Organization for Economic Cooperation and Development (OECD) studied Germany's packaging ordinance and found that compared to 1992, Germany's waste packaging was reduced by 500,000 tons. This continued to reduce by 1 million tons the following year due to manufacturers ousting unnecessary packaging and switching to refillable packaging when viable.¹¹³ What did this ordinance mean to the plastic industry and the future legislation on SUP? According to statewide surveys, the ordinance itself was the single most influential motive for manufacturers to redesign packaging and become more environmentally friendly, such as switching from plastic to paper milk cartons. However, the plastics recycling industry in Germany had not grown to match the needs for more waste intake. In 1989, Germany's plastic recycling infrastructure had the capacity for roughly 10,000 tons of plastic- much less capacity than the 580,000 tons required to be recycled by the quotas imposed in 1996.¹¹⁴ Unfortunately, many other European nations also found that recycling plastic is an expensive industry and in no way cost effective at the time. Therefore, Germany made the decision to only recycle plastic bottles and send the rest of the packaging waste to their garbage systems. This decision led to public outcry and demonstrated the issues surrounding plastic recycling and weaknesses stemming from the Packaging Ordinance.

¹¹⁰ OECD. (1998) "Environment Directorate." [online].

¹¹¹ Nakajima, N. and Vanderburg, W.H., (2006). "A description and analysis of the German packaging take-back system". *Bulletin of Science, Technology & Society*, 26(6), pp. 513.

¹¹² The consumption reduction in wasteful products was likely due to better public understanding on the environmental impacts of single-use consumerism.

¹¹³ OECD. (1998). "Extended producer responsibility Phase 2: Case study on the German packaging ordinance". [online].

¹¹⁴ Nakajima, N. and Vanderburg, W.H., (2006). "A description and analysis of the German packaging take-back system". *Bulletin of Science, Technology & Society*, 26(6), pp. 515.

Legislation from the government level can create a ripple effect upon the business and consumer world. Since the EU is able to study and learn from its member states and their own waste management policies, it is argued that Germany can be considered a case study for plastic policy in the EU. Germany quickly learned that legislation must clearly provide a pathway to proper recycling of plastic. However, the plastic manufacturers found a loophole in the ordinance by requiring recycling to be 'economically reasonable' for the producers among the EPR scheme.¹¹⁵ Manufacturers were evaluating just how expensive plastic recycling was at a time when China started to pay for foreign nations plastic waste creating the 'perfect' symbiotic tradeoff. If we flash forward to the mid-2010's, Germany was still viewed as a forward-thinking member state in the fight against plastic waste. European governing bodies have been attempting to push consumers and producers alike towards a circular economy as discussed in chapter one. The German government spurred this by offering grants to product designs that have a significantly lower environmental impact, while also being cheaper to repair and therefore reuse.¹¹⁶ Before the SUP Directive came into play German startups were eager to tackle the worlds SUP problem. Aside from plastic free supermarkets popping up in seemingly every neighborhood around the country, many startups have focused on the single-use problem specifically. As witnessed in Germany, governments can provide funding for entrepreneurs to create alternatives to plastics. These alternatives will apply even more pressure on policymakers to ban SUP and therefore influence future policy. However, it is argued that without action taken at the top level, these alternatives and innovations to plastic would not exist.

In 2013 a German chemist noted the plastic problem and developed a seaweed-based solution to create edible single-use products such as take away containers and water bottles. Landpack is another startup that replaces Styrofoam takeaway with natural straw and hemp products. It helps that the government provided grants for new innovation to replace plastic, this is comparable to the EU's own Horizon Europe grants. Moreover, when discussing what Germany was doing to tackle this issue before the SUP Directive passed, the German Federation of waste management claimed to have reduced its plastic exports to China from 346,000 tons in 2017 to 16,000 tons in 2018.¹¹⁷ Of course this was viewed as an outcome of the plastic policies from China. However, Germany was one of the few EU countries to counter China's policies with a German law focused on the reduction of waste packaging, which was already approved as early as May 2017. It aims at recycling over 63% of their own plastic packaging material.¹¹⁸ Sadly, other European countries were not as fortunate as Germany to innovate and ramp up recycling streams before the SUP Directive went into effect. Instead Germany has provided a roadmap for what other countries and the EU as a whole can do to manage their own SUP waste in the future. This suggests that Germany's plastic waste management policies may have influenced the EU to create their own, or at least provided assurance that a SUP ban can be accomplished. The following section will examine the final piece in the external actors believed to have influenced the SUP Directive: oil and gas.

¹¹⁵ Ibid., pp. 516.

¹¹⁶ Vickers, E. (2019). "In the circular economy, it's take, make, use, reuse". [online] Bloomberg.

¹¹⁷ Wang, W., Themelis, N.J., Sun, K., Bourtsalas, A.C., Huang, Q., Zhang, Y. and Wu, Z., (2019). "Current influence of China's ban on plastic waste imports". *Waste Disposal & Sustainable Energy*, 1(1), pp.67-78.

¹¹⁸ Ibid. pg 70.

3.3 Dependency on Foreign Oil

Breaking away from foreign oil and gas dependency is arguably a central factor in the influences which led to the creation of the SUP Directive. This section will analyze the justification of why dependency on oil could have contributed to the EU moving away from plastics. As the previous two Commissions were seen moving forward with environmental legislation, it appeared to go hand in hand and foreshadow the SUP Directive. In 2014, during the end of Barroso's second Commission he made a speech that perfectly summed his vision for what the future of Europe would look like within the 2030 Energy and Climate Framework.

"An ambitious and smart '2030 strategy' will contribute to Europe's share in global climate action, but will also help to reduce our costly dependency on import of gas and oil, boost our green technology industry and sustainable growth by providing a stable long-term perspective for our companies to invest".¹¹⁹

The EU already has to manage the difficulties of geographically not having petroleum rich member states to benefit from. Moreover, oil and gas make up the main source of energy imported to the EU. Subsequently, petroleum products also make up the main source of materials in the production of plastics. In 2017, the EU had a petroleum dependency rate equivalent to 55%, meaning more than half of the EU's energy requirements were satisfied by its net imports.¹²⁰ Yet, according to Eurostat, if you were to look at the oil importation dependency rate in a ratio, the number would be much higher. Amounting to over 87% dependency rate on petroleum imports which take into account the EU's oil imports minus their oil exports. With such high dependency on foreign nations for oil and gas it is no question why the EU would want to find alternatives in any way possible.

The EU's petroleum dependency is important to analyze in terms of the SUP Directive and its influence since crude oil is at the center of plastic production. While renewable and nuclear energy accounted for over 57% of the EU's energy production in 2017, crude oil was less than 10% of the EU's total energy production.¹²¹ Plastics are made from materials such as cellulose, coal, natural gas, salt, and crude oil. According to PlasticsEurope, in 2018 there were over 62 million tons of plastic made in the EU alone. Therefore, European plastic makers need to turn outside of the EU to obtain the materials needed to create their plastics. Moreover, the plastic production begins with the distillation of crude oil in a refinery, which means oil companies can be found at the core of plastic production itself.¹²² Over 180 billion dollars have been invested into hundreds of plastic producers and facilities since 2010 across the US and Europe. The beneficiaries being companies such as ExxonMobil Chemical as well as Shell Chemical who have continuously helped fuel the rise in plastic production which is expected to rise 40% this decade.¹²³ Over 8% of the world's oil supply is used to create plastics. This indicates that if alternatives were found to plastics, over 6.5 million barrels of oil would

¹¹⁹ Barroso, J. (2014). "Statement by President Barroso on the 2030 Energy and Climate Framework". [online] European Commission.

¹²⁰ Eurostat, (2020). "From Where Do We Import Energy And How Dependent Are We?". [online]

¹²¹ Ibid., Pg. 2

¹²² PlasticsEurope. (2020). "How plastics are made". [online].

¹²³ Taylor, M., (2017). "\$180Bn Investment In Plastic Factories Feeds Global Packaging Binge". [online] The Guardian.

be saved every day.¹²⁴ This revelation is an argument for why funding plastic substitutes truly can influence the EU to ban SUP, especially since they want to move away from oil and gas.

Experts suggest that by 2050 the plastic industry would use over 20% of all the crude oil production, which would consume 15% of the world's annual carbon budget.¹²⁵ That might not sound too dramatic until one realizes how much oil it takes to create a simple plastic bottle. To visualize this, it takes a quarter of a liter of oil to produce one (SUP) bottle.¹²⁶ Petroleum dependency is therefore hypothesized as the decision behind the EU wide ban on SUP. Since the EU already understands that most of its plastic waste stems from single use items, the ban on it could drastically reduce the EU's dependency on oil. In addition, the EU bureaucratic bodies of government have made it clear through speeches, Directives, and action programs that they want to move towards greener and more sustainable energy.

Take the Green New Deal for instance, the EC states that it is the 'roadmap to decarbonizing the energy sector', as well as supporting clean and environmentally friendly resources and technologies.¹²⁷ By supporting and moving towards green resources and energies, subsequently the EU should be viewed as moving away from fossil fuels. One MEP, Peter van Dalen (EPP) stated in a Parliamentary debate on SUP that he was voting in favor of the SUP Directive because he wanted to move Europe away from its dependency on foreign oil. "We are reducing our dependence on oil-producing countries such as Saudi Arabia."¹²⁸ It is clear that many EU member states want to move towards becoming more self-sufficient in terms of energy, being the first to create new innovation around previous SUP items could help this come true. This is found in Horizon Europe, where the EU is investing over 100 billion euros in R&D and innovation for a greener future.¹²⁹ This thesis argues that the SUP ban was first and foremost influenced by external actors, specifically within the National Sword policy coming out of China. Moreover, the EU's willingness to break its dependency on foreign oil may have 'piggy-backed' off of China's policy for yet another reason to ban SUP.

Another avenue for examining oil dependency being an influential factor on the SUP ban is European plastic industries who produce the products. In order to analyze the impact of the EU's plastic sector on the SUP ban, the companies involved in the European plastic production must be analyzed. The plastic sector has many lobbyists who most likely weakened the SUP Directive, this idea will be further analyzed in chapter four. In terms of external influences, it is integral to understand what plastic production means to the European plastic industry. This is because many policymakers, in both the EC and EP have stated that the economy and job security will profit from the SUP ban. According to the European plastic industry (which includes plastic producers, manufacturers, recyclers, and converters) there are over 60,000 plastic related

¹²⁴ U.S. Energy Information Administration. (2019). "Production of Crude Oil including Lease Condensate" [online]

¹²⁵ Ellen Macarthur Foundation. (2016). "The New Plastics Economy: Rethinking the future of plastics". [online]

¹²⁶ European Commission. (2018). "How much oil does a plastic water bottle take"? [online]

¹²⁷ European Commission. (2020). "A European Green Deal". [online]

¹²⁸ European Commission. (2018). "Questions & Answers: A European strategy for plastics". [online] Press Corner.

¹²⁹ European Commission. (2019). "Horizon Europe. The Next EU Research & Innovation Investment Program". [online]

companies in Europe. These companies create 1.5 million jobs for Europeans and migrant workers, and in 2017 the plastic producing companies generated over 355 million euros into Europe's economy.¹³⁰ This data is part of the reasoning behind the major European plastic production association known as PlasticEurope's continuous lobbying efforts against any reduction in plastic manufacturing. This is important to note since many plastic-lobbyists state that Europeans will be left out of a job when SUP production gets reduced. Notwithstanding, it is a key element to assess that the reduction of plastic will not necessarily be equal to reduction in European job autonomy. Workers should rest assured that according to the EU, more opportunities and jobs will stem from this ban. The EC agreed that having a tougher approach to plastics will eventually lead to job creation in recycling, engineering, and research.¹³¹ Yet, a roadmap for the job creation is yet to be determined and needs to be made.

3.4 Discussion

As argued in this chapter, plastic litter is in need of globally uniting laws since plastic itself crosses borders and pollutes the world's oceans. It also proved that the international arena is able to influence European legislation. Government agreements such as the Basel Convention and the UN can play a role in getting conversations and agreements in place on a nation level. Yet, it appears that swift brute action from policymakers is needed for anything to have an effect. This was seen in the analysis of the National Sword policy from China. Without the outright ban on the importation of westerner's garbage in 2018, it can be argued that the EU wouldn't have introduced the SUP Directive in the first place. Not only have policymakers made statements that center around China for the introduction of the ban, but news sites as well concluded China was the reason for it. In 2018, the newspaper Politico stated that "the spur for Commission action was China's decision to bar waste exports."¹³² It is also no coincidence that the EC started drafting the SUP Directive less than five months after China's ban on plastic imports. The EU however can also be attributed to learning and therefore gaining influence from its member states such as Germany who previously had policies in place to fight plastic waste, while supporting entrepreneurs in creating a sustainable change. As previously analyzed, scientists argue that SUP accounts for at least 40% of the world's plastic pollution. European countries together may have seen a path at an early stage towards leading the world in ending SUP waste from reasons beyond the supranational level. Finally, as the EU rhetoric has been 'green' and 'sustainability' for the past decade, it is arguable that they want to be seen moving away from petroleum products. Not only do SUP products pollute the environment after disposal, they start polluting in the production phase. This chapter analyzed the impact the SUP ban will have on oil and gas, as well as, plastic producing companies in Europe. It found that the outright ban on SUP will help move the EU towards a more environmentally friendly frame in terms of petroleum dependency. Therefore, breaking away from the EU's dependency on it can be considered an influence on the SUP Directive. The next chapter will analyze the influence of plastic industry lobbyists, as well as ENGOs and the growing green movement in influencing the SUP ban.

¹³⁰ PlasticsEurope. (2020). "How plastics are made". [online].

¹³¹ Tamma, P. and Hervey, G., (2019). "Brussels Goes To War Against Plastic Garbage". [online] Politico.

¹³² Ibid.

4. Non-State Actors and SUP in the EU

There is a diffusion of actors when it comes to who predominantly influenced the EU's SUP Directive. This diffusion ranges between the non-governmental actors such as lobbyists, to individual changemakers in the growing global green movement. ENGOS have been instrumental in SUP legislation in the EU. The question is, however, how far have the NGOs' realm of influence actually reached within the SUP Directive? This chapter analyzes the growing ENGO lobbyists, as well as the industry lobbyists' influence on the Directive. It is argued that regardless of the fact that big industries have more money to spend on lobbying, ENGOS were trusted more by policymakers on the SUP ban. Moreover, individuals and growing Green parties in their efforts involved in the creation and monitoring of the SUP Directive are analyzed. This chapter examines how impactful ENGOS were at getting the Directive passed by examining their overall policy goals for plastic legislation, in comparison to the Directive itself. The EU is a complex bureaucratic system of governance, which provides an avenue for NGOs to target policy in the EU. The EC is thought to be the head of this system, where it is normally tasked with initiating policy proposals such as the SUP Directive. This chapter will examine how the three previous Environmental Commissioners within the EC, were lobbied by ENGOS to create stronger restrictions around SUP. The interest of member states will be addressed by examining newspaper articles to determine the nuances where member states, growing green movements, and NGOs align in their ideology to influence the SUP legislation. Finally, EU citizen's interest within the policy-making process is assessed. The Eurobarometer is one way of examining citizen's interest and concerns with certain policy initiatives. The special Eurobarometer which specifically asks questions on plastic ideology will be analyzed. This is done to determine if the growing green movement and citizens interest may have taken a larger role in influencing the SUP Directives creation. The chapter will also examine the anomalies in plastic legislation between ENGOS and the EU by analyzing the wider pressure that has been building over the past decade when it comes to plastic.

Researchers and scholars alike must always be aware of hidden or otherwise non-observable political activities. This includes lobbying which affects legislative decisions such as the SUP Directive without much oversight or public knowledge.¹³³ Though widely accepted in the EU, lobbying is often faced with praise or strenuous disapproval towards the democratic process. Historically speaking, environmental policymaking is one of the areas where lobbying is most prominently utilized and can often outshine other lobbying interest groups.¹³⁴ Individuals are not able to specifically monitor lobbying and interest groups due to the actions and meetings that take place with policymakers behind closed doors. Hidden lobbying may also be involved in the inspiration and creation behind the SUP ban. This type of lobbying is unfortunately not transparent to the general public, and therefore, it is not able to be critically analyzed in this thesis.

¹³³ Lukes, S., (2004). "Power: A radical view". Macmillan International Higher Education.

¹³⁴ Bunea, A., (2013). "Issues, preferences, and ties: determinants of interest groups' preference attainment in the EU environmental policy." *Journal of European Public Policy* 20, no. 4: 552-570.

What is understood, however, is that the Environmental Commissioner is considered to be the most intensely lobbied Commissioner in the entire EC.¹³⁵ This point is argued that because ENGOs receive most of their core funding from the EC, they therefore pursue the Commission the most. ENGOs provide the expertise needed to enhance policy initiatives such as the SUP Directive, making them beneficial to the policy-making process.¹³⁶ This is due to the ENGOs having powerful opponents, the big plastics industry. Opposition money and willpower led the plastics industry to pursue heavy lobbying tactics in this sector as well. With such strong and opposing beliefs on plastic legislation it is no question why the Environmental Commissioner over the years has been heavily lobbied. Identifying where ENGOs were able to successfully gain influence on the previous Environmental Commissioners concerning SUP is analyzed. In doing so, lobbyists and interest groups will be assessed further for details surrounding their functions, strategies, and interest involving SUP legislation. Fossil fuel company lobbyists will also be examined to determine how profound their impact was on interfering with the SUP Directive.

4.1 ENGOs and Lobbying

The EU response to environmental issues such as the wastefulness of SUP can be viewed as being heavily influenced by lobbyists. This section argues that the most important of those in the EU are known as the 'Green 10' who are comprised of the top 10 ENGOs in Europe and the world. These organizations have had a significant impact on environmental legislation in the EU, specifically involving plastic policy. This informal coalition includes some of the world's largest environmental organizations, including the World Wildlife Fund, European Environmental Bureau, Climate Action Network, and Greenpeace. The Green 10 also claims to represent the interest of more than 54 million Europeans while using their voice to push the EU's policy-making institutions towards providing stronger environmental protection in Europe. This is done by demonstrating their organizations SUP policy goals to the ones tasked with drafting and composing the Directive itself. According to one member of the Green 10 their lobbying efforts worked after months of 'intense negotiations' on banning SUP waste.¹³⁷ This is a major indicator that the environmental lobbyist had considerable influence on the Directive. One of the best avenues for ENGOs to have their voices heard is by attending meetings with the Environmental Commissioner.

Stavros Dimas was the Environmental Commissioner during the first Barroso Commission dating back to 2004. To understand his stance on actions that needed to be taken to protect the environment we analyze his speech to the Green 10 and MEPs in 2005. Dimas argued that climate change, resource management, environment, and health are important for enhancing the quality of new policy initiatives. He even stated that the Green 10 was responsible for the enhancement of environmentally friendly policy initiatives. In almost foreshadowing the SUP legislation to come, Dimas expressed: "Growth that ignores environmental considerations will clearly not be sustainable [...] I firmly believe that a strong environmental policy contributes to EU

¹³⁵ Coen, D., and Alexander K., (2013). "Chameleon pluralism in the EU: an empirical study of the European Commission interest group density and diversity across policy domains." *Journal of European Public Policy* 20, no. 8: 1104-1119.

¹³⁶ Dimas, S., (2005). "Environment Policy To 2010: A Sustainable Road To Lisbon". [online] European Commission.

¹³⁷ Stairs, K., (2018). "EU Agrees Unprecedented Cuts To Single-Use Plastics". [online] Greenpeace.

competitiveness.¹³⁸ The same rhetoric is used by the most recent Environmental Commissioner from the Juncker Commission, Karmenu Vella, when discussing how the SUP Ban will only boost business opportunities and economic competitiveness when passed.¹³⁹ This suggests that it should have been effortless for the ENGOS to influence the Commissioners, as they were already moving towards sustainable policies on their own. The dialogues Commissioners had with ENGOS in 2004 has only grown and become more significant in passing environmental, and specifically plastic legislation the past two decades. The Environmental Commissioner during Barroso's second Commission, Janez Potočnik, was heavily influenced by the circular economy and ideology that Europe needs to work towards phasing out SUP products which creates massive beach and ocean litter.¹⁴⁰ In 2012 he addressed a major plastic industry summit in Germany stating that 'business as usual' is not an option. Potočnik's words: "The future of industry in Europe and world-wide depends on achieving sustainable resource use" echoed throughout the conference which included major industry plastic representatives in attendance.¹⁴¹ The previous Environmental Commissioners left no questions as to their public fundamental beliefs in moving Europe away from SUP and a throwaway culture. The sheer nature of environmental issues helps to encourage a transnational view. Potočnik, and other Environmental Commissioners have continuously stated how important it is to have industry and plastic executives on board with the legislation outside the Green 10's realm of influence. Moreover, with ENGOS and the policymakers seen working together, it's obvious that the Green 10 was able to have influence on them. Just how much influence they had on the SUP Directive can be determined by the nuances in policy goals from the ENGOS and policy outputs from the EU.

In order for lobbyists to succeed they must have clear-cut functions, strategies, and interests. The functions in the case of the transnational alliance of the Green 10 are to represent the interest of environmental protection. In doing so, they are able to provide an input-legitimacy to the policy-making process. By attending meetings specifically on plastics, with MEPs and Commissioners, ENGOS were able to contribute expertise on the matter as to why exactly a SUP ban would be of importance. This expertise includes the impact assessment of what the SUP ban would have on the economy and consumer behavior. One of the major contributions that the Green 10 had on influencing the SUP Directive was their ability to increase political awareness around the subject matter. Such as the WWF public campaign for international plastic free days.¹⁴² More recently, the '#EUBeachCleanup' campaign brings together the UN, EC, and the Green 10 to encourage youth to pick litter up from European Beaches. Although there is no black and white answer as to how much the ENGOS influence European policy, it is recognized that the EC partners with the Green 10. Therefore, these ENGOS do not have to force their policy goals on the EC. It is hence not surprising that ENGOS are known for addressing the European level far faster than other collectively organized interest groups, due to their cooperation with one another.¹⁴³

¹³⁸ Dimas, S., 2005. "Environment Policy To 2010: A Sustainable Road To Lisbon". [online]

¹³⁹ Brivio, E., (2018). "Questions & Answers: A European Strategy For Plastics". [online] European Commission - Press Corner.

¹⁴⁰ Potočnik, J., (2012). "Any Future for the Plastic Industry in Europe?". [online] European Commission.

¹⁴¹ Ibid.

¹⁴² The Brussels Times. (2019). "International Plastic Free Day: WWF Launches Campaign Against Plastic Pollution". [online]

¹⁴³ Lehmann, W., and Bosche, L., (2003). "Lobbying In The European Union: Current Rules And Practices". European Parliament.

In fact, ENGOs have been calling on the EC since 2013 to ban SUP waste such as plastic bags. Which are yet to be completely banned throughout the EU today.¹⁴⁴ It can be argued however, that numerous open letters and the 'shot heard around the world' from the Green 10 in the early 2000s was the fuel needed to unite the green movement to apply more pressure on the EC. Environmental lobbyists have become more legitimate to policymakers as being seen on the 'side of the angels', the side the EU has been slowly moving towards since before the first Barroso Commission.¹⁴⁵ The coalition does not always act like angels towards the Commission though. ENGOs ensure that policymakers are kept in check with what they tell the public compared to the policies they produce. A 2014 open letter to the Juncker Commission is where the Green 10 stated their concern for the "...serious downgrading of the environment and a roll back of existing EU commitments to sustainable development, resource efficiency and climate action."¹⁴⁶ They went on to state that a departure from the environmental commitment as enforced by the Barroso Commission, would be a blatant betrayal of EU citizen interest. The Green 10's pressure on the EC worked. Many of their requests were fulfilled such as the creation of a Vice-President of sustainability as well as a Vice-President for 'Climate Action and Energy Union'.¹⁴⁷ Putting action to the will of the people, the EC can be viewed as conforming to the request of ENGOs. This includes strongly utilizing what they see as European citizens views in the agenda-setting and policy-making process as well. By influencing sectors of government, they are also able to double the campaigns on public opinion surrounding plastic. Environmental Commissioner, Miguel Arias Cañete, stated how important it is to be climate neutral by 2050, which includes reusing resources and providing a 'Clean Planet for All'.¹⁴⁸ The same sentiment was used by ENGOs in ocean campaigns to bring public awareness towards the harm of SUP.¹⁴⁹ Providing a clean planet for all includes taking into consideration European citizens' opinions when it comes to plastic.

The special Eurobarometer 416 from 2014 concluded that 95% of the interviewees questioned deemed 'protecting the environment' to be of utmost importance personally to them.¹⁵⁰ Those same individuals believed more should be done in the matter of environmental protection. The Green 10 demanded action from the EP on the SUP Directive. Moreover, the European transparency registry has documented the Green 10 meeting with DG's assistants and Commissioners alike numerous times to discuss plastic policy before the Directive was ever mentioned in the public sphere. Members of the Green 10 met to discuss the European plastic strategy after China's Green Fence policy, as well as after the National Sword policy went into effect.¹⁵¹ This may not shed light on how the Green 10 specifically influenced the Directives creation, but it shows the EC depends on ENGOs for policy advice. It also confirms the theory from the previous chapter analyzing how influential China's plastic policies were on Europe.

¹⁴⁴ Simon, J., and Antidia C. (2013). "NGOs Call On EC To Ban SUP Bags". Zero Waste Europe. [online]

¹⁴⁵ Adelle, C., and Andrew J., (2013). "Environmental Policy in the EU: Actors, institutions and processes". Routledge, pp. 161.

¹⁴⁶ Green 10. (2014). "The 10 Leading Green NGOs Appeal To The Parliament To Block Juncker's Attempt To Undermine Environmental Policies". *WWF EU*. [online]

¹⁴⁷ Ibid.

¹⁴⁸ European Commission. (2019). "The Energy Union: From Vision To Reality". [online] Climate Action - EC.

¹⁴⁹ The Brussels Times. (2019). "International Plastic Free Day: WWF Launches Campaign Against Plastic Pollution". [online]

¹⁵⁰ DG COMM. (2014). "Special Eurobarometer 416: Attitudes of European citizens towards the environment". [online]

¹⁵¹ Asin, E., (2020). "Green 10 - Transparency Register". [online] Transparency Register.

This is found from the EC drawing on the advice from ENGOs on SUP legislation after the Chinese policies were passed. Moreover, when assessing the individual ENGOs that make up the Green 10 some stand out for audaciously supporting the SUP Directive. This includes the ENGOs that are heavily lobbying for stronger restrictions on plastic waste.

The European chapter of Greenpeace is unique by specifically stating in their main EU initiatives that they contributed to the draft and proposal of [Directive (EU) 2019/904] as well as post guidance after the Directive went into place.¹⁵² Their top policy goals such as banning the most used SUP items and the EPR scheme were included in the Directive.¹⁵³ Moreover, the European chapter of Friends of the Earth (FOE), a founding member of the Green 10, has plastic policy at the top of their main initiative goals. According to the transparency registry they met with MEPs and Commissioners over 10 times since 2017 to discuss the issues surrounding SUP and what can be implemented by policymakers to help.¹⁵⁴ The FOE were able to have their policy goals match with the Directive such as setting targets for bottle reduction, including a EPR scheme, as well as monitoring and enforcing the Directive after it goes into effect.¹⁵⁵ It can therefore be confirmed that the EC and MEPs utilized the Green 10 in their decision making process for how to create and proceed with such a policy. The Green 10 can be viewed as an alliance to keep the EU in check in terms of their move towards more environmentally friendly aspirations. This includes recommendations to the EP and EC, as well as actively monitoring the EU's commitments in their sustainable development strategy, and Green Deal. In turn, the EU policy-making institutions are seen holding the Green 10 in a positive light, as they both depend on each other.

Aside from Greenpeace, other members of the Green 10 receive funding from EU institutions, specifically from the EC. In 2013 the Commission granted over 9 million euros to ENGOs because they viewed them as giving a 'balanced interest representation' at the EU level, as seen in the SUP Directive.¹⁵⁶ Of course this funding doesn't come without a political cost, some observe the grants as sounding a credibility alarm, which is the precise reason why Greenpeace refuses funding from the EC. The NGOs who receive the funds refuse the idea that their funding is derivative of the messages and agenda setting proposals they put out into society. Moreover, the Green 10 can be regarded as having a profound influence on the development and implementation of the SUP Directive. Yet it is inconclusive that these ENGOs were solely responsible for getting the Directive to the agenda setting phase in the first place. This is because the policies in China still stand out as the starting influence on creating the SUP ban. Moreover, influence has many faces, the Directive was also influenced by the Green 10s opponents, who are argued to have downgraded the policies initiatives.

When it comes to the interest of lobbyists there are typically two varieties of voices that stand out in their attempts to influence policy. The first being groups such as the Green 10 who defend and represent environmental interest and concerns. While on the other hand, business lobbyist groups defend and represent specific interests of an

¹⁵² Riss, J., (2020). "Greenpeace Europe - Transparency Register". [online] Transparency Register.

¹⁵³ Stairs, K., (2018). "EU Agrees Unprecedented Cuts To Single-Use Plastics". [online] Greenpeace.

¹⁵⁴ Munic, J., (2020). "Friends Of The Earth Europe - Transparency Register". [online] Transparency Register.

¹⁵⁵ Miller, S., Bolger, M., and Copello, L., (2019). "Reusable Solutions: How Governments Can Help Stop Single-Use Plastic Pollution". [online] Rethink Plastic.

¹⁵⁶ Delreux, T., & Happaerts, S. (2016). "Environmental policy and politics in the European Union". Macmillan International Higher Education. pp. 134

economic sector or single company affected by environmental norms and legislation.¹⁵⁷ As for the case of defending the use of SUP, their supporters include oil and gas, chemical, as well as the pharmaceutical sectors. Chapter three explored why oil and gas companies would have strong interest at keeping plastic bans at bay. These champions of plastic are widely considered the lobbyists with the most influence and money in countries such as the US. However, can the same hold true for the second largest lobbying community in the world located in Brussels? European industry most definitely has interest in regulating environmental affairs within the EU. These concentrated business interests depend on plastic exports for their bottom-line profits, and therefore do not want to see stringent policy surrounding it. As a result of sound financial backing, business interest groups typically have stronger organizational capacity, including the ability to hire more professionals with policy-relevant expertise. This does not necessarily equate to a higher chance at influencing policy, as scholars believe that on average the EU prefers the guidance from NGOs.¹⁵⁸ One scholar found almost no relation to money and policy success within lobbying in Europe, rather lobbying tactics and public opinion outweighed them.¹⁵⁹ This could be hypothesized as the reasons behind how the EU was able to pass such sound legislation banning SUP, unlike its American counterparts, who appear to be blocked by big money.

The EU does however have a coalition of top oil and gas business lobbyists called the 'Big 5', which include ExxonMobil, Shell, Chevron, BP, and Total SA. Together they have contributed over 251 million euros towards their lobbying efforts since 2010, where the fight is found to especially rise in times when environmental legislation is in the drafting phase such as the 2014 discussions over the EU's 2030 climate targets.¹⁶⁰ A report from The Guardian's polluters series stated that as a result of the Big 5's lobbying efforts, climate targets were weakened within the EU. In terms of the SUP Directive, it is unclear whether or not the Big 5 was able to downgrade the current policy. Companies like Coca-Cola and Pepsi who depend on the oil lobbyist are falling short on reaching the government's goals in Europe. They fail at achieving EU wide objectives such as switching to refillables and using reusable packaging. These companies also failed in their lobbying efforts to get rid of EPR schemes within the plastic policy.¹⁶¹ This suggests that these top industry companies were actually not able to gain influence on the SUP Directive.

Unlike ENGOs within the Green 10, top level lobbyists from the Big 5 and major beverage corporations were able to gain access to meetings with Frans Timmermans directly in 2018 to discuss the plastic strategy within the circular economy.¹⁶² This is different from the meetings with DG's and assistants that members of the Green 10 attended when discussing their strategy on plastic with policymakers. Regardless, without meeting transparency laying out the specific items discussed within the SUP

¹⁵⁷ Ibid., pp. 124

¹⁵⁸ Dür, A., Bernhagen, P., and Marshall, D. (2015). "Interest group success in the European Union: When (and why) does business lose?". *Comparative Political Studies* 48, no. 8: 951-983.

¹⁵⁹ McKay, A. (2012). "Buying Policy? The Effects of Lobbyists' Resources on Their Policy Success". *Political Research Quarterly* 65, no. 4: 913.

¹⁶⁰ Laville, S., (2019). "Fossil Fuel Big Five 'Spent €251M Lobbying EU' Since 2010". [online] The Guardian.

¹⁶¹ Laville, S., (2020). "Coca-Cola And Pepsi Falling Short On Pledges Over Plastic - Report". [online] the Guardian.

¹⁶² Michielsen, J., (2020). "Exxonmobil Petroleum & Chemical - Transparency Register". [online] Transparency Register.

Directive it is difficult to grant total influence to lobbyists at all. Recently, the EP has created a so-called 'legislative footprint' which is how the topic of the lobby meetings are now known to the public. Yet, Timmermans himself said this wasn't transparent enough to provide more legitimacy in the policy-making process.¹⁶³ Stronger transparency would allow the public to understand specifically how the SUP Directive was influenced by interest groups. Moreover, it would grant the ability for researchers to analyze how much influence ENGOs had on the creation of the SUP Directive. If the legislative footprint becomes more transparent, future works would allow for analysis of how exactly lobbyists influenced the SUP Directive. The final section in this chapter will analyze the public figures previously hypothesized as being responsible for the ramp up of plastic legislation. It is important within this study to understand all aspects of influence on the SUP Directive. This is especially witnessed in the rising environmental movements and public opinion surveys which help to influence EU policy decisions.

4.2 Changemakers and the Green Movement

This final section will examine the role of changemakers and the green movement, which is argued to have influenced the SUP Directive. It will also analyze Europeans citizens' opinions, which is believed to have had a substantial influence on policymakers. This is done by assessing changemakers and youth climate change movements which are argued to have transformed plastic legislation in their prospective member states. Public opinion is an important source for the EC to pull from when drafting new policy, the information of public perception on plastic is gathered from the Eurobarometer and analyzed in this section. Many associate the new wave of climate change activism with a teenager from Sweden named Greta Thunberg. Not even 18 years old, Thunberg has already addressed governments from around the world. She met with European MEPs within the Environmental Committee and advocated for them to create policy which backs scientific evidence on climate change. Following her meeting with the European Environmental Committee in March 2020, Pascal Canfin, the Chair of the Committee, stated that "To win the battle against climate change, we need the energy of youth."¹⁶⁴ This same energy can be witnessed in member states around Europe who have pushed their governments at regional and national levels to ban SUP.

In Germany, youth activists have taken to the streets inspired by Thunberg, stating that their generation is an 'environmentally conscious one.'¹⁶⁵ Their voices have been heard loud and clear across Germany. A 2019 Spitzenkandidat, Manfred Weber, Current EP leader for the EPP, proposed an all-out global ban on SUPs.¹⁶⁶ These environmental attitudes have caught on around Germany in all age groups. One can especially see this outside of the SUP ban already set to take place in 2021, where Germany recently decided to include the ban on all plastic shopping bags. The German Environment Minister, Svenja Schulze, stated that: "The vast majority of Germans want this ban" and she soon hopes it will turn into law.¹⁶⁷ Other member states also have

¹⁶³ Timmermans, F., (2019). "Make Lobbying In The EU Truly Transparent". [online] EURACTIV.

¹⁶⁴ Chatain, B., (2020). "Greta Thunberg To MEPs: 'We Will Not Allow You to Surrender Our Future'". [online] European Parliament.

¹⁶⁵ Cwienk, J., (2019). "Climate Protests: Germany's New Green Youth Movement Takes on The Streets". [online] DW.

¹⁶⁶ Deutsche Welle. (2019). "German EU Candidate Proposes Global Ban on Single-Use Plastics". [online]

¹⁶⁷ Agence France-Presse. (2019). "Germany Plans to Ban Single-Use Plastic Shopping Bags Next Year". [online] The Jakarta Post.

national governments placing their own plastic bans into effect after public opinion has drastically changed on plastic in the past decade. In Greece, the government quickly adopted the EU's SUP ban into legislation as it already wanted to extend its own countries ban to include all SUP items. Greece's activism against SUP has risen from the increased waste seen from the 33 million tourists they have each year, who on average left behind 2 KG of waste per person in 2018 alone.¹⁶⁸ It was the type of ban that had large support from the Greek population, A country where most citizens live by the ocean and can therefore witness the firsthand impact of SUP litter. Ireland is also following the trend and has planned to ban grocery store items wrapped in plastic. The Irish Minister of Communications, Climate Action and Environment, Richard Bruton, stated that he would like to completely end the use of non-recyclable lightweight 'crinkly' plastics.¹⁶⁹ The Irish Times reported there is a major shift "from the streets to the seats" as more and more Irish youth are taking to the streets to demand stronger environmental policies.¹⁷⁰ No matter which member state you examine, they almost all have youth in revolt advocating for policies such as the SUP Directive. This has clearly sent a message to policymakers at the local, national, and most definitely European level. It can also compare to the vast amount of lobbying policymakers have already received from ENGOS. This suggests that the ENGOS were correct in stating that their lobbying represents the interest of EU citizens.

In Europe these youth changemakers will soon be old enough to join one of the fastest growing political parties in their countries- The European Green Party. It goes without saying that joining this party makes one in support of SUP legislation, as the party stated in a press release they all voted in favor of the SUP ban themselves.¹⁷¹ In the most recent Parliamentary elections the European Green Party passed a new milestone by gaining the most seats ever in the EP. Though the SUP Directive was passed just under two months before the election was held, it was understood that times and seats would be changing in the EP. The party gained 22 seats and increased their numbers in numerous member state Parliaments.¹⁷² It was a 'quiet revolution' as some sources like to claim, but the vote leaves a clear path for forcing other parties into a needed coalition with them to get legislation passed.¹⁷³ This in turn would potentially give the Greens power to demand significant policy concessions such as stricter emissions reduction, and stronger bans on plastic waste. Other sources have claimed that the reason behind the Greens rise is the surge in young voters. Yet, not all member states were on board with the escalating party, countries with typically aging populations such as Hungary and Italy actually lost seats in the most recent European election.¹⁷⁴ However, policymakers were dependent on opinions from European citizens before the SUP ban was discussed and implemented. Eurobarometer data taken from before the SUP Directive was first proposed in 2018 could have predicted the rise in support for strengthening climate policy, specifically around plastic. Moreover, it is not only the surge in young voters that had the EC listening to the Greens. When the party

¹⁶⁸ Dimitrova, M., (2019). "Greece Picks New Fight with Plastics". [online] The Mayor EU.

¹⁶⁹ Davidson, J., (2019). "Ireland To Reduce Waste By Cutting Out All Single-Use Plastic". [online]

¹⁷⁰ O'Halloran, M., (2019). "Climate Change: Ireland's Youth Take Charge of The Dáil - For A Day". [online] The Irish Times.

¹⁷¹ European Greens. (2019). "Good Riddance To Single-Use Plastics!". [online] European Greens- PR.

¹⁷² European Parliament. (2019). "2019 European election results – Comparative tool". [online]

¹⁷³ Henley, J., (2019). "Greens surge as parties make strongest ever showing across Europe". [online] The Guardian.

¹⁷⁴ Di Matto, B., (2019). "The Rise of Green Politics in Europe". [online] Inside Over.

recommended to the EC in 2018 that they needed to identify the specific plastic products that should be banned in the EU, the EC listened and added the advice to the Directive.¹⁷⁵ This demonstrates that it is more than NGOs and coalitions that can get through to policymakers, it is also parties. Whether part of the Greens or not, European citizens clearly are in favor of stronger plastic restrictions.

A 2018 Eurobarometer survey found that 74% of Europeans are anxious about the impacts of plastics on their health. The same survey showed 87% were concerned with the impacts that plastics had on the environment.¹⁷⁶ A Commission-led assessment on public opinion around the impact of SUP found that recent documentaries such as *A Plastic Ocean* and *Blue Planet* brought the dimension of harm caused by SUP to a global level and wider audience. The EC learned that by implementing restrictive measures, such as the plastic bag Directive, immediate results and public acceptance would follow. When a 0.10 euro tax was added to plastic bags in 2002 studies found that consumers began to bring their own bags, leaving the EC to understand the impact their policies can have on consumer behavior.¹⁷⁷ Studies clearly showed the reduction of 90% of plastic bag use, as well as a decline in the plastic bags found on beaches.¹⁷⁸ The EC themselves stated that SUPs are responsible for polluting European beaches, which could be considered a valid reasoning behind banning them. A year before the SUP Directive was passed the Commission conducted public consultations which took place over the course of 3 months in 2018. The results had over 1800 contributions which overwhelmingly demonstrated a wide public desire and awareness for action against SUP. Over 98.5% of the respondents said it was necessary to ban SUP while 95% considered the move to be urgent.¹⁷⁹ This leaves it very plausible that public opinion, which can be seen as being influenced by growing environmental movements, played a major role in the EUs decision to pass the SUP ban.

4.3 Discussion

It is nearly impossible to determine the precise impact that ENGOS and environmental movements had on influencing the SUP Directive. Yet, this chapter proved it is clear that these ENGOS had at least some significant influence on its creation. Whether the influence stemmed from ENGOS such as the Green 10, who met with members of the Commission to discuss the European plastic strategy (as shown in the legislative footprint transparency scheme). Or the top industry lobbyist organizations known as the Big 5, who attempted to ramped down restrictions against SUP through their lobbying efforts. It is indicated that due to the meetings with interest groups that took place around the same time the SUP Directive was being proposed, organizations had an impact on what the Directive would cover. It was also evident that ENGOS were able to gain influence on the Directives creation through their policy goals. This was found by examining the nuances between the ENGOS goals and the SUP Directive itself. It also became even more obvious that China's policies had a major impact on the creation of the SUP Directive, as discussed in the previous chapter. This was indicated by lobbyist meetings with MEPs and Commissioners on plastic policy within the same

¹⁷⁵ European Greens. (2019). "A Europe-Wide Strategy On Plastics". [online] European Greens.

¹⁷⁶ European Commission. (2018). "Circular economy for plastics impact assessment". [online] Environment.

¹⁷⁷ Ibid.

¹⁷⁸ Sharp, A., Høj, S., and Wheeler., M. (2010). "Proscription and its impact on anti-consumption behaviour and attitudes: the case of plastic bags." *Journal of Consumer Behaviour* 9, no. 6: 470-484.

¹⁷⁹ European Commission. (2018). "Circular economy for plastics impact assessment". [online] Environment.

timeframe the Chinese policies on banning imported plastic were created. Finally, through analyzing campaigns and youth movements across European member states it became clear that new voters demand a greener future. The EC was already aware of the negative public image that SUP had on European citizens through surveys conducted between 2014-18, as well as, continued support for environmental protection found through the Eurobarometer surveys. Through internet campaigns and documentaries, the public was becoming seemingly more aware and embarrassed about their plastic waste ending up on LDCs doorsteps. It was previously hypothesized in this thesis that environmental changemakers such as Greta Thunberg were seen at the forefront of the creation of the SUP Directive. Although she is seen rallying massive youth movements around environmental causes, they were already happening on a smaller scale before she stepped into the limelight. Overall, public opinion and ENGOS' lobbying efforts definitely pushed the creation of the SUP Directive, yet the amount of influence they contributed was inconclusive. Moreover, the Directive can also have been pushed forward by other member states' similar interest in minimizing their own plastic pollution. This chapter analyzed how youth movements in Germany, Greece, and Ireland were able to successfully rally youth from various member states together with the Green 10 to align their similar interest in the SUP Directive. This can overall be a strong tactic to apply pressure to the EC and EP in creating a total ban on SUP in the first place. Leaving ENGOS to have had a significant influence on the SUP Directives origins.

5. Conclusions

This thesis has examined the actors which led to the creation of [Directive (EU) 2019/904] better known as the SUP Directive. The aim of this thesis was to provide readers with a comprehensive analysis of both the governmental and non-governmental actors' influence on the development of the SUP Directive in the period between 2004-19. This final chapter will synthesize the overall findings from the thesis followed by advice for policymakers, and an assessment on whether or not the SUP Directive is exportable.

Through analyzing the supranational level of EU governance, as well as, external and internal actors, the influence on the SUP Directive became apparent. Though originally hypothesized as being heavily influenced by the 'Greta Thunbergs' of today's society, individual changemakers were not found to have had the most profound impact on the SUP Directive. Thunberg and her movement have of course made significant strides in youth environmental organizations across the globe. Yet, it is not viable that changemakers alone influenced the ban on SUPs. What truly stood out in the research was foreign policy from across the globe and how it had an enormous influence on Europe's own plastic ban. It is argued that the EU was forced to confront their plastic waste predominately from external actors. MEPs and Commissioners alike were also witnessed to have echoed the same words when answering the question of which actors influenced the Directive? "I don't think we can't stress enough the impact of China...".¹⁸⁰ Other external influences such as dependency on oil as well as member states paving the way for the SUP Directive were also examined and found to have had influential effects as well. Yet, not enough data and sources were uncovered to support this claim in full. Therefore, China stands at the forefront of the external yet influential impact on the SUP Directive.

This thesis thereby confirms the findings from chapter three which argued that the SUP Directive was overwhelmingly determined by China's National Sword policy. The results confirm previous research within the topic of the SUP Directive from coded EP debates as well as interviews with Commissioners tasked with its creation.¹⁸¹ On the other hand, the outcome provided in the analysis within chapter four showed that generalizations are difficult to make when it comes to ENGOs' influence on policy. Though China was found at the forefront for why the push to ban SUP occurred, internal influence throughout the policy-making process was also evident. ENGOs and citizens' opinions towards plastic waste was a pivotal factor in the overwhelming support the EC had for this ban. In order to uncover and illustrate their effectiveness, the EU lobby transparency registry as well as the newly established 'legislative footprint' were analyzed. It was examined in chapter four that without specific tracking of lobbyists interest and meeting notes, researchers are not able to observe the exact influence lobbying had on the SUP Directive. Yet, by analyzing the rhetoric and policy goals from the Green 10 it was uncovered that there are numerous nuances between their goals and that which was passed in the Directive. This leads us to believe that the ENGOs, through their lobbying efforts, also had a profound impact on the outcome of the SUP

¹⁸⁰ Tamma, P., (2018). "China's trash ban forces Europe to confront its waste problem". [online] Politico.

¹⁸¹ Mederake, L. and Knoblauch, D., (2019). "Shaping EU Plastic Policies: The Role of Public Health vs. Environmental Arguments." *International Journal of Environmental Research and Public Health* 16, no. 20: 3928.

Directive. It is argued that China's National Sword policy was pressuring the EC to create the Directive, while lobbying efforts significantly helped influence its impact along the way. Moreover, it is without a doubt that multiple times throughout the past 4 years the topic of plastic and SUP legislation was thoroughly discussed with Commissioners and staff from both the Green 10 and Big 5 lobbying coalitions. The findings also revealed that between the period of 2004-19 Eurobarometer data demonstrated the immense growth of European support in banning SUP items from the consumer market.¹⁸² This finding demonstrates that non-governmental actors such as lobbying interest groups guided the Directive throughout the policy-making process.

Another question asked throughout this study was how the consensus was achieved on the Directive across party lines within the EP. As was discussed in chapter two, the Directive was passed by a vote of 571 in favor and 53 opposed. Environmental concerns are now at the core of major parties in the EP such as ALDE, S&D, EPP, as well as The Greens. Leading to consensus and collaboration on policy such as the SUP Directive. Chapter four found that the growing European party of The Greens was able to gain influence on this legislation from their expanding strength in numbers. It was concluded that this strength also stems from the emerging youth environmental movements across Europe and the globe. Eurobarometer data informs policymakers that 98% of Europeans believe it is necessary and urgent to ban SUP.¹⁸³ This indicates that European citizens helped to provide clarity and reassurance that the Directive was indeed important and widely accepted throughout the EU. On the other hand, the ENGOS had a profound impact on what would be included in the Directive. Moreover, it is important to acknowledge the rhetoric used by policymakers since Barroso's first Commission. This rhetoric includes that the SUP ban would boost the economy and provide new jobs. Clearly the supranational level trust that the Directive will aid in the European economy's growth. If this is accurate, it seems there are no questions as to how the Directive passed so swiftly among party lines.

This thesis has both strengths and limitations that need to be taken into consideration. The methodological concepts used to decipher this study must also be included within the conclusion. In an attempt to examine the EU's own environmental policy, research was conducted in a qualitative manner. It is therefore heavily descriptive and analytical by its use of document analysis. By foregoing the quantitative aspects, the thesis can lack replicability on coming to the same conclusions when new data, such as lobbying transparency, comes to light. It is also important to discuss that the topic of SUP will only continue to grow in the research and scientific community. The major challenge faced within the research question of 'What is the influence that governmental and non-governmental actors had in the push and development of the SUP ban known as [Directive (EU) 2019/904]' is that the topic is heavily conceptual. Therefore, coherent theory and scientific evidence will not be able to respond to the question with a black and white answer. However, since the analysis of SUP policy is a recent topic for study, it is hoped that by using a variety of sources it would help grow recognition around the subject. Sources were collected from books on EU environmental policy, as well as statements, speeches, debates, and press releases from the EC and EP. News sites from around the world and Europe were also used to capture the view of citizens in member

¹⁸² European Commission. (2018). "Circular economy for plastics impact assessment". [online] Environment.

¹⁸³ Ibid.

states. In doing so, the thesis was able to obtain a wider analysis and understanding of the topic of SUP and its influences.

So, what truly is the price of plastic? Based on the findings within the conclusion this study argues that the advice for policymakers would be to consider recognizing the economic environment around SUP. It was a recurring theme within the thesis that banning SUP and turning to green resources will only help the EU succeed in the future. The rhetoric EU policymakers have about the ban creating jobs while boosting the economy was lacking in terms of how this will be achieved. The Commission's very own Plastics Strategy made the announcement last year that it aims to make all plastic packaging reusable (or recyclable) by 2030, and that this would create well over 200,000 jobs.¹⁸⁴ What is lacking from their response, is the EU's capacity to sort and recycle all of their plastic waste, as well as, who would foot the bill for this costly initiative. This was a hard lesson learned when the National sword policy was announced, which left European warehouses filled to the brim in plastic waste with the only option left to burn it or ship it illegally to Southeast Asian countries. The cost for upscaling sorting and recycling facilities is estimated to be around 17 billion euros.¹⁸⁵ Yet, this cost could be overcome when facilities are up and running, as the EU is currently throwing away over 95% of the value from SUP products. This is where the circular economy will be beneficial, to keep the plastic in the economy as long as possible. Policymakers should continue to heed the advice of expert ENGOs, while taking into account the opinions of EU citizens. This means that creating efficient waste sorting facilities across member states should be of utmost importance. It is also key for the EU to have transparency around how they intend to achieve the SUP ban at the supranational level, as well as the requirements it asks of its member states.

Transparency is another aspect of importance when it comes to advising policymakers. As stated in chapter four, Franz Timmermans understands the value of lobbying and interest group transparency. Although the Commission created a legislative footprint to display who they met with and the topics discussed, this clearly is not enough. Citizens should be allowed to know what companies are lobbying for to their policymakers in order to make informed decisions on the products they buy and the organizations they support. Further research will be needed to determine the relationship between lobbyists and the Directive itself. As stated numerous times throughout this thesis, transparency is key to uncovering the specific ways in which interest groups influenced the Directive. Once Timmermans plan of having more transparency within lobbying is passed, it is the belief that this study can be reconstructed. In doing so, the focus would be on chapter four, which would be able to have a narrowed focus on the exact ENGOs which influenced the Directive to be created, as well as, the initiatives passed within it. Creating an outlet to let this information be freely assessed and discussed will be pivotal in the growing EU solidarity and trustworthiness with its member states and European citizens. If not, the EU might have to pay the price of having its industries run by people with money, as seen in the US.

The SUP Directive is important in the wider debate on the environment. Because of this, an important question for researchers to ask is if the Directive is exportable. Governments around the world will soon be faced with the impacts of climate change.

¹⁸⁴ Tamma, P. and Hervey, G., (2019). "Brussels Goes To War Against Plastic Garbage". [online] Politico.

¹⁸⁵ Ibid.

These issues include rising sea levels, which will inevitably carry more plastic into our oceans from a lack of proper waste management infrastructure. This draws resemblance to the National Sword policy, without which it is argued the EU would not have been forced to fix their own waste infrastructures pitfalls. This suggests that governments must be faced with the ultimatum to either keep producing SUP at unsustainable rates or ban them all together. The choice was simple for the EU, especially with expert advice from ENGOs and the reassurances of its citizens. Moreover, with the Earth warming at eerie temperatures, citizen protest will consistently call for an alternative to fossil fuels. This demonstrates that unless countries follow suit with sustainable goals and initiatives such as the Green Deal and SUP ban, dependency on fossil fuels may never change. Therefore, a ban on SUPs would likely not accomplish much in the wider debate if a nation isn't ready to fully explore sustainable energy alternatives.

Jurisdictions from across the globe will have different actors that force their hand in creating a SUP ban. The most important step is that these nation states contain the various actors that would influence them at the policy-making level. Canada is one case similar to the EU, its citizens, as well as, the outright import ban from China, generated the influential foundation for them to ban SUPs. The similarity continues as Canada currently has 87% of their plastic waste ending up in landfills while only 10% is recycled. They followed in the footsteps of the EU model by adopting legislation almost identical to that of the SUP Directive, which will also go into effect in 2021.¹⁸⁶ Arguably, support from citizens will be key for policymakers of any country to pass legislation banning SUP. Inevitably it is in the hands of policymakers to decide what the true price of plastic is for their country.

¹⁸⁶ BBC. (2019). "Canada to ban single-use plastic bags as early as 2021." [online]

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