Call for written submissions – Proposed response template on the potential options for elements towards an international legally binding instrument

On 9 December 2022, the Executive Secretary of the INC Plastic Pollution Secretariat sent a notification inviting written submissions from members of the committee and from observers. The template below is intended to provide guidance to members of the committee and observers in structuring the written submissions.

As requested by INC-1, written submissions will inform the secretariat in the preparation of a document with potential options for elements towards an international legally binding instrument, for consideration at the second session of the INC, without in any way prejudging what the committee might decide regarding the structure and provisions of the instrument. The document is to be based on a comprehensive approach that addresses the full life cycle of plastics as called for by UNEA resolution 5/14, including identifying the objective, substantive provisions including core obligations, control measures, and voluntary approaches, implementation measures, and means of implementation.

The template below is meant to assist Members and Observers to prepare their written submission as a guide. A number of documents prepared for INC-1 are of relevance, notably UNEP/PP/INC.1/5 on ‘Potential elements, based on provisions in paragraphs 3 and 4 of United Nations Environment Assembly resolution 5/14, including key concepts, procedures and mechanisms of legally binding multilateral agreements that may be relevant to furthering implementation and compliance under the future international legally binding instrument on plastic pollution, including in the marine environment’.

The template is divided into three sections:

I. Substantive elements
II. Implementation elements
III. Additional input

All written submissions must be sent to unep-incplastic.secretariat@un.org. The statements received will be compiled and made available the INC webpage.

Please note that it is not required for all fields to be answered in the template for submission.

Deadline for submissions:

• 6 January 2023 for written submissions from observers.
• 10 February 2023 for written submissions from Members of the Committee.
SUBMISSION OF
ENVIRONMENT AND SOCIAL DEVELOPMENT ORGANIZATION

| Name of country (for Members of the committee) |  |
| Name of organization (for observers to the committee) | Environment and Social Development Organization (ESDO) |
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I. Substantive elements

1. Objective(s)

   a) What objective(s) could be set out in the instrument?

   Proposed Objectives:
   1) To prohibit production, marketing and promotion of toxic plastics from the life cycle of plastics
   2) To phase out all problematic plastic items
   3) To ban production and use of single-use plastic products
   4) To promote environment-friendly alternatives of plastic products
   5) To regulate toxic plastic recycling throughout the lifecycle of plastics

   Explanatory Text: As of low- and middle-income countries, it is extremely important to think about the plastic pollution scenario. Survival is already a major issue in these countries, as a result using plastic is a luxury. Again, plastic production and manufacturing have increased all over the world due to Covid-19 and all low- and middle-income countries have produced tons of plastic products during this pandemic situation. However, to overcome this situation we are proposing the previously mentioned objectives which can be set out in the instrument.

2. Core obligations, control measures and voluntary approaches

   a) What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?

   1) Identification, segregation and environmentally safe disposal of toxic plastic products
   2) Phase out toxic chemicals from the entire life cycle of the plastic production
   3) Phase out hazardous and toxic plastic products
   4) Ensure information transparency of the manufactured plastic products
   5) Cost-effective recycling of environment-friendly products instead of plastic
   6) Participation of stakeholders in ensuring a plastic-free environment
ESDO Submission / INC on Plastic Pollution

7) Stop or prohibit transboundary movement of hazardous plastic waste
8) Prohibition of plastic littering in fresh water bodies and marine
9) Establishment of regional cooperation to protect plastic pollution
10) Protection and conservation of ecosystem and biodiversity from plastic pollution
11) Measures to be taken to protect agricultural soil from plastic and microplastic pollution
12) Ensuring national level EPR scheme and polluter pay principle to reduce and eliminate plastic pollution

II. Implementation elements

1. Implementation measures

   a) How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)

   b) How to ensure effectiveness of the instrument and have efficient national reporting?

   c) Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).

   a) A comprehensive national action plan needs to be developed in consultation with all relevant stake-holders, intergovernmental agencies, civil societies and academia. National action plan should accelerate and ensure participation of all stake-holders to the implementation process.

   b) Monitoring, evaluation and effective participation of relevant stake-holders are the key to ensure effectiveness of implementation of the instrument. These will also provide efficient national reporting.

   c) Non-essential plastics should strictly be eliminated to create non-toxic circular economy. Workers should be provided with opportunities for decent work to produce plastic alternatives with equity, security and human dignity. Technology and information should be made easily accessible for a non-toxic community especially for the low- and middle-income countries.

2. Means of Implementation

With respect to means of implementation, document UNEP/PP/INC.1/5 covers the following elements: capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance.

   a) What measures will be required to support the implementation of the instrument?

   1) Technical solution to plastic pollution must be turned into economic solution for the low- and middle-income countries

   2) International trading codes (HS code) should be used for the production and movements of plastics and their associated chemicals

   3) Provide adequate capacity building, technical assistance, technology transfer to low- and middle-income countries
4) Financial assistance is vital for all under-developed and developing countries, particularly countries in transitions. Comprehensive financial agreement is required to implement the instrument.

5) It should be underlined that financial support and technical cooperation should be provided to the specialized organizations and civil societies those who are part of the implementation of the instrument process.

III. Additional input

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

Education, awareness and information exchange are vital for implementation of the instrument. Successful implementation requires adequate research, stakeholders engagement and institutional arrangement for the final provision of the convention. So, following points to be considered:

1) Toxic exposure from the life cycle of plastics should be eliminated gradually by taking a vision within 2035.

2) Cooperation and coherence should be needed among treaties in order to deal with the upstream measures related to toxic plastics and chemicals to end plastic pollution.

3) Open, transparent and inclusive participation of the civil society particularly from low- and middle-income countries with the governments can ensure a cooperative multi-stakeholder approach and further development of the situation.