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 identifying the objective, substantive provisions including core obligations, control measures, and voluntary approaches, implementation measures, and means of implementation.

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.

**TEMPLATE FOR SUBMISSIONS**

<table>
<thead>
<tr>
<th>Name of country (for Members of the committee)</th>
<th>China</th>
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</thead>
<tbody>
<tr>
<td>Name of organization (for observers to the committee)</td>
<td>All-China Environment Federation</td>
</tr>
<tr>
<td>Contact person and contact information for the submission</td>
<td>Mr. Ni Yao, Deputy Director of International Cooperation Department, All-China Environment Federation <a href="mailto:ny123321@sina.com">ny123321@sina.com</a>; <a href="mailto:niyao@acef.com.cn">niyao@acef.com.cn</a></td>
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<td>Date</td>
<td>6 January</td>
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### I. Substantive elements

#### 1. Objective(s)

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

**Proposed Objective:**
The objective of the instrument is to protect human health and the environment from adverse impacts of plastics and achieve sustainable production and consumption of plastics across the full life cycle.

**Explanatory Text:**
The instrument should address all the adverse impacts caused by plastics throughout its life cycle including that caused by the toxic additives, poorly managed plastics, etc., and ultimately achieve sustainable production and consumption of plastics.

#### 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?**

### Core Obligations

1. **Apply volume control measures across the full life cycle of plastic, including the control of plastic raw materials and primary plastic production, elimination of problematic and unnecessary plastics, and the control of plastic waste generation and plastic environmental leakage.**

2. **Minimize the environmental and health impacts caused by plastic during its full life cycle, including those caused by microplastics and the hazardous substances used, added, and discharged during the production, use and waste management of plastics.**

3. **Avoid regretful alternatives that generate problems same to plastic, having adverse effects on human health and the environment, and ultimately affect the achievement of the objectives of the instrument.**

### Control Measures

1. **Eliminate problematic and unnecessary plastic, set global phase-out milestones.**

2. **Disclose chemicals in polymers throughout the supply chain and to the public by labelling or product description, list priority control hazardous chemical additives to be eliminated and keep updating the list, ensure that plastics contaminated by hazardous chemicals will not be recycled.**

3. **Promote sustainable design of plastic products and materials so that they can be reused, remanufactured, or economically recycled, develop global design standards for essential products.**

4. **To prevent the generation and discharge of toxic substances from plastic waste treatment, plastic waste treatment methods that generate specific toxic substances shall be prohibited.**

5. **Develop a plastic pollution clean-up plan, identify plastic pollution hotspots and remove the pollution in a safe, efficient and environmentally sound manner.**

6. **Carry out best practice research and technology sharing to avoid micro plastic production and conduct micro plastic capture.**

7. **When determining the application of plastic alternatives such as degradable...**
plastics, a comprehensive review of their use scenarios and full life cycle environmental and health impacts review should be conducted.

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).*

1. Each party shall develop and implement a plan for the implementation of its obligations under the instrument. The plan shall be periodically reviewed and updated. The parties shall consult their national stakeholders, including non-for-profit organizations to facilitate the development, implementation and updating of their implementation plans.

2. A global monitoring plan and a harmonized set of metrics should be established to track progress towards the objective of the instrument at the international and national levels through reporting, monitoring, research and review, and a mechanism to link science and policy should be established. Some of these metrics need to be assessed as country baselines in order to then measure progress.

3. The parties shall report the types and quantities of plastics produced, imported, and exported, and the production, collection and management of plastic wastes, so as to maintain transparency and justice in these aspects.

4. Establish channels and provide financial resources for civil society to participate in the implementation of the instrument, and ensure the openness, transparency, and inclusiveness of civil society participation.

5. Strengthen public awareness to increase the recognition and support of plastic pollution control at the retail terminals.
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?


2. A financial mechanism shall be established to support developing country parties and parties with economies in transition in implementing their obligations under the instrument, as well as capacity-building and implementation at different stages of the life cycle.
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).

1. Definition of plastic
Plastics are complex materials composed of chemical mixtures, including polymers, additives, and processing aids, as well as unintentionally added substances. To make the instrument fully solve the problem of plastic pollution, plastics should be defined as chemical mixtures.

2. Compound material
Materials and products with plastics as an integral part should also be properly controlled under the instrument, list priority compound material to be controlled and keep updating the list.

3. Stakeholder engagement
More participation support for NGOs is needed, including financial and interpretation assistance in INC negotiations as observers, as well as access to contact groups to make suggestions to Member States.

4. Plastic Industry
The instrument should identify a range of market instruments to ensure the “polluter pays” principle and extended producer responsibility, ranging from charging an importer, producer, or disposer of plastic product for its production or disposal and shifting product life cycle costs to producers through take-back mandates.