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 stakeholders. The template below is intended to provide guidance to members of the committee and stakeholders 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 stakeholders 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 stakeholders.
- 10 February 2023 for written submissions from Members of the Committee.
I. Substantive elements

1. Objective(s)

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

Proposed Objective:
Toxics free plastics and a toxics –free circular economy

Explanatory Text:
This is to make a case that health and chemicals have to be addressed in order to end plastic pollution throughout the life- life cycle.
In order to have a meaningful treaty, participation of the public interest observers is critical.
The INC should be allowed to all stakeholders and observers.

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?

Plastics and toxic chemicals harm human health and the environment and poison the circular economy. Plastics pollution has rapidly become one of the most pressure environmental threat to the people and the environment.
The member states should develop enabling microeconomic and sectorial policies that contribute to sustainable development.
The member states to develop community participation and involvement of key stakeholders like the community in addressing the issues of plastic pollution.
The member state should take into consideration of transparency and accountability

II. Implementation elements

1. Implementation measures

   a) How to ensure implementation of the instrument at the national level (e.g. 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) Implementation measures require transparency of the implementation at national level. This need the involvement of key stakeholders such as NGOs, traditional leaders and the community representatives and above all the instrument must be included in the national policy for it to have national respect.

B) The member states must address human exposure to toxic chemicals during the production and use of plastics. There should be strict monitoring from the community, District, Provincial, National, Regional and Globally. At the moment what is agreed at international level is usually does not get to community level. We need the instrument to address the lack of knowledge by the instrument to recognize the role played by the NGOs in communities as they do the awareness raising with very less or no financial support. And where there is high level of corruption NGOs have usually tough times to survive.

C) The best answer to this is to strengthen the National Environmental Policies and the use of life-cycle approaches considering the administrative burden for Medium, Small and medium sized Enterprises in order to stimulate investments in a sustainable business proceedings. The SMEs must be recognized at national, Regional and at Global level. And above all support to Civil Society Organizations (CSOs) must be enhanced.

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?

There is need for a lot of consensus building with local regional and global stakeholders on establishment of instrument that respects human rights and the environment with regards to micro litter and plastic pollution.

The need o support the CSOs is cardinal as there recognition in developing world is not usually done in the developing countries.

-Plastics and toxic chemicals harm human health and the environment and poison the cercuar economy and NGOs are whistle blowers and it becomes difficult to get local support and usually are given different treatment as they find it difficult even to participate locally and this calls for the instrument to address this gap.
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).

STAKEHOLDER ENGAGEMENT: This in most cases is not transparent as is just on paper in most developing countries. The instrument should address this deficiency.

AWARENESS RAISING, EDUCATION: With no adequate financial support it becomes with a lot of challenges to conduct these processes.

-EXCHANGE OF INFORMATION: The instrument must address this issue so that there is smooth exchange of information, more especially in developing countries.

-The instrument must address the role of NGOs in the address of ending plastic pollution at national, Regional and Global level.

-NGOs make life easy in the communities as they are closer to the people under difficult conditions as usually have no access to the national levels requiring the instrument to address this gap where necessary.