**AFRICA GROUP CONTACT GROUP 1 SUBMISSION**

**On the Objective**

The objective of the instrument should seek to:

- to end plastic pollution
- in all environments,
- bring plastic production and consumption to sustainable levels and
- achieve a safe circular economy
- be protective of human health, the climate system and biodiversity
- throughout the life cycle of plastic.

Therefore option 1 is preferred, although additional underlined elements may be covered in the scope.

The objective of this instrument is to end plastic pollution, including in the marine environment, based on a comprehensive approach that addresses the full life cycle of plastic, to protect human health and the environment.

**1. Primary Plastic polymers**

The Africa Group calls for an instrument that seek to bring the overall plastic production to sustainable levels. The principle of CBDR becomes relevant in any considerations, should any global reduction targets be considered, however not all countries should be mandated with the same reduction target and therefore target options could considered for removal.

**Option 1: this option should be deleted,** it is not preferred as it undermines the ability of countries to determine measures that take due consideration of own circumstances.

**Option 2 (Reservation with flexibility)** could be considered should clarification be provided for countries to assess the implications of the target on national circumstances in line with Sustainable Consumption & Production. Option 2 could be considered, however the INC would need more Intersessional Process work on how the global target will be determined with a view to bring overall plastic production to sustainable levels.

**Option 3** support the ability of countries to be in charge of their own development path. Need more intersessional process work.

**2. Chemicals and polymers of concern**

Protection of human health and environment from problematic and avoidable plastics is critical and therefore measures that seek to prioritize and deal with the most harmful and high-risk plastic categories, including mandatory requirements and standards on how the products are designed and manufactured, as well as measures for transparency and information disclosure along the entire plastic value chain., Therefore, the region is of the view that an intersessional work to be able to determine the criteria, priorities
and scope of application of this provision. Such intersessional work should be prioritized so as to inform further deliberations on this provision.

3. Problematic And Avoidable Plastic Products (a) and (b)

Regarding problematic and avoidable plastic products, including short-lived and single-use plastic products and intentionally added microplastics, the African Group is alive to the fact that such products, particularly short-lived plastic products, including packaging materials, are one of the major sources of plastic pollution. It will therefore be paramount that the instrument specifically addresses such categories of plastics. However, there is need for intersessional work to determine the criteria, priorities and scope of targeted plastic products.

4. On Exemptions:

The AG is open to discussions on exemptions, however these would have to be considered after substantive discussions on chemicals and polymers of concern and problematic plastics have been concluded. It will also be critical for the instrument to provide for a clear procedure and criteria for exemptions as stated in note 20 of the zero draft. This could also form part of the intersessional work.

5. On the options under 5 (a),

The Africa Group calls for Intersessional work to develop the minimum design and performance criteria. This intersessional work will provide the necessary clarification on the implications for the transition within the proposed timeframe.

The Africa Group is flexible on the either option 1 and 2 however it is necessary that the special circumstances of developing countries taken into account through the means of implementation to promote a just transition.

On option 5(b)

The Africa Group calls for Intersessional work to develop the minimum design and performance criteria. This intersessional work will provide the necessary clarification on the implications for the transition within the proposed timeframe.

The Africa Group is flexible on the either option 1 and 2 however it is necessary that the special circumstances of developing countries taken into account through the means of implementation to promote a just transition.

On option 5 (c)

An additional option is proposed by the group as there was no clarity on the timeframe needed to achieve the transition to minimum percentages for recycled content.

All options, including an additional proposed option 3, can remain on the table until there is some clarity on the minimum percentages for recycled content specified in annex C. This is specifically important when it comes to food-grade products, baby and children’s products.
The proposed option 3 as a possible new alternative option reads:

‘The governing body shall provide a timeframe in the annex towards transitioning all plastics in the market to be recyclable and this may entail gradual, incremental minimum percentage of safe and environmentally sound post-consumer recycled’.

5. **On option 5(d)**

Africa Group does not support Option 1 and calls for its deletion.

Option 2 is the preferred option as it captures development and use of alternatives in addition to ensuring the alternatives are safe and environmentally sound.

6. **On Extended Producer Responsibility (para 7 of part II)**

The Africa Group supports the operationalization of polluter pays principle through Extended Producer Responsibility, to promote actions that will stimulate public private sector partnerships and private sector investments in circular economy approaches along the plastics value chain, Stakeholder engagement is key to fostering an environment for building collective and innovative solutions to combat plastic pollution.

Therefore option 1 is preferred to ensure mandatory EPR schemes is applied.

Africa Group insists on Intersessional Work to provide clarification on the modalities contained in Annex D.

**On article 8 on Emissions and releases of plastic throughout its life cycle**

Africa Group calls for the following amendments:

Paragraph 1b which refers to releases to soil and water from the production, transportation and use of chemicals and polymers of concern, plastics and plastic products should be deleted as it is repetitive.

An addition to paragraph 5 is recommended to take into consideration landlocked countries and should read as follows:

‘Parties are encouraged to promote scientific and technical innovation to prevent and capture the releases of plastics and plastic products, including microplastics, into the environment, including in the marine’

Para 5 should also include the broader environment and other environment media to benefit from scientific and technical innovation as it is not only the marine environment that is impacted by plastic pollution.

Africa Group insists on Intersessional Work to have clarity and the formulation of the sources in Annex E
On Article 9: Waste Management

Africa Group supports Option 1 with some additional amendments including:

- Amendment of paragraph 1 of option 1, to include some elements from paragraph 1 of option 2, so as to ensure the role of the Basel Convention is captured with regard to waste management whilst at the same time ensuring that measures for waste management can be reflected in national plans. This paragraph was further expanded to hold producers accountable for the management of waste to relieve the costs from Parties. The revised text should be as follows;

‘Each Party shall take effective measures to ensure that producers manage plastic waste in a safe and environmentally sound manner throughout its different stages, including handling, collection, transportation, storage, recycling and final disposal, taking into account the waste hierarchy. Each Party shall take effective measures on safe and environmentally sound waste management at its different stages, including handling, collection, transportation, storage, recycling and final disposal of plastic waste. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.I on national plans], with an aim to achieving nationally determined targets and minimum requirements developed based on the harmonized indicators set out in part II of annex F’.

The group also proposes an amendment to paragraph 2 of option 1, in addition to the Basel Convention to include reference to the MARPOL Convention to address waste generated from ships and the Bamako Convention which prohibits the transboundary movement of waste to Africa to read;

‘Each Party shall meet the requirements, including where relevant through a sectoral approach, for minimum safe and environmentally sound collection, recycling and disposal rates, set out in part I of annex F, taking into account relevant provisions, guidance and guidelines in other international agreements, including those developed under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the International Convention for the Prevention of Pollution from Ships (MARPOL Annex V) of the International Maritime Organisation and the Bamako Convention on Hazardous Wastes’.

- On paragraph 3 of Option 1, the term 'where necessary' should be deleted to facilitate more obligatory language or measures to read;

‘The governing body* shall, where necessary, adopt requirements, guidance and guidelines for the implementation of the provisions in paragraph 2, additional or complementary to the relevant guidance and guidelines developed under other international agreements mentioned above’.

Finally, on Part (b) on Fishing gear, there is a need for further discussion on where these provisions should best be placed within the instrument.
On article 10: Trade in listed chemicals, polymers and products, and in plastic waste

The Africa Group calls for the following amendments:

The group proposes additional text to be clear on the which chemical or polymers are aimed for control thus 1b will read as follows;

1. Each Party shall not export:
   a. a chemical, group of chemicals or polymer referred to in [part II.2 on chemicals and polymers of concern], for use in plastic production or incorporation into a plastic product;
   b. a plastic product containing any such chemical or polymer as outlined in a) above; or
   c. a microplastic or product addressed in [part II.3 on problematic and avoidable plastic products, including short-lived and single-use product, and intentionally added microplastics];

Also we propose additional text in para 2 to align to the principles of transparency, tracking and information sharing, the revised text to read:

2. Each Party exporting a chemical, polymer or product referred to in paragraph 1 pursuant to this provision shall establish an export permit requirement for such exports and track the types, volumes and destinations of all its exports, and obtain the prior informed consent of the importing State in writing, together with its assurances that the chemical, polymer, microplastic or product, once imported, will be used in a manner consistent with the conditions contained in part II of annex A or in Annex B, as relevant, and managed in a safe and environmentally sound manner throughout its life cycle, including for final disposal.

On article 10 b Transboundary movement of plastic waste

Africa calls for further consideration to be given to referencing the role of the Basel Convention on transboundary movement of plastic waste and to include elements for global tracking and transparency systems to prevent parties from implementing measures in isolation.

It is critical that provisions on non-party states exporting to party states that ratify the convention also need to be included as part of this article.

Africa Group calls for an additional para 3 immediately after para 2, to read as follows:

‘Each party exporting chemicals, polymers and products shall establish and implement an export permit requirement for such exports and track the types, volumes and destinations of all its exports’.
On article 11: Existing plastic pollution, including in the marine environment

Africa Group underscores that existing plastic pollution should be considered in all environments, not just the marine environment, and represent the realities that landlock countries face.

The Africa Group calls for stronger and obligatory text in this article for the urgent prioritisation and addressing of the legacy plastics and related pollution that have accumulated especially in developing countries. The composition of these legacy plastics is not known and thus INC needs to mandate work on the identification and plans to address this pollution to be clarified as part of this article.

Linked to addressing these legacy plastics and the related pollution, is for the INC to ensure that additional financing and technology are part of the provisions for this instrument.

Africa Group calls for the additional text that provides a consideration of human health in paragraph 1. a. ii which should read as follows;

‘...where quantities and types of litter pose a threat to human health, species or habitats taking into account the full life cycle of plastics.’

Generally, the text in this article should be strengthened beyond cooperation and Africa calls for obligatory action on monitoring the sources and also on addressing plastic pollution.

The Africa region calls for the baseline guidance including guidelines to be agreed to by the governing body, at the earliest session as soon as possible.

Intersessional work should consider what is the current level of pollution, identify the hotspots, and be clear of the geographical scope of the problem and how to deal with legacy plastics to achieve the goals of the instrument.

On article 12 Just Transition

Africa acknowledges that implementing the future instrument may lead to job and livelihood losses, as well as other socio-economic impacts along the plastic value chain. Therefore, Africa group, calls for this instrument to take into account the national circumstances and ensure a fair, equitable, and inclusive transition, for affected populations, with special consideration for people in vulnerable situations, especially women, children, youth and waste pickers.

Waste pickers have been contributing to addressing plastic pollution and the instrument need to recognize their contribution. Africa calls for a clear reference to waste pickers in this article.
There should be clear linkages of this article with the means of implementation to ensure justice.

In this regard therefore, the Africa group aligns with GRULAC particularly in regard to considerations for waste pickers, including clear definition of the term ‘waste pickers’ and strengthening of the language used in this article so as to ensure just transition for all vulnerable groups. The Africa Group would like to make the following proposed amendment to article 12 (1);

1. Each Party shall promote and facilitate a fair, equitable and inclusive transition for affected populations, with special consideration for women and vulnerable groups, including children and youth, as well as all stakeholders in the waste value chain including waste pickers¹, in the implementation of this instrument*

On article 13 Transparency, tracking, monitoring and labelling

The Africa Group calls for measures for full transparency and information disclosure along the entire plastic value chain.

Paragraph 2 should incorporate elements on harmonized global tracking system, which may also require intersessional work for consideration of approaches for disclosure requirements.

¹ Waste pickers are workers in informal and cooperative settings who participate (individually or collectively) in the collection, separation, sorting, transport, and sale of recyclable and reusable plastic products in a cooperative or social and solidarity economy setting.