Submission on behalf of the Alliance of Small Island States (AOSIS) in advance of the Third Session of the Intergovernmental Negotiating Committee (INC) to develop a legally binding instrument on plastic pollution, including in the marine environment:

PART B: Potential areas for intersessional work

<table>
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<tr>
<th>Name of intergovernmental organization (Members of the committee)</th>
<th>Samoa, on behalf of the 39 member states of the Alliance of Small Island States (AOSIS)</th>
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Cover note.

A robust and effective intersessional work programme is likely essential to meet the ambitious goal of completing the work of the Intergovernmental Negotiating Committee (INC) by the end of 2024. However, the design and organisation of this work must take into account the support needed for the effective participation of SIDS; the key deliverables and outcomes needed to advance the negotiation process; and appropriate modalities to ensure the most efficient use of resources and the representation of developing countries, particularly SIDS.

Moreover, AOSIS submits that the organisation of the intersessional work can only be most effective after the INC arrives at a clearer idea regarding the types of obligations, the elements of the ILBI, and the structure of the ILBI. To this end, our submission on potential intersessional areas of work is based on how AOSIS views the design and structure of the ILBI at the current stage of negotiations, and is without prejudice to developments which may occur at INC-3.
Input on the potential areas of intersessional work to inform the work of INC-3 (following the lists compiled by the co-facilitators of the two contact groups)

AOSIS generally views the listing of intersessional work areas in both Contact Group reports as comprehensive and extensive. However, many of the options identified could be better streamlined into more specific and strategic areas of intersessional work to advance our negotiations.

To this end, AOSIS currently sees value in considering the following areas of intersessional work:

1. The development of the categories of substances, materials and products to be regulated under the ILBI using a sectoral approach - including an assessment of appropriate substitutes and alternatives, and potential definitions and criteria, including those through existing and relevant established standards (CG1 - Options 1,3,4)

   Categories could include: ‘harmful’, ‘problematic’ and ‘unnecessary’, with appropriate definitions and characteristics articulated by the ILBI to support the development of more technical standards and criteria to establish and update lists of substances, materials and products to be regulated overtime via annexes. For example:
   a. Harmful chemical and polymers are those that pose a threat to human or animal health, and/or the environment;
   b. Problematic chemicals, polymers, and products are those that disproportionately contribute to plastic pollution, especially in the marine environment;
   c. Unnecessary polymers, chemicals and additives are those that can be substituted for more safe, accessible, economically feasible, and sustainable alternatives.

2. To consider the potential role, responsibilities and composition of the scientific, technical and economic panels (STEPS) proposed by AOSIS. (CG2- Option A)

   Intersessional work could include evaluations of similar bodies under other instruments toward informing the design of the STEPs, taking into account the key areas of priority such a body would need to support under the ILBI. It is critical to note that the potential role and function of the STEPs would be further realised as states engage in more comprehensive discussions on the potential obligations under the ILBI.

   However, at minimum the STEPs could be tasked with performing a number of roles, including, but not limited to:
   a. Review the implementation of the ILBI, including by assisting with the conduct of effectiveness assessments;
   b. To provide timely information, including as requested by Parties, on relevant topics, such as the cost, safety and market availability of chemicals, inputs and proposed alternatives.
   c. To provide information on standards, guidelines or procedures as may be requested for adoption by Parties;
   d. Conduct assessments on measures, actions and approaches under the ILBI, including the potential economic, social and environmental implications of amendments, adjustments and proposed regulatory actions;
   e. Develop assessments of minimum funding requirements for the Financial Mechanism necessary for the implementation of obligations;
f. Make recommendations for the conduct of risk assessments and environmental impact assessments for remediation activities;
g. Monitor, report and verify remediation activities; and
h. Undertake any additional action on areas of concern to the Parties.

3. To map current financing to address plastic pollution toward the development of a new, dedicated financial mechanism using both public and private sources - to support, inter alia, the remediation of legacy plastic pollution, and implementation by developing countries, particularly SIDS. (CG2 - Options F, G, H)

A Financial Mechanism for the provision of adequate, predictable, and timely financial resources is to be defined under the agreement. The Mechanism is to support developing country Parties, particularly SIDS, in implementing their obligations under this agreement. Its operation shall be entrusted to one or more existing international entities.

The STEPs shall undertake individual National Budget Implication (NBI) calculations based on the needs identified by developing countries, particularly SIDS. Every five years the Parties develop a minimum financial target for the Mechanism, in consideration of assessments conducted by the STEPs taking into account the National Budget Implications (NBI’s).

4. In order to drive ambition and effectively measure progress overtime, a series of appropriate global targets can be useful to end plastic pollution by 2040. Given the limited time available to complete the work of the INC, AOSIS sees value in organising intersessional work to:

   a. identify the areas of action that might be appropriate for quantitative global targets (e.g. XX amount of XX substance to be reduced/phased down/eliminated by XX year);
   b. conduct assessments and evaluations to develop the most appropriate targets or series of interim targets, taking into account economic impacts on developing countries, especially SIDS, the availability of sustainable alternatives and substitutes, and adequate transitional periods; and
   c. propose mechanisms to drive ambition and accelerate actions toward the development of more progressive targets overtime.