Proposal submitted by AWTAD Anti-Corruption Organization to The Third session of the INC (INC-3) to develop an international legally binding instrument on plastic pollution

This proposal was submitted by:

AWTAD Anti-Corruption Organization

A non-governmental organization with an advisory status for ECOSOC based in Sana'a – Yemen.

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1. Scope
the proposed scope for the future instrument and types of substances, materials, products and behaviors should be covered by the future instrument

We believe that the scope of the next legal instrument should be limited to three areas:

- Environmental risks associated with the plastics industry and the production of raw materials
- Plastic waste management
- Pollution of seas and oceans with plastic waste

As for the plastic raw materials and their products that should be covered by the scope of the next international legal instrument, we suggest that a neutral team of multiple experts (in the industrial, environmental, climatic and marine fields) be formed and assigned to prepare a report that contains detailed and accurate information. In accordance with it, it is possible to determine the appropriate scope that must be covered by the next instrument for each material or product, in accordance with the objectives of this next international instrument

The fact that our organization is specialized in the field of anti-corruption: the behaviors that concern us and that should be covered by the scope of the agreement are the behaviors that promote best practices in the measurement and control of plastic pollution

- المضارع الذي لم يتم مناقشته في 2- نطاق المقترح الصك المقبل و أنواع المواد والمنتجات والسلوكيات التي يجب أن تغطيها الصك القانوني الدولي القادم:

نعتقد أن نطاق الصك المقبل يجب أن يحصر في ثلاث مجالات هي:

- المخاطر البيئية المرتبطة بالصناعات البلاستيكية
- وإنتاج المواد الخام
- إدارة النفايات البلاستيكية
- تلوث البحار والمحيطات بالنفايات البلاستيكية

أما بالنسبة للمواد الخام البلاستيكية ومنتجاتها التي يجب أن يشملها نطاق الصك القانوني الدولي القادم، فإننا نقترح أن يتم تشكيك فريق محامين من الخبراء المتعددين (في مجالات الصناعية والبيئية والمناخية والبحرية) وتكييفهم بإعداد تقرير يحتوي على معلومات تفصيلية ودقيقة، ويمكن بموجبه تحديد نطاق الممارسات التي يجب أن يشملها الصك القانوني الدولي لكل مادة أو منتج، وفقًا لأهداف هذا الصك دولي القادمة.

الغرض من منظمنا متخصصة في مجال مكافحة الفساد: فإن السلوكات التي نعترف بأنها تضر بالبيئة، بيئة الممارسات التي تؤدي إلى التلوث البلاستيكي، يمكن من خلال هذه الممارسات لكل من البلدان وخلق فرص عمل ممتعة.
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Explanatory Text:

We cannot deny the important role of the use of plastic in industrial products, and that plastic is a suitable alternative to many industrial raw materials whose extraction from nature has caused damage to the environment, climate and health over the past centuries, and the plastic industries have contributed to the economic and consumer growth of many countries and the creation of multiple job opportunities.

We have to be fair, it is true that the plastic industry and plastic waste have great and serious damage to the environment, health, economy, wildlife and marine life, but we must also recognize that the properties of plastic also have economic and environmental benefits, and it is difficult to find suitable alternatives for all plastic products during the coming decades.

Therefore, the upcoming international legal instrument must have a clearer scope and focus, so that it focuses on the negative aspects related to the environmental and health damages resulting from the economic activities of plastics, without harming its other economic, environmental and health benefits.

Many of the interventions and proposals during the first and second sessions were somewhat unfair, and some of the parties were exaggerated in their strictness towards plastic in general, without distinguishing between the main objective of this upcoming international legal instrument, which is limited to dealing with the environmental, climatic and health risks resulting from the plastic economy and the waste resulting from it.

2. Principles that may be identified in the next instrument to guide its implementation

From our point of view as a civil society, the most important principles we propose are:

First: Absolute transparency and the right to access information in all stages of plastic production, industry and trade, and dealing with plastic waste.

Second: Effective monitoring and imposing appropriate penalties for crimes to which the forthcoming legal instrument applies.

Third: Human Rights: A clean, healthy and sustainable environment is a human right in accordance with international covenants.
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Fourth: Society and non-governmental organizations are essential partners in implementing the international legal instrument and strengthening its oversight role.

Fifth: Equity in assuming responsibility between industrial and consumer countries, taking into account the needs and special circumstances of developing countries.

Sixth: Fighting plastic pollution is the responsibility of all parties, including the private sector and government institutions.

Explanatory text:

- The spread of corruption and organized crimes related to plastic pollution and pollution of the seas is one of the difficulties that will face the implementation of the next international legal instrument. Therefore, the principles of transparency, effective oversight and deterrent penalties must be strengthened in the texts of the international instrument and in the national legislation of the states parties, in order to reduce corruption and crime.

- The size of the problem of plastic pollution is greater than the ability of government authorities and international organizations to confront and reduce it, and it will be necessary to involve community groups and non-governmental organizations in confronting and reducing this problem.

- The right to life at the highest possible level of physical and mental health and the right to a safe, clean, healthy and sustainable environment and environmental justice for all peoples of the world and without discrimination between the peoples of the North and the peoples of the South, all of these are human rights that must be observed in this binding international legal instrument.

- There are beneficiaries of plastic pollution and there are also harmed, whether from the private sector or States parties, and therefore this legal instrument must achieve justice as much as possible, it is unacceptable for developing and least developed countries and poor island countries to pay the price for plastic pollution, which is mostly caused by large companies and industrialized countries.
3. Additional considerations

- We believe that the drafting of the preamble should be the last chapter in the drafting of the next international legal instrument, after all the participating delegations agree on all the axes and issues that will be covered by this instrument.

- Because this legal instrument will be binding, we suggest that cooperation to combat plastic pollution and ocean pollution should be mandatory between all party states and relevant groups, including the private sector and study and research centers, including scientific and technical cooperation, and non-monopoly of patents and scientific discoveries. And technology that contributes to combating plastic pollution and polluting the

- It is certain that combating plastic pollution will lead to many conflicts, whether between state parties or between other groups (such as the private sector, trade unions, labor and community associations, and others), so we suggest that a mandatory supplementary protocol be drawn up with this upcoming international instrument, and this supplement is dedicated to resolving Disputes and setting clear and specific rules for the state parties to update their national legislation for dealing with disputes and violations related to combating plastic pollution.

- The international legal instrument should include clear mandatory provisions for social responsibility on industrial companies and government institutions for-profit that cause plastic pollution and pollute the seas with plastic, and oblige them to allocate part of their total annual revenues to support programs and initiatives to combat plastic pollution, to provide funding for studies and research centers that are concerned with studying the problem and developing alternative and healthy tools and solutions, And financing development projects for affected communities

Sincere regards
AWTAD Organization for Combating Corruption

خلص تحياتنا
منظمة أوتاد لمكافحة الفساد

AWTAD Organization for Combating Corruption