Proposed response template on written submissions prior to INC-3 (part a)

At its second session, the intergovernmental negotiating committee (INC) requested the secretariat to invite written submissions on:

- Elements not discussed at INC-2, such as principles and scope of the instrument

INC-2 further requested the secretariat to post any submissions received on the INC website and to prepare a synthesis report of the submissions.

The template below was prepared by the secretariat, in consultation with the Chair, and is meant as a guide to assist Members and Observers in preparing their written submissions.

A number of documents prepared by the secretariat for INC-1 and INC-2 are of relevance to this submission, including:

**UNEA resolution 5/14** on ‘End plastic pollution: towards an international legally binding instrument’

**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’

**UNEP/PP/INC.1/6** on ‘Glossary of key terms’

**UNEP/PP/INC.1/8** on ‘Description of standard articles on final provisions that are typically included in multilateral environmental agreements’

**UNEP/PP/INC.2/4** on ‘Potential options for elements towards an international legally binding instrument, based on a comprehensive approach that addresses the full life cycle of plastics as called for by United Nations Environment Assembly resolution 5/14’

**UNEP/PP/INC.2/INF/4** on ‘Additional information linked to the options for the potential elements towards an international legally binding instrument’

**UNEP/PP/INC.2/INF/7/REV.1** on ‘Information submitted by the Secretariat of the Basel, Rotterdam and Stockholm conventions’

All written submissions must be sent to unep-incplastic.secretariat@un.org. As detailed in the mandate, the submissions received will be made available on the INC webpage, a synthesis report of the submissions will also be developed in advance of INC-3.

Please note that not all fields in the template need to be answered in the submission.

**Deadline for submissions:**

1. **By 15 August 2023** for written submissions from observer organizations.
2. **By 15 September 2023** for written submissions from Members of the Committee.
Elements not discussed at INC-2

1. Scope

What is the proposed scope for the future instrument?

Which types of substances, materials, products and behaviors should be covered by the future instrument?

Proposed scope:

1. The instrument should cover the full life cycle of plastics, and give the definition of "the full life cycle of plastics".
2. The instrument should identify conduits by which plastic flows from the land into the ocean, marine activities that produce plastic waste into the ocean, and cover plastic waste already in the ocean.

Explanatory Text:

1. The instrument should illustrate the life cycle of plastic:
   a. Upstream: the feedstock (hydrocarbons) oil and gas extraction, bio-based (agriculture), processing polymerization and chemicals;
   b. Midstream: design and production, distribution, use and consumption and reuse;
   c. Downstream: collection, waste management, repair, refurbish, recycling of materials and components, disposal, incineration and landfilling.

2. The instrument should identify the scope of marine plastic issues:
   a. Conduits by which plastic flows from the land into the ocean: It has been estimated in recent years that more than 1,000 rivers account for 80% of the annual releases of plastic waste to the ocean from the land; land-based plastic waste also migrates to the ocean by air;
   b. Marine activities that produce plastic waste into the ocean: fishing gear is the major ocean-based source of plastic waste, including nets, lines, ropes, traps;
   c. Plastic already/existing plastic in the ocean: plastic waste has a long lifespan beyond decades, for example, in construction more than 90% plastic waste existing up until 2040 will be from plastics produced before 2019.
2. **Principles**

What principles could be set out in the future instrument to guide its implementation?

Proposed principles:

1. Equity, including intergenerational responsibility equality, gender equality and common but differentiated responsibilities;
2. Extended producer responsibility (EPR);
3. Total amount control;
4. Priority in waste management;
5. Multistakeholder engagement.
6. Science-based precautionary principle

Explanatory Text:
6. The instrument should adopt a science-based precautionary principle for that long-lasting plastic in the marine environment negatively impact marine animals and the viability of commercial fisheries by two primary interactions: a. both commercial and non-commercial marine species can be entangled to death and interrupted on natural behavior and reproductive patterns by principally abandoned, lost or discarded fishing gear (ALDFG) or Ghost Gear; b. ingestion of both macro and micro plastics by marine species results in slower growth and development or even death of them, e.g. reducing abundance of commercial fisheries.

3. **Additional considerations**

Provide any other relevant inputs, proposals or priorities here that have not been discussed at INC-2 (e.g. preamble; institutional arrangements, including governing body, subsidiary bodies, scientific and technical cooperation and coordination, and secretariat; final provisions including dispute settlements; and if appropriate annexes).

Proposed inputs:

Explanatory Text: