

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:

- I. By **15 August 2023** for written submissions from **observer** organizations.
- II. By **15 September 2023** for written submissions from **Members** of the Committee.

TEMPLATE FOR SUBMISSIONS (part a)

Name of country (for Members of the committee)	BRAZIL
Name of organization (for observers to the committee)	
Contact person and contact information for the submission	dipas@itamaraty.gov.br
Date	15/09/23

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:

In light of the mandate from UNEA Resolution 5/14, the scope of the instrument should be aligned with a full-life-cycle approach of plastics, aiming at the elimination of plastic pollution in the future. The focus shall be on addressing the impacts of plastic pollution on the environment, including in the marine environment, and human health.

The instrument must also consider, more specifically, but not limited to, the impacts of plastic pollution on workers, in formal and informal settings, throughout the value chain of plastics.

The scope shall also include provisions and solutions to deal with existing plastic pollution.

2. Principles

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

Proposed principles, amongst others:

- The promotion and protection of human rights;
- The protection of the environment;
- Responsible consumption and production;

- The right to sustainable development;
- Diversity;
- Precautionary approach according to national capabilities;
- Common but differentiated responsibilities;
- Polluter-pays principle;
- Shared responsibility for the life cycle of the product;
- Full consideration of specific needs, special circumstances and local capabilities of developing countries;
- Intergenerational equity;
- Gender and social equality;
- The use of best available science;
- The knowledge of indigenous peoples and local knowledge systems;
- Fair transition, including an inclusive transition for waste-pickers;
- The recognition of reusable and recyclable solid waste as an economic resource with social value;
- Access to new, additional, adequate, predictable and easily accessible financial resources.

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).

The Preamble should include, amongst others:

Recalling the UNEA resolution “End plastic pollution: towards an international legally binding instrument” (UNEP/EA.5/Res.14);

Guided by the principles of the Rio Declaration on Environment and Development, including the principle of common but differentiated responsibilities;

Reaffirming General Assembly resolution 70/1 of 25 September 2015, by which the General Assembly adopted the 2030 Agenda for Sustainable Development (Res UNEA 5/14);

Recalling the Addis Ababa Action Agenda of the Third International Conference on Financing for development;

Recognizing the important role played by plastics in society;

Noting with concern that the high and rapidly increasing levels of plastic pollution, including in the marine environment, represent a serious environmental problem at a global scale, negatively impacting the environmental, social and economic dimensions of sustainable development;

Aware of the health concerns, especially in developing countries, resulting from local exposure to hazardous chemicals in plastics;

Underlining the importance of providing information to users, Governments and the public on the properties of hazardous chemicals;

Recognizing that actions required to further understand and address the global impact of plastic pollution will be environmentally, socially and economically most effective if they are based on the best available scientific knowledge, as well as on economic and social considerations, including knowledge from Indigenous Peoples and traditional and local systems, re-evaluated continually in the light of new findings in these areas;

Acknowledging that plastic pollution is a common concern of transboundary nature, Parties should, when taking action to address it, respect, promote and consider their respective obligations on human rights, the right to health, the rights of Indigenous Peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender and racial equality, empowerment of women and intergenerational equity;

Taking into account the imperatives of a fair transition of the workforce, particularly waste pickers, and the creation of decent work and quality jobs in accordance with nationally defined development priorities;

Stressing that sustainable patterns of consumption and production, with developed country Parties taking the lead, play an important role in addressing plastic pollution;

Recognizing the important role of providing incentives for emission reduction measures, including the sustainable use of biological and/or renewable feedstock;

Taking into account also the challenges faced by developing countries to manage solid wastes and other wastes, as well as to deploy up-to-date technologies required by circular economy approaches;

Acknowledging the need of the provision of means of implementation from developed countries to developing countries;

Reaffirming that States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies, as mutually agreed;

Affirming the importance of education, training, public awareness, public participation, public access to information and cooperation at all levels on the matters addressed in this instrument;

Subsidiary bodies

The new instrument will need to count on technical and scientific expertise, based on the best available science and traditional knowledge.

The instrument should establish subsidiary bodies, which would function on a regular basis, to address all corresponding technical and scientific issues as well as topics related to technological innovations. These bodies should be established taking into account equitable geographical representation, gender balance and racial equality.

The instrument must also count on a clearing-house mechanism – a platform for the exchange of knowledge and technologies - through which Parties shall endeavour to cooperate.
