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

Potential Areas Identified by the Contact Groups

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

- Any potential areas for intersessional work compiled by the co-facilitators of the two contact groups¹, to inform the work of INC-3.

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.

All written submissions must be sent to unep-incplastic.secretariat@un.org. The submissions received will be made available on the INC webpage.

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.

¹ Contact Group 1 focused on Section A: Objective(s). Section B: Substantive Obligations; Contact Group 2 focused on Sections C: Means of Implementation. D: Implementation measures. E: Additional matters as contained in part II of the Annex to document UNEP/PP/INC.2/4.
TEMPLATE FOR SUBMISSIONS

| 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 of submission | |

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)

Potential areas for intersessional work

The list of potential areas for possible intersessional work compiled by the co-facilitators of the two contact groups at INC-2 is set out below. Members and observers may wish to provide input on one or more of these areas.

Contact group 1:

1. Information on definitions of, e.g. plastics, microplastics, circularity
2. Information on criteria, also considering different applications and sectoral requirements, including:
   a. Chemical substances of concern in plastics,
   b. Problematic and avoidable plastic polymers and products and related applications
   c. Design e.g. for circularity, reuse
   d. Substitutes and alternatives to plastic polymers and products
3. Potential substances of concern in plastics, problematic and avoidable plastic polymers and products
4. Potential sources of release of microplastics (applications and sectors).

(Please note: A longer list is included in the co-facilitators report on discussions in contact group 1\(^2\). Submissions may also include input on any of the items in that longer list, such as, amongst others, the development of criteria to prioritise problematic and avoidable plastics; the development of targets for the reduction, reuse and repair of problematic and avoidable plastic products; or the guidelines on EPR)

\(^2\) The report can be accessed here: [https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf)
Contact Group 2:

1. To consider the potential role, responsibilities and composition of a science and technical body [to support negotiation and/or implementation of the agreement]

2. To consider potential scope of and guidance for National Action Plans [including optional and/or suggested elements]

3. To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered

4. To consider how other MEAs provide for monitoring, and suggest best practice

5. To consider options to define ‘technology transfer on mutually agreed terms

6. To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]

7. To identify options to mobilise and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))

8. To map current funding and finance available [to address plastic pollution] and determine the need for financial support for each Member

9. To identify capacity building and training needs for each Member.

Inputs relating to potential areas for intersessional work. Please identify clearly which area your input relates to.

PROBLEMATIC/AVOIDABLE/UNNECESSARY PLASTIC PRODUCTS

Discussions on plastic definitions must recognize that plastics play a significant role in society, but also consider that, if the production process, the use or the final disposal of plastics are not carried out properly, they may cause adverse effects on human health and the environment.

In the context of the Intergovernmental Negotiating Committee (CIN), the option for specific terms to be used within the scope of the future agreement, and their respective definitions, must be made through an inclusive and transparent process, based on scientific evidence and sustainability standards, so that such terms can be accepted by all INC Member States. It will also be essential to define what the Parties understand by “plastic pollution” (materials and products) and its impacts on human health and the environment.

The criteria used to define the specific terms to be adopted must be listed according to a similar process, based on scientific evidence and sustainability standards. The application of such criteria must also take into account differences between national circumstances and capabilities.

Throughout this process, the objective of eliminating plastic pollution must be kept in mind, recognizing the valuable environmental and socioeconomic services provided by waste pickers, with a view to protecting human health, including that of workers throughout the full life cycle of plastics, and the environment, including the marine environment.
Among the possible criteria to be listed, there are the risk of plastic materials and products being released into the environment; biodegradability; obstacles to recyclability; high standards in product design; plastic applications (function and use); and the use of hazardous chemical substances that pose risks to human health and the environment, and other technical criteria, such as, but not limited to, weight and thickness.

This discussion should also encompass new business models based on circular economy approaches, such as, but not limited to, reuse and recycling, biological and/or renewable solutions, possible safe and sustainable substitutes, the development of technological innovations, and socioeconomic inclusion of waste pickers.

POLYMERS AND CHEMICALS OF CONCERN

Brazil recognizes that there is a lack of transparency regarding information and data on the chemical composition of plastic materials and products, as well as shortcomings regarding the traceability of such articles.

The new instrument should thus promote greater transparency with regards to chemical substances used in plastics and their respective impacts on human health and the environment, taking into consideration, where appropriate, the protection of industrial and commercial data and information which are confidential.

It is also important to establish coordination and cooperation mechanisms with existing international instruments related to chemicals and waste, trade, maritime governance and other relevant agreements. This context requires work to be carried out based on scientific evidence and sustainability standards with a view to harmonizing definitions of polymers and chemicals of concern, as well as criteria to categorize them according to risk assessments, guided by the need to protect human health and the environment.

Among the criteria related to polymers and chemicals of concern that should be considered, there are: toxicity and ecotoxicity; reusability; recyclability; shape and structure, persistence in the environment; and bioaccumulation potential. The implementation of these criteria should take into account national circumstances and capabilities.

SAFE AND SUSTAINABLE ALTERNATIVES AND SUBSTITUTES

The debate on possible alternatives to plastic materials and products considered problematic encompasses possibilities that include, among others, plastics produced from biomass, biodegradable plastics, and compostable plastics. Possible alternatives also include new business models based on the circular economy and biological and/or renewable solutions.

Safe and sustainable alternatives and substitutes for certain plastic applications must be evaluated considering scientific evidence, the need for greater protection of human health and the environment as well as national circumstances and priorities, with a view to adopting national policies and developing national technologies.

Life cycle assessments must be carried out, incorporating a wide range of sustainability criteria and clear parameters for comparison purposes, as well as environmental, greenhouse gas emissions and health risk assessments.
It shall be important to note that, in the environment, plastics considered “degradable” might contain chemicals that accelerate its transformation into microplastics, which can be more damaging to human health and the environment. By the same token, some biodegradable materials might remain in the environment for a long time, if the required conditions for degrading are not entirely met.

Regarding sustainable alternatives, the INC should also promote mechanisms for international cooperation in Science, Technology and Innovation, with adequate financing as well as the transfer of and access to technologies, and encourage the search for innovative solutions, including biological and/or renewable products and services, which make appropriate use of knowledge from Indigenous Peoples and local and traditional communities.

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MICROPLASTICS

Microplastics and nanoplastics fall into two main categories: first or second generation; of intentional use and unintentional use, originating from the most diverse sources, applications and sectors.

Brazil supports that the future treaty define, classify and prioritize the different categories of microplastics - and their sources - with a view to adopting control measures based on assessments of risk posed to human health and the environment, particularly to the marine environment.

Measures to collect and eliminate disposed plastics need to be defined and implemented in an urgent manner to avoid further loss and damage to the environment and to human health.

Microplastics are an object of great concern when it comes to plastic pollution. Brazil supports the establishment of an international cooperation mechanism, supported by adequate international financing, that fosters the production of scientific knowledge on the impacts of microplastics on human health and the environment, with a view to supporting measures and policies to be adopted.