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) | Cambodia |
| Name of organization (for observers to the committee) | H.E. San Vanty, Secretary of State, Ministry of Environment, email: san.vanty@moe.gov.kh |
| Contact person and contact information for the submission | Mr. Roath Sith, Deputy Director General, General Directorate of Environmental Protection, Ministry of Environment, email: roath.sith@moe.gov.kh |
| Date |  |

**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?*

**Objectives:** We support the proposed overall objective: “To end plastic pollution, including in the marine environment and to protect human health and the environment.”

**Scope:** We support the comprehensive approach of “addressing the full life cycle of plastics,” *inter alia*, covering the design, production, trade, consumption, and waste management (collection, disposal and recycling) of plastic including legacy plastics.

Particular attention should be paid to reducing the total volume of global plastic production, targeted at packaging and single-use plastics as well as supporting low- and middle- income countries to enhance plastic waste management including legacy plastic waste management and prevent land- and sea-based leakages.

**Explanatory Text:**

The total volume of global plastic production shall be reduced/control since the current total volume far exceeds the global waste management capacity. This is also clear from substantial amount of plastic waste (8-12 million metric tons) entering the ocean every year. According to OECD (2022) ¹, out of 8 billion metric tons of plastic produced, only 9% was recycled, 19% was incinerated, and 50% went to sanitary landfills, with 22% ending up in the environment (lands, rivers, oceans) Hence, it is crucial to address the root cause of the problem, by controlling and minimizing the total production of plastic waste.

¹ https://www.oecd-ilibrary.org/sites/de747aef-en/index.html?itemId=/content/publication/de747aef-en
plastic materials/products, especially targeted at non-essential single-use plastic items and harmful chemical additives and substances. Equally important is to provide technical and financial support to low- and middle-income countries in enhancing collection and management capacities of plastic waste and legacy plastics. Clear global goals with targets should be set while allowing for countries to develop and implement measures (e.g., national action plans) taking national circumstance into consideration. There is also a crucial need for a phased approach and transitional periods to allow for countries to devise and implement measures reflecting their existing capacity and resources. Furthermore, financial and technical assistance is integral for low- and middle-income countries to fully implement required actions.

2. Principles

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

Proposed principles:
Overall, we support circular economy approaches, sustainable production and consumption, environmentally sound management of plastic waste, and a just transition with green job-creation to achieve this goal.

Other principles, we propose, include:
A) Environmental Protection and Sustainability
B) Public Health and Safety
C) Pollution Prevention and Polluter Pays Principle
D) Inclusive and Sustainable Economic Development
E) Inclusive and Effective Participation
F) Multi-Sectoral and Multi-Stakeholder Approach
G) Innovation, Research and Development of CE solutions (e.g. alternative materials to replace plastics)

Explanatory Text:

A) Environmental Protection and Sustainability: Promotion of circular economy approaches requires improvements in every part of the resource value chain from material extraction and product design to waste collection and management. Each priority action shall ensure long-term environmental protection and sustainability in tandem with economic growth.

B) Public Health and Safety: Each action shall take into account and maximizes the health, safety, and well-being of all citizens, communities, civil societies, the government, and the private sector shall be informed, educated, and empowered regarding public health impacts of any circular economy action. Appropriate measures should be in place to avoid and mitigate any public health risks while maximizing health benefits.

C) Pollution Prevention and Polluter Pays Principle: The utmost important measure is to avoid and minimize any pollution and waste at first, subsequently followed by the effective management of pollution and waste. Cambodia is not a major plastic producer and is struggling to address the ever-growing consumption of imported plastic products, which far exceeds the capacity of our waste
management systems. Support is needed from producers to cover the costs for effective prevention and management of plastic waste and pollution across the value chain.

D) Inclusive and Sustainable Economic Development: The instrument shall aim to promote a just transition and to create new economic opportunities and quality jobs for all. It should also aim to improve the livelihoods and well-being of all people through the promotion of a circular economy.

E) Inclusive and Effective Participation: All concerned actors shall have the right and ability to participate freely in decision-making and in activities that affect them and their environment. Special attention will be paid to the poor and marginalized, including women and girls.

F) Multi-Sectoral and Multi-Stakeholder Approach: The instrument includes actions throughout the value chain, encompassing sustainable production and consumption and waste management. It should therefore promote collaboration among the government, private sector, citizens, civil society, development partners, NGOs and academic institutions, based on the full recognition of their crucial roles in accelerating a shift towards a circular economy.

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:
1. The Treaty should support countries for practical solutions for collecting plastic waste, including legacy riverine/biosphere reserves and ocean plastic waste, and its financing; complete rules and regulations related to sound plastic waste management.
2. The role of accessible low-cost innovation and solution-oriented best available technologies (BAT) and best environmental practices (BEP) must be defended in the Treaty.
3. The Treaty should learn from, capitalize on synergies, and fill gaps in existing Multilateral Environmental Agreements to enhance the management of hazardous plastic wastes and slow current exports of plastic waste into least-developed countries.
4. The treaty shall make convenience funding scheme and provide direct support to the countries.
5. To complement a core element on information sharing, including a negative list with chemicals to disclose; a clearing house mechanism or guidelines for information sharing, i.e., how information can be tagged onto individual materials and products and how it can be retrieved; the setup of a centralized database to which disclosed data is reported, including the modalities (who reports to whom, in what format, who has access to the data, etc.).
6. Scientific and technical cooperation and coordination.
7. The contribution of plastic waste and the plastics industry to climate change should be considered.
Explanatory Text:

1. The Treaty shall support concrete solutions for collecting plastic waste as part of the mix of solutions encouraged to reduce the consequences of marine plastic pollution. Many solutions and Multilateral Environmental Agreements already exist on land and at sea. The Treaty should learn from, capitalize on synergies, and fill gaps not only to hope to manage the legacy of plastic waste, which is already in the water and will take hundreds of years to decompose but also to give society positive prospects for improving the situation in the short and medium term.

2. The role of innovation and solution technologies should be promoted in the Treaty so that nations can accelerate systems change across the entire lifecycle of plastic pollution, from source to sea.

3. Scientific research in the Treaty is fundamental to base decisions on objective, harmonized, and shared data and encourage the development of data-based policies.

4. Improving access to fast and flexible finance for innovators along the value chain must also be a priority in a highly time-sensitive fight against plastic waste.

5. Recognizing, safeguarding and promoting the inclusion of existing innovations in national and global regulatory frameworks.

6. Core elements should define obligations without specifying how. Implementation instructions fit in annexes. This setup allows flexibility to change standards and criteria more easily in the future.