

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)	People's Republic of China
Name of organization (for observers to the committee)	N/A
Contact person and contact information for the submission	Ms. CHEN, Haijun Director, Department of International Cooperation, Ministry of Ecology and Environment chen.haijun@mee.gov.cn
Date	13 September,2023

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?

China suggests that the instrument shall, in accordance with the mandate from UNEA 5/14 Resolution, promote sustainable production and consumption of plastics through lifecycle approach in light of national circumstances and capabilities, and should prioritise binding measures for critical processes and applications leading to plastic pollution.

In terms of the scope, the instrument should aim at addressing plastic pollution and reducing releases and leakages of plastic waste to the environment. Limiting the production of plastic polymers is not a straight solution to plastic pollution and goes beyond the mandate of the instrument, and as a result, should not be included in the instrument.

At the global level, approximately 300 types of plastics have been produced, over half of which have been used as durable materials such as structural and functioning components in almost all final manufactured goods. Plastics can be alternatives to, for example, metals in automobile and electrical equipment and woods in construction. Those types of plastics highly distinguish from single-use plastics in terms of their purposes, lifespan, management measures and potential pollution to the environment. The instrument should focus on the priority process to improve the effectiveness of management, by classifying the types of plastics and adopting different and phased measures, under the framework of full life cycle of plastics as requested in UNEA 5/14.

For the plastics prone to leakage (e.g. the single-use plastic products), the measures could include

the following across the lifecycle,

- Prohibit or restrict the production and uses;
- Eco-design;
- R&D of and promote the alternatives and alternative technologies;
- Enhance recycling and disposal of post-consumer plastics.
- Annexes listing types of plastics of control and their screening criteria could be included.

The above-mentioned are the key aspects that member states have paid much attention to in order to address plastic pollution. Dozens of countries have taken control measures on single-use plastic products such as plastic bags, straws and cutleries.

For embedded or durable plastics (e.g. Plastics used in electrical equipment, automobile and buildings) are long-lived for years or decades. They play vital roles in socio-economic development and are hard to leak to the environment. For this type of plastics, control measures could include,

- Eco design;
- Enhance recycling and disposal.

Putting production cap or other one-size-fits-all approaches are not solutions for the root cause of the pollution of such plastics and will have opposite effect on socio-economic development.

For products added with microplastics (e.g. consumer products such as facial cleansers and scrub creams) , control measures include:

- Prohibit or restrict the production and uses;
- Eco-design.

2. Principles

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

1. Principles are fundamental to negotiations that will provide guidance to the negotiations of substantial issues. It is suggested to prioritize the discussions of principles.

2. Principles shall include Sustainable Development, International Cooperation, Common but Differentiated Responsibilities, Equity, supporting development and environment with science and evidence-based approaches that are commonly recognized in international environmental laws.

3. Principles could be placed in the preamble of the instrument, referring to other multilateral environmental agreements (MEAs).

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).

1. Elements that were not discussed in INC-2, including principles, scope, preamble, governing body(modality), final provisions, and et al, should be prioritized to discuss in INC-3.

2. Preamble. We should not neglect that plastics are vital to industries, constructions, agriculture and other areas as fundamental materials, while we recognize plastic pollution is serious. It is suggested, as per UNEA 5/14, to state in the preamble that plastics play important roles in society and to emphasize that plastic pollution arises from the leakage and accumulation in the environment of the discarded plastic products. Preambles usually relate to the background and principles of the instrument and should not include text on the time-frame or control measures.

3.Means of implementation. It is of great significance that developed countries provide sufficient financial support for developing countries to ensure the implementation of the instrument. Developed countries should enhance their financial support, technology transfer, and capacity building for developing countries.

4.Subsidiary body. It is suggested to refer to the modality of Stockholm Convention to establish subsidiary bodies such as panels for scientific assessment and specify the functions in the instrument. Subsidiary bodies should conduct relevant work under the mandate from the Conferences of Parties(COPs) on the basis of science. The reports drafted by these subsidiary bodies should be made public upon the approval of COP.

5.As for the modalities such as Secretariat and the Governing Body, we support to learn from the experience of other MEAs, establish the Secretariat and Governing Body (e.g. COP) and specify the mandates under the mechanism of instrument.