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.
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?*

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**Proposed scope:**
The proposed scope of the legally binding instrument to end plastic pollution should encompass a wide range of substances, materials, products, infrastructure, culture, and behaviors such as efficient and responsible use, that contribute to plastic pollution. This includes, but is not limited to, single-use plastics, microplastics, synthetic polymers, and other plastic materials that are in waste streams and end up on marine environments. Additionally, the instrument should address efficiency for products and materials made from non-renewable or bio-based resources, such as fossil fuels, as well as those consumption models that can effectively contribute to eliminate unnecessary packaging and (insatiate?) a moderate consumption.

**Explanatory Text:**
Plastic pollution is a global crisis that affects every region of the world, including Colombia and Latin America. To effectively combat this problem, it is essential to take a comprehensive approach that addresses the root causes of plastic pollution. The proposed scope of the instrument considers the diverse ways in which plastic pollution manifests, from single-use plastics and microbeads in personal care products, to excessive packaging and disposable items. By covering a broad range of substances, materials, products, infrastructure, culture and behaviors, the instrument can tackle plastic pollution at multiple levels and promote sustainable practices throughout the value chain. For example, limiting single-use plastics will reduce the amount of plastic waste that enters the environment, while promoting sustainable product design and consumption patterns will help to minimize waste generation and encourage more efficient use of resources. Furthermore, addressing the use of non-renewable resources in plastic production will help to mitigate the environmental impacts associated with extracting, processing, and transporting these materials. Ultimately, the goal of the instrument is to create a circular economy where plastic is kept in use for as long as possible and waste is
minimized, thereby reducing the negative impacts of plastic pollution on human health, wildlife, and ecosystems.

2. Principles

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

**Proposed principles:**

The future instrument aimed at combating plastic pollution could be guided by several key principles to ensure its effective implementation. Firstly, the *precautionary principle* should be adopted, which states that if an activity or substance may cause significant harm to the environment or human health, precautionary measures should be taken even if the full extent of the potential harm is not yet fully understood. Secondly, the *polluter pays principle* should be applied, which requires that those responsible for generating plastic waste along the chain bear the costs of managing and disposing of it properly. Thirdly, the concept of *extended producer responsibility* should integrate all actors of the chain, which ensures that brands, manufacturers, retailers, processors, and citizens take responsibility for the entire lifecycle of their products, including their disposal and recycling. Finally, the instrument should prioritize the use of *science-based decision-making and monitoring* to ensure that policies and regulations are informed by the best available evidence and understand the local territory where it is to be implemented.

**Explanatory Text:**

The proposed principles for guiding the implementation of the future instrument are designed to ensure a comprehensive and effective approach to combating plastic pollution. The precautionary principle recognizes that the impacts of plastic pollution are still being discovered and that it is crucial to take proactive steps to prevent further harm. By adopting this principle, policymakers can take action to mitigate potential risks before they become major problems. The polluter pays principle places the burden of proper waste management on those who generate it, providing an economic incentive for companies to work and invest collaboratively to reduce waste and adopt sustainable practices. Extended producer responsibility encourages all actors to allow producers to design products with recovered material, thoughtful of recyclability and biodegradability standards, become co-investors of the needed infrastructure reducing the likelihood of waste ending up in the environment. Science-based decision-making ensures that policies and regulations are grounded in the latest (implementation of legislation) and data, allowing for the most effective solutions to be implemented. Together, these principles can help to guide the development and implementation of a robust and effective instrument to combat plastic pollution.

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:**
Institutional Arrangements:
- Establishment of a coordinating mechanism to oversee the implementation of the instrument, such as a Plastic Pollution Control Board or a similar entity.
- Development of national and regional action plans to combat plastic pollution, with clear targets, timelines, and responsibilities assigned to different stakeholders.
- Creation of Extended Producer responsibility programs that incorporate plastic pact road maps and strategies to enhance a global network of plastic pacts, where experts can collaborate, share information, and coordinate efforts to address plastic pollution.

Scientific and Technical Cooperation and Coordination:
- Establishment of an institutional – to - national - to - global database on plastic circularity index, which includes data on sources, types, distribution, and impacts of plastic pollution, as well as information on best practices and technologies for reduction, reuse, and recycling.
- Organization of regular international conferences and workshops to discuss advances in scientific understanding, technological innovations, and policy developments related to plastic pollution control accessible to all state members and chain actors at feasible cost,
- Creation of a framework for collaborative research and development, involving both public and private sectors, to accelerate the development and deployment of new technologies and sustainable alternatives to plastics.

Explanatory Text:
The proposed scope expands upon the elements discussed during INC-2 by focusing on two key areas: institutional arrangements and scientific and technical cooperation and coordination. In terms of institutional arrangements, the creation of a coordinating mechanism, such as a Plastic Pollution Control Board, would provide leadership and direction to the effort to combat plastic pollution. National and regional action plans would ensure that all stakeholders are working towards common goals, with clear targets and timelines. A global network of plastic pollution control centers would facilitate collaboration and knowledge sharing among experts.

Regarding scientific and technical cooperation and coordination, the establishment of a global database on plastic pollution would provide a centralized repository of information, enabling better tracking and analysis of plastic pollution trends and impacts. Regular international conferences and workshops would bring together experts from around the world to share knowledge and best practices, while a framework for collaborative research and development would encourage innovation and the development of sustainable alternatives to plastics. By emphasizing scientific and technical cooperation and coordination, the proposed scope recognizes the critical role that knowledge and innovation play in addressing the complex challenge of plastic pollution.