Response template / INC on Plastic Pollution / 21 June 2023

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?

Proposed scope:
The legally binding instrument is expected to cover the whole life cycle of plastics from extraction to their production and design to their use, consumption and disposal, and address all sources of plastic pollution, including in the marine environment, covering materials, products, chemicals, additives and microplastics while recognizing the risk of plastic pollution to human health. The treaty should not be duplicative of other multinational efforts.

Explanatory Text:
We support establishing an ambitious and effective international legally binding treaty that safeguards all beings and the environment from the harmful effects of plastic pollution. Therefore, we recommend combining the activities described in UNEP/PP/INC.2/4 Appendix I, C, 4. (a) and (b) for a proposed scope.

In support of a circular plastic economy, we advocate for a rapid shift where the producers are responsible to ensure environmentally sound practices at each stage of production, usage and disposal, including recycling (not downcycling) so that plastics can be reused and a decreased amount of virgin plastic is needed. The scope must allow for the development of a harmonized formula for monitoring and reporting at each stage of plastic’s lifecycle, with clear accountability to the UN.

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

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<tr>
<th>Proposed principles:</th>
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<tr>
<td>1. Precautionary principle</td>
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<td>2. Rio principles</td>
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<td>3. Polluter pays principle</td>
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<td>4. Extended producer responsibility (EPR)</td>
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<td>5. Transparency and reliance on best available science</td>
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<td>6. Social rights, particularly of the informal sector workers</td>
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Explanatory Text:
1. Precautionary principle: We believe there is sufficient evidence to apply the precautionary principle. Endocrinologists are deeply concerned about the impact plastic pollution is having on the human metabolic system. The Endocrine Society on their website states, “Many common plastics contain and leach hazardous chemicals including endocrine-disrupting chemicals that are harmful to human health. These chemicals disturb the body’s hormone systems and can cause cancer, diabetes, reproductive disorders, neurological impairments of developing fetuses and children and death.”

2. Rio principles: Principles 2, 6, 7, 10 and 14 have particular relevance to the issues of plastic pollution. Traveling through rivers and oceans, plastic pollution causes harm beyond the limits of a national jurisdiction. Developing countries, especially small island states have spoken eloquently during the INC sessions about the inordinate impact that plastic pollution from other jurisdictions have made on their country. Major plastic polluting countries impact more vulnerable countries with less well-developed waste management systems. Wealthier countries need to provide assistance and shoulder their responsibilities for the plastic pollution they are generating.

We believe that each individual must have access to information about the hazardous materials in the plastic they are using and recycling.

3. Polluter pays principle: We strongly support this UN principle. The costs of all impacts on human health and the environment caused by the whole lifecycle of plastics need to be shared globally and not only within national boundaries.

4. Extended Producer Responsibility (EPR): A global Extended Producers’ Responsibility system that addresses current, future and legacy plastics production, especially plastics with toxic additives is needed. UNEP has a project that will help us learn how to take what has been successful program in Norway and scale it up to address the global plastic pollution through EPR.

5. Transparency and reliance on best available science: Science has informed our understanding about hazardous classes of chemicals and polymers used in plastics. Transparency in labeling will allow manufacturers and consumers to make toxic-free choices and increase safety for those who produce and recycle these products.

6. Social rights, particularly of the informal sector workers: As informal workers have testified at the INC, it is essential that we work towards fair wages for waste pickers and ensure that there is a
just transition to new jobs as we move to increasingly automated recycling of plastics, new modes of waste management, and hopefully a decrease in 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: UNEP/PP/INC.2/4 F.41 (a-f)

Explanatory Text: We support the idea of including these six annexes which can be updated as new information becomes available. This will keep the treaty relevant and effective for addressing plastic pollution into the future.