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:**

- Include references of the specific consumer rights highlighted in the United Nations Guidelines for Consumer Protection (UNGCP)
- Resolution 5/14
- Entire lifecycle of plastics, including polymers, additives, products, materials and consequent environmental and health impacts caused by them.
- Complementary and in harmony with other existing environmental conventions to prevent plastic pollution and its adverse impacts on human, animal and marine health.

**Explanatory Text:**

2. **Principles**

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

- The 8 Consumer Rights from the United Nations Guidelines for Consumer Protection
- Principles 2, 7, 10, 15, 16 from 1992 Rio Declaration
- Principles of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment.
- Principles of inter- and intra-generational equity
- Maastricht principles on the Human rights of future generations
- Planetary boundaries principle
- Principle of prevention
- Principle of non-regression
- Principle of Zero-Waste hierarchy
- Principles of transparency and accountability - in the context of preventing greenwashing, misleading advertisements and false solutions

Explanatory Text:

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:

- The preamble shall include an evident commitment to reducing plastic production
- The preamble shall embody the need to approach the issue of plastic pollution from a human rights perspective in addition to scientifically sound and technical perspectives.
- Over-reliance on post-consumer waste management should be discouraged and avoided and zero waste hierarchy should be prioritised - Refuse, Rethink and Redesign, Reduce and Reuse, Repair, Composting / Anaerobic digestion / Recycling, Material and Chemical Recovery, Residuals management (disposal/landfilling)
- Burden of ending plastic pollution should not be solely placed on consumers but requires implementation by governments and actions by businesses by rethinking and redesigning products and packaging, incentivising companies investing in reuse and refill systems, and setting Extended Producer Responsibility targets
- Agreed solutions to plastic pollution that require consumers to play a role must be evidence-based on consumer affordability, acceptability, practicality and effectiveness
- Developing an ecosystem for alternatives to plastics, particularly, Single-Use Plastics, while ensuring accessibility and affordability for consumers.
● Financing mechanism to strengthen waste management infrastructure in the Global South, to ensure just transition for waste workers, fisherfolk, street vendors and other marginal communities dependent on plastics.