Part II Sections from 5 to 13
Cuban proposal texts

Section 5: Product design and composition

In addition to AOSIS position, Cuba has the following general comments:

It is necessary to clarify the definitions of plastics and plastics products, since Cuba understand that they are the same. So, the proposal is based on the fact that it is referred only as plastic products.

This is an important provision, however, developing Parties face big challenges because of the lack of technical human resources and technologies. Many of developing countries, especially SIDS are only importers of plastic products, so, there is not possible to implement any measure on the design of product that they don't produce.

For that reason, along the all provision national circumstances and capacities of developing countries, as well as their access to technology transfer and financial resources shall be taking into consideration.

Proposal:

a. Product design

1. Each Party shall take measures, including those referred to in paragraphs 2 and 3, to enhance the design of plastic products, including packaging, and improve the composition of plastic products, according to the national capacities of developing countries and available scientific results, with a view to improve the circular economy of plastic products and minimize releases of plastic waste, including microplastic.

b. Reuse, refill and repair of plastic products

1. Each Party shall, based on guidance to be provided by the governing body* at the latest by its second session, take effective measures to promote the reuse, refill, repair, repurposing and refurbishment, as relevant, of plastic products produced within its territory and those available on its market, in particular through the implementation of reuse, refill and repair systems, according to national circumstances and capacities; as well as access to technologies and availability of financial resources from developing countries.
c. Use of recycled plastic contents

1. Each Party should promote that plastic products produced within its territory and those available on its market achieve minimum percentages of safe and environmentally sound postconsumer recycled plastic contents, when it is technologically feasible and based on the elements contained in part III of annex C.

2. Each Party shall take measures to ensure that, where needed, primary plastic in products is replaced by safe and environmentally sound recycled plastic content, depending on the availability of technological solutions and means of implementation for developing countries. The measures taken to implement this provision may include the use of regulatory and economic instruments, public procurement, or incentivizing changes in the supply chain and in consumer behavior, according to national circumstances.

d. Alternative plastic products

1. Parties shall ensure that alternative plastic products are safe, environmentally sound and sustainable, taking into account their potential for environmental, economic, social and human health impacts, including food security, as well as the national circumstances and capacities.

Section 6: Non-plastic substitutes

In addition to AOSIS proposal, Cuba has the following one:

1. Each Party shall take measures to foster innovation and incentivize and promote the development and use at scale of safe, environmentally sound, and sustainable non-plastic substitutes, including products, technologies and services, taking into account their potential for environmental, economic, social and human health impacts, as well as the developing countries’ access to the transfer of necessary technologies and financial resources.

2. Parties are encouraged to use regulatory and economic instruments, public procurement and incentives to promote the development and use of safe, environmentally sound and sustainable non-plastic substitutes, taking into account national circumstances and capacities.
Section 8: Releases of plastic throughout its life cycle

(Emissions shall not be part of the regulation under the Instrument)

In addition of AOSIS position, Cuba proposes:

1. Each Party shall take measures to control releases of plastic polymers, plastics, including microplastics, and plastic products across their life cycle, to the environment from the sources identified in annex E, according to the national circumstances and capacities of developing countries.

2. Each Party shall prevent and eliminate emissions and releases of plastic pellets, flakes and powder from production, storage, handling and transport, taking into account, as appropriate, the relevant provisions and guidance agreed in the framework of international organizations such as the International Maritime Organization, according to national circumstances and capacities.

Section 9: Waste management

Cuba support the AOSIS proposal and in addition propose the following:

a. Waste management

Para 6: It is recommended to Parties take additional measures, according to their national capacities, to: [...]

Section 10: Trade in non-hazardous plastic waste

General comment: Cuba considers that trade regulation shall be only applied to not hazardous plastic waste. Trade of polymers, chemical and plastic product shall not be regulate under the Instrument. Basel Convention already cover the transboundary movement of hazardous plastic wastes, so efforts shall not be duplicated.

Proposal:
a. Trade in listed chemicals, polymers and products

Zero option:

No provision on trade of chemical, polymers and products shall be included in the Instrument.

Section 12: Just transition

General comment:

Cuba joins the positions and concerns of GRULAC and AOSIS about this sections. In addition we consider that Just transition is one of the most important provision that needs means of implementations, especially capacity building and financial resources in order to increase the awareness and education of vulnerable actors and support the transition to other activities.

It is also important to recognize the national circumstances of countries, because situation is different from one country to another one.

Proposal text:

1. Each Party shall promote and facilitate a fair, equitable and inclusive transition for affected populations, with special consideration for indigenous peoples and local communities, women and vulnerable groups, including children and youth, in the implementation of this instrument*, provided that means of implementation are available for developing countries. This may include, according to national circumstances: […]

Section 13: Transparency, tracking, monitoring and labelling

General comment:

Cuba considers that developing countries need flexibility for applying a provision related to information, monitoring and labelling, since it requires the creation of infrastructure, technology access and strong statistical information offices.

Proposal:

1. Each Party shall, according to their national circumstances and capacities and the means of implementation required in the case of developing countries: […]