



Children And Youth Major Group (CYMG) written submission on the elements not discussed at INC-2, such as principles and scope of the instrument (Part A)

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Children and Youth Major Group to United Nations Environment Programme (CYMG) is the mandated official, formal and self-organized space for children and youth to contribute to and engage in intergovernmental and allied policy processes at UNEP and relevant environmental governance and conservation processes in the broader UN system. CYMG has the role of the official youth engagement mechanism to UNEP. The process of preparing this submission was led by the Plastic Action Working Group, which entailed several weeks of consultations, online meetings and written inputs. We appreciate the voluntary contributions of individuals and member organizations within the youth constituency to UNEP to participate in the submission process.

CYMG has co-convened the [Global Youth Coalition on Plastic Pollution](#) with other youth constituencies from different categories of participation in the INC process and beyond to support and enable broader and more effective youth engagement. Through this coalition, we have started facilitating collaboration and partnerships between youth-led organizations to develop collective positions and strategies for eliminating plastic pollution in the environment. Ideas and concepts mentioned in this written submission of CYMG will feed into the collective positions of GYCPP for INC-3.



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?

Children and Youth Major Group believe that the scope of the future instrument has been clearly outlined in UNEA [Resolution 5/14](#). The preamble of Resolution 5/14 states that it reaffirms the importance of the future instrument to complement and cooperate with existing conventions and instruments to "prevent plastic pollution and its related risks to human health and adverse effects on human well-being and the environment." This plain language unambiguously dictates that all forms of plastics along their entire lifecycle, including precursors, polymers, additives, materials and products, and their accompanying pollution, must be covered by the future instrument. To this end, the **Member States should only further expand on this resolution's scope**. Any contradictions would counter the ambition that helped pass Resolution 5/14 and divert the attention needed for defining and negotiating control measures critical to preventing and ending plastic pollution.

However, we advocate for the scope of the instrument to cover more areas of plastic pollution and include various types of plastics and other related substances. The scope of the instrument should be expanded to include within its ambit the following:

- (a) Impact of plastic pollution: The instrument should extensively address the effects of plastic pollution, ranging from its impact on agriculture to human health. Additionally, the instrument should also consider the disproportionate negative impacts of plastic pollution on developing countries, SIDS and LDCs.
- (b) Innovation: The instrument should also explore the means of invention and innovation of substitutes for plastic and the steps to be undertaken to mainstream these alternatives.
- (c) Existent plastic: Apart from addressing the additional production of plastic, the instrument should contemplate solutions to combat the adverse effects of the enormous volume of plastic that has already been produced, used and disposed of. The instrument should also strive to create mechanisms for loss and damage for the countries facing the worst impacts due to plastic pollution.
- (d) Anti-anthropocentric approach: Apart from marine plastic, the instrument should ideally tackle the impact of plastic pollution in all ecosystems and on all species.
- (e) Environmental justice: A comprehensive instrument on plastic pollution should strive to address the human rights impact of plastic pollution, like the necessity to address poverty as a solution to combat plastic pollution.



2. Principles

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

Children and Youth Major Group (CYMG) advocate for the following general principles to be reflected in the legally binding instrument:

Principle	Explanatory Text
Objectivity	To ensure that the decisions taken and the policies implemented are strictly evidence-based along the lines of scientific data and the political nature of member states. The institutions created for collecting and studying such data should be independent and thus facilitate critical, unbiased reports and assessments.
Interdisciplinarity	Take an interdisciplinary and multidisciplinary approach incorporating all relevant disciplines, including social and natural sciences.
Policy-relevant	Deliver policy-relevant scientific evidence non-prescriptively while recognising that policy issues are complex and evolving.
Inclusivity and gender equity	Ensure geographic, gender and intergenerational equity, including marginalized communities, during the formation, negotiations and implementation of the legally binding instrument.
Transparency and accessibility	Ensure open and transparent decision-making processes that support credibility and encourage public engagement. Also, all the relevant data that helps in combating plastic pollution must be brought into the public domain.
Flexibility	Has the flexibility to respond to the needs of Member States and stakeholders and to fulfil its principal functions while adopting an iterative approach that allows for continuous learning, adaptation, and updates to recommendations based on new evidence or changing circumstances.
Complementarity	Complement the work of relevant multilateral environmental agreements, other international instruments and intergovernmental bodies and collaborate on existing initiatives to fill the gaps and build upon their works while avoiding duplication.
Cost-effectiveness	Seek the most plausible contribution that is cost-efficient to satisfy multiple stakeholders without compromising the environment with innovative solutions.
Comprehensiveness	The treaty should be comprehensive and address a wide range of issues to ensure its effectiveness and lasting impact. It should take into consideration the various dimensions and complexities of the subject



	matter, leaving no crucial aspect unexamined. Furthermore, the treaty should be flexible enough to accommodate potential changes in circumstances.
Capacity-building	The treaty should recognize the need to provide developing countries with adequate resources to enhance their human resource capacity, which would help to implement the treaty at all levels. In adherence to children and youth, member states should prioritize behavioral changes and capacity-building initiatives that will address the issues not by reducing the catastrophic impacts but also by building more awareness of net zero plastic waste.
Accountability	Mechanisms to assess and resolve the impact of plastic production emissions on neighboring communities, eg. pollution of water, air and land of by-products
Multi-stakeholderism	Seek collaboration and partnerships with relevant stakeholders, including academia, youth, civil society, industry, and intergovernmental and government bodies, to enhance knowledge sharing, foster innovation, and strengthen collective action. Future instruments must recognize and acknowledge the intersectionalities amongst the civil society groups. Stakeholder groups representing children and youth, women, waste pickers and informal workers, Indigenous Peoples and others, should be recognised as distinct voices bringing different experiences and perspectives, in line with the Principles 10 and 21 of Rio declaration

Additionally, Children and Youth Major Group believe that the legally binding instrument must build on the following legal principles:

Principle	Explanatory Text
Polluters Pay Principle	To guide the accountability systems that oversee and penalize the big polluters, <i>i.e.</i> , the corporates and businesses that produce, import and consume most plastic.
Preventive Principle	To work on preventing and reducing the volume of production, transportation and usage of plastic. Using innovative solutions, nature-based solutions and green chemistry to curb the volume of production of harmful plastic.
Common But Differentiated Responsibilities and Respective Capabilities	To ascertain the responsibilities, obligations and the liability of each member state and other players to whom such instrument shall be applicable. These responsibilities, obligations and liability is to be ascertained taking into consideration the historical imbalance in the pollution caused by developed countries and developing countries.



Extended responsibilities of producers and importers	To increase the responsibility and liability of the big producers of plastic and its associated chemicals along with the countries and entities that are the biggest importers.
Principle of good neighborliness and international cooperation	To address the problem of transboundary pollution that disproportionately impacts the countries in the global south. This principle would encourage states to process the used and waste plastic within its boundaries. The Principle of Good Neighborliness and International Cooperation is a guiding principle that emphasizes peaceful coexistence, mutual respect, and collaboration among developed and developing countries.
Human right to a clean, healthy and sustainable environment	To recognise the right of a clean environment as an extension to UNGA resolution A/RES/76/300 and adopt a human rights based approach which addresses the impact of plastic pollution on the most vulnerable communities, while also addressing its impact on other areas like poverty.

Although Children and Youth Major Group advocate for the compulsory inclusion of such policies, we also believe that it is important to recognise and separate the group of necessary plastic from the ambit of this instrument. This would include plastic that is irreplaceable and does not have any alternatives in relation to medical instruments, and also the plastic that is produced in small quantities to take into account the necessities of the differently abled communities.

Additionally, we believe that the instrument should envisage the step-by-step reduction of plastic, so as to not completely and immediately halt the economic development of the global south countries that are dependent on the revenue that arises from the mass production of plastic. However, this also needs to be done in an expedient manner to prevent further degradation of the environment.

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	Explanatory Text
Preamble	It should give a summary of the instrument reflecting the sole and basic structure of the document.
Governing body and subsidiary bodies	The instrument must define and differentiate the roles and functions of the Governing body and subsidiary bodies accordingly. Subsidiary bodies should be constituted for monitoring the progress of the member states and other private entities that are covered under this instrument, and



	<p>ensure accountability of these member states and private entities. A specific subsidiary body can be constituted for the purposes of innovation of technology, introduction of alternatives to plastic, loss and damage, and the means to combat the existing disposed plastic waste.</p> <p>To utilize the benefit of the current global demographic dividend, the treaty must establish a Youth Expert Working Group to make sure that young people - whose lives depend on the success of this agreement - play a greater role in the implementation of the future treaty.</p>
<p>Scientific and technical cooperation and coordination</p>	<p>The instrument should call for the formation of a scientific panel which is scientifically independent and undertakes critical, unbiased reports and assessments grounded in expertise and evidence-based research and follow robust methodologies and peer review processes. The secretariat is to ensure that panel members have access to the latest scientific findings and engage with experts when necessary. The body can help in the coordination and liasoning not only between countries, but also with the stakeholders, and the target communities. Additionally, this body can also facilitate the transfer of technology, know-hows and other forms of assistance from the developed countries to the developing countries.</p> <p>The outputs that are submitted by this body to the secretariat of the INC should have a compulsive effect. That is, any policy that digresses the final suggestions made by this panel/body should have its due and compulsive reasons. This is to ensure that the policy recommendations that arise from evidence-based research are not trivialized by member states.</p>
<p>Dispute Resolution</p>	<p>For disputes that arise in relation to the rules of procedure, and the elements of the instrument: (i) The standard procedure for the amendment of rules followed by UNEP in its governing council can be adopted.</p> <p>For disputes that arise in relation to the responsibilities, obligations and liabilities that are imposed by the instrument: (i) A mechanism similar to the functioning of arbitration similar to the structure established under CBD can be contemplated by the parties.</p>
<p>Annexures</p>	<p>Children and Youth Major Group advocates for this legally binding instrument to draw reference from instruments like CITES and CMS in relation to its structure. To elaborate, the instrument should classify plastic based on various factors like necessity, availability of alternatives etc. Each classification can be contained in an annexure, which will in turn have solutions and means to tackle the negative effects based on the class of plastic.</p>