Part B: Intersessional Work

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About Greenpeace International

Greenpeace International is composed of 26 independent national/regional Greenpeace organizations with presence in over 55 countries across Europe, Africa, the Americas, Asia and the Pacific, as well as a coordinating and supporting organization, Greenpeace International. Our goal is to ensure the ability of the earth to nurture life in all its diversity. Read more about Greenpeace’s values here.

Summary

On intersessional work, there must be a stronger focus on upstream measures. This includes establishing targets for plastic production reduction and criteria for polymer and product phase outs.

It is essential that delegations begin discussions on a time-bound target for reducing plastic production. Reducing production is the only way to address plastic pollution at the source. Delegations should follow the Zero Waste Hierarchy (defined in Part A) in developing legally binding obligations in the instrument.¹

Intersessional Work

1. Potential areas for intersessional work

General Intersessional Needs

- There is currently a lack of clarity on intersessional work focused on plastic production proposed by the Secretariat. All of the measures outlined as potential intersessional work in the template for submission are mid-or downstream measures. There needs to be a greater focus on upstream measures during intersessional work. In line with INC-2 statements in support of option 10(a)(i) in the options paper, delegations should consider delivering work of this kind. Such as, exploring what global primary plastic polymer production targets should be established and how to structure a ‘freeze’ on primary plastic production.

- Intersessional work must be guided by the principles of the Zero Waste Hierarchy. During the intersessional period, delegations should establish preliminary options for structuring a plastic production phase-down.

Contact Group 1

In the intersessional period, the Secretariat should work to gather submissions of all known impacts of plastic pollution across the plastic lifecycle.

1. Information on definitions of, e.g. plastics, microplastics, circularity.

   Definition of Circularity: Chemical recycling, incineration, waste-to-energy and other non-reuse oriented waste management techniques should not be included in the definition of circularity. These approaches do not deliver on their promises and risk serious public health and ecological consequences for the communities where the facilities using these technologies are located. Circularity should be defined in the intersessional period and should consider human health impacts, carbon intensity, dependency on finite resources, and environmental harm in its.

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3 GAIA. Chemical recycling: Distraction, not solution. GAIA, 2020
framework. This should also apply to criteria for determining safe, just, and environmentally sound technologies and practices under this circularity framework.

Definition of reuse, refill and repair: These definitions should apply to products and systems, not materials. For example, ‘recycled content’ should not be considered reuse. There should be further consideration of targets and baselines for reuse across sectors, with an initial focus on high impact categories where reuse systems already exist, such as packaging. In the intersessional period, delegations should discuss how to align plastic reduction targets with reuse increase targets as part of the obligations in the agreement.

Furthermore, reuse guidelines or requirements should be developed on the participation of the informal sector in reuse systems, as well as in repair initiatives, including consultation of relevant stakeholders on just transition from the linear plastics economy to a reuse economy to enable just transitions.

For a compilation of related definitions, please refer to the Center for International Environmental Law’s key terms document.

2. Information on criteria, also considering different applications and sectoral requirements

Essential plastics must be narrowly defined and a list of essential uses should be set out in a binding annex to the treaty. In the context of a regulatory instrument with a long term view, essential uses should not be defined on the basis of existing and economically viable alternatives. If essential uses are defined as those that are currently available and economically viable, then we lose all opportunity to guide innovation, effectively supporting the status quo. Very few alternatives can be economically viable in our present economic system with highly subsidized fossil fuels and petrochemicals production. In addition, the criteria for essential plastics must be constantly re-evaluated as technology develops. In the intersessional period, delegations should provide a first draft definition of essential plastics and polymers.

All other short-lived and single use plastics should be categorized into priority groups based on sustainability criteria with different phase-out deadlines. A preliminary list of sustainability criteria should be developed in the intersessional period and should include, but not be limited to, physical properties, toxicity, health impacts, volume in circulation, production impacts, and tendency to enter the environment. Sachets and soft plastics should be ranked high priority for phase-out.
3. Potential substances of concern in plastics, problematic and avoidable plastic polymers and products

Because of their significant health and environmental impacts, the following polymers should be highly prioritized for rapid phase-outs: polyvinyl chloride (PVC), polystyrene (PS), polyurethane (PUR), polycarbonate (PC), and polyfluorinated alkyl substances (PFAs).

- **PVC:** The entire lifecycle of PVC results in toxic chemicals being released into the water and air. Health impacts can include hormone disruption, cancer, and immune system damage.4

- **PS:** Styrene, a chemical in polystyrene, has been linked to several health impacts, such as respiratory difficulties, vision loss, and neurological issues.5

- **PUR:** Inhaling PUR fumes can cause nausea, vomiting, headaches, irritations to the throat or eyes, and coughing. High exposure to PUR for prolonged periods of time can also increase the chances of cancer.6

- **PC:** Use of polycarbonate has been linked to an increase in bisphenol A (BPA) in the human body. BPA can affect reproduction and cause cardiovascular disease and diabetes.7

- **PFAs:** Exposure to PFAs can cause liver conditions, increased risk of high blood pressure, increased risk of kidney or testicular cancer, low birth weight, and increased cholesterol levels.8

4. Potential sources of release of microplastics (applications and sectors)

We agree that this should be considered in intersessional work.

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Contact Group 2
Input on the potential areas of intersessional work to inform the work of INC-3:

1. To consider the potential role, responsibilities and composition of a science and technical body [to support negotiation and/or implementation of the agreement]

   *Composition:* A Science and Technical Body should be screened for conflict of interest and undue influence and nominated and agreed to by Member States. It should be composed of independent scientists and Indigenous Peoples as recognized rights holders with guarantees of participation where indigenous and traditional knowledge has equal footing with scientific knowledge.

   *Role & Responsibilities:* A Science and Technical Body should update scientific information on the impact of plastics on planetary boundaries, analyze progress made on plastic production targets and associated schedules, propose amendments to the list of chemicals to be phased-out or reduced, and propose reviewed targets to the Conference of the Parties based on independent science.

2. To consider potential scope of and guidance for National Action Plans [including optional and/or suggested elements]

   We agree that this should be considered in intersessional work.

3. To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered

   We agree that this should be considered in intersessional work.

4. To consider how other MEAs provide for monitoring, and suggest best practice

   We agree that this should be considered in intersessional work.

5. To consider options to define ‘technology transfer on mutually agreed terms

   We agree that this should be considered in intersessional work.
6. To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]

At a minimum, financial resources must cover the day-to-day expenditures of a convention secretariat and costs associated with implementing and complying with new legally binding controls at the global level.

New, additional, stable, accessible and adequate, predictable financial assistance should be made available to developing countries and economies in transition to comply with and implement the new legally binding agreement.

Funds must be delivered in a timely and predictable manner with a financial mechanism suitable to mobilize the scale of resources needed to end plastic pollution. This will require new, additional, stable, accessible, and adequate funds directed at the implementation of the future instrument. Financing should include public, grant-based finance at the core, coordinated access to new and existing multilateral funding, and private sector funds. While private finance should be able to contribute to these funds, its accountability, and traceability as well as a fair conditionality for the recipient country should be ensured through adequately addressing social and ecological risks and the capacity challenges on the recipient country associated with private finance.

Furthermore, intersessional work should focus on identifying complementary options for the financing of reuse systems. Financial considerations for scaling reuse systems could include, inter alia, Extended Producer Responsibility (EPR) schemes that incentivise reuse. EPR schemes should:

- Set up effective take-back systems that enable and incentivise the take-back of reusable packaging and guarantee high return rates.
- Internalize the environmental costs of plastic products and packaging by pricing in negative externalities through taxes, levies and other fiscal measures, and tax breaks.
- Provide direct funding to incentivise the scaling of reuse infrastructures such as initial capital investments and operational expenditures.

The allocation of resources in the financing mechanism needs to operationalize the principle of the Zero Waste Hierarchy. In the intersessional period, delegations should map out the existing financial resource allocation according to the Zero Waste Hierarchy on national, regional and/or international level, to inform the establishment of the financial mechanism under the new legally binding instrument.
7. To identify options to mobilize and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))

Plastic credits and offsets do not reduce plastic production and should not be considered as an innovative financing mechanism for the treaty.