Proposed response template on written submissions prior to INC-3 (part b)

Potential Areas Identified by the Contact Groups

At its second session, the intergovernmental negotiating committee (INC) requested the secretariat to invite written submissions on:

- Any potential areas for intersessional work compiled by the co-facilitators of the two contact groups, to inform the work of INC-3.

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.

All written submissions must be sent to unep-incplastic.secretariat@un.org. The submissions received will be made available on the INC webpage.

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.

---

1 Contact Group 1 focused on Section A: Objective(s). Section B: Substantive Obligations; Contact Group 2 focused on Sections C: Means of Implementation. D: Implementation measures. E: Additional matters as contained in part II of the Annex to document UNEP/PP/INC.2/4.
Input on the potential areas of intersessional work to inform the work of INC-3 (following the lists compiled by the co-facilitators of the two contact groups)

Potential areas for intersessional work

The list of potential areas for possible intersessional work compiled by the co-facilitators of the two contact groups at INC-2 is set out below. Members and observers may wish to provide input on one or more of these areas.

Contact group 1:

1. Information on definitions of, e.g. plastics, microplastics, circularity
2. Information on criteria, also considering different applications and sectoral requirements, including:
   a. Chemical substances of concern in plastics,
   b. Problematic and avoidable plastic polymers and products and related applications
   c. Design e.g. for circularity, reuse
   d. Substitutes and alternatives to plastic polymers and products
3. Potential substances of concern in plastics, problematic and avoidable plastic polymers and products
4. Potential sources of release of microplastics (applications and sectors).

(Please note: A longer list is included in the co-facilitators report on discussions in contact group 1. Submissions may also include input on any of the items in that longer list, such as, amongst others, the development of criteria to prioritise problematic and avoidable plastics; the development of targets for the reduction, reuse and repair of problematic and avoidable plastic products; or the guidelines on EPR)

---

2 The report can be accessed here: [https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf)
Contact Group 2:

1. To consider the potential role, responsibilities and composition of a science and technical body [to support negotiation and/or implementation of the agreement]
2. To consider potential scope of and guidance for National Action Plans [including optional and/or suggested elements]
3. To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered
4. To consider how other MEAs provide for monitoring, and suggest best practice
5. To consider options to define ‘technology transfer on mutually agreed terms’
6. To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]
7. To identify options to mobilise and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))
8. To map current funding and finance available [to address plastic pollution] and determine the need for financial support for each Member
9. To identify capacity building and training needs for each Member.

Inputs relating to potential areas for intersessional work. Please identify clearly which area your input relates to.

Contact group 1

2a: many chemical substances in plastics are of concern. Some of them have been added to the Annexes of the Stockholm Convention on Persistent Organic Pollutants (POPs), however, many of these substances do not fit all the criteria of the Stockholm Convention, although they are a concern for human health, and have been observed in the Arctic (see AMAP 2016). This is an issue for Inuit, who are already disproportionately affected by contaminants in the Arctic, and compounding effects of climate change (see AMAP 2020). Criteria for eliminating chemicals of concern should be preliminary based on adverse effects on human and environmental health. When determining these effects, the precautionary approach should be applied, as stated in the Rio principle 15 (“lack of scientific certainty shall not be used to postpone cost-effective measures...”).

2 b c and d: there are many alternatives that can be used instead of plastics, particularly with regards to packaging, which makes up the biggest unnecessary and polluting use of plastic and needs to be the first use that is reduced drastically. A standardized global, circular refund system for non-plastic food and beverage containers should be put in place in order to reduce the use of plastics. A refund scheme can be used as is already the case in some countries (e.g., Germany and Canada) with glass and metal (e.g., aluminum) containers for some dairy products and beverages, but it would need to be vastly extended to generally cover liquids, dairy products, and other foods.

As further packaging alternatives to plastics, paper and cardboard can be used for dry foods. Regrettable substitutions to plastics must be avoided, such as the use of paper/cardboard treated with PFAS and/or other toxic substances.
Humankind managed without the use of plastics for millennia throughout our history, and natural alternatives for the most polluting uses are readily available. Indigenous Knowledge can also inform about alternatives to plastics (Johnsen et al. 2022).

3: The AMAP Assessment 2016: Chemicals of Emerging Arctic Concern (please see link below) outlined several compounds of concern found in the Arctic, many of which are used in plastics. AMAP states that “These ‘chemicals of emerging Arctic concern’ should be considered potential candidates for future research or monitoring and possibly for consideration under relevant global and/or regional regulations”, as they are currently not covered by other MEAs and are thus not globally regulated. Therefore, they should be considered for regulation as part of the future instrument on plastics. Marine plastics and microplastics have also been noted as being of Arctic concern.

Substances of concern in plastics include the following overarching chemical groups, with details on the groups and specific chemicals (including CAS numbers) being provided in the AMAP Assessment 2016:

- Organophosphate-based flame retardants and plasticizers
- Phthalates
- Chlorinated flame retardants
- Brominated flame retardants
- Per- and polyfluoroalkyl substances
- Siloxanes
- Organotins

Very polluting products that need to be regulated with a matter of urgency include single use plastics, plastic packaging, and fishing gear.

4: Bergmann et al. (2022) recently reviewed sources of plastics to the Arctic, including microplastics. Major sources included fibres or threads from fishing gear, fibres released from synthetic textiles through wastewater, particles shed from ship paint, skidoos and other vehicles used on ice, as well as grey water from ships. The authors also point to the expanding hydrocarbon industry as another source of litter and microplastic. The authors state: “Mitigation is urgently needed at both regional and international levels to decrease plastic production and utilization, achieve circularity and optimize solid waste management and wastewater treatment.”

References:


1. A technical body will be needed which would provide input into issues related to plastic and associated chemicals, such as: reviewing products/compounds of concern, identifying sources, trends, occurrences, effects on human health and the environment, etc. Such a body and the processes used as part of technical reviews and input needed for the implementation of the plastics treaty could be similar to that of the POP Review Committee (POPRC) of the Stockholm Convention. The POPRC is made up of 31 government-designated experts from the five UN regions. The process is open and allows for participation of accredited observers, who can also provide information and comments for the chemical review process. This way, ICC has been able to participate in the process, and Arctic Indigenous expertise and information has provided valuable input for contaminants which have been detected in the Arctic and are of global concern.

4. Inuit across the Arctic are very active in monitoring and research activities within our homeland, Inuit Nunaat. There are many sub-national research and monitoring activities (for example in the Canadian Inuit regions) which create information on plastic pollution in the Arctic. In Canada, much of this work is funded through the Canadian Northern Contaminants Program (NCP), which is co-managed with Arctic Indigenous Peoples, and includes community-based monitoring activities such as SuliaKaKatigelluta: Community monitoring of plastic pollution in Nunatsiavut (for a visual summary please see: https://www.youtube.com/watch?app=desktop&v=OLkDMVStuaq).

ICC is also a Permanent Participant of the Arctic Council and is very active in AMAP work, which provides data and monitoring information for several MEAs, including the Stockholm Convention on POPs and the Minamata Convention on Mercury. Since AMAP already has a monitoring plan for plastics in the Arctic (https://www.amap.no/documents/download/6713/inline), it is in an excellent position to also provide information on monitoring for the negotiations and implementation of the plastics treaty. The Minamata Convention is currently in the process of establishing how monitoring will provide information for its effectiveness evaluation, and the framework that is currently developed could be a very useful example for the future instrument on plastics. ICC is part of the roster of experts who are providing input into the development of the monitoring and effectiveness evaluation framework for the Minamata Convention.