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:

1. **Systemic (Life Cycle) and Interdisciplinary approach**
2. **Independent Science Assessment and Advisory Mechanism**

Explanatory Text:

1. **Systemic (Life Cycle) and Interdisciplinary Approach.** A systems approach is required to address the global plastic pollution crisis across the full life cycle of plastic in a comprehensive way. Solutions and actions are required immediately as plastic pollution is one of the most pressing human health, human rights, and environmental crises we face. Action must be informed by integrated, multi-disciplinary scientific evidence looking at the different aspects of plastics across the full life cycle and its wide-ranging impacts.

Reducing and ultimately eliminating plastic pollution and the problems it poses requires action that:

- addresses the environmental, human health, and economic challenges across the entire life span of plastics and the current practices, attitudes, behaviors, and cultural
and geographic factors that drive unsustainable polymer production and plastic product manufacture and use.

- is informed by integrated, interdisciplinary scientific evidence looking at the different aspects and wide-ranging impacts of plastics across the full life span.
- includes multi-stakeholder and cross-sectoral approaches that include traditional knowledge, innovations, and practices of Indigenous peoples and local knowledge systems.

2. **Independent Science Assessment and Advisory Mechanism.** While UNEA Resolution 5/14 stressed the need to strengthen the science-policy interface at all levels and use the best available science, traditional knowledge, knowledge of indigenous people, and local knowledge systems, this mechanism and function was not taken up at INC-2 nor clearly included in the scope of the instrument and needs to be a mandatory obligation. This is despite many calls from delegates for scientific advice and information to guide decision-making in negotiations and implementation.

ISC’s and GCSE’s goals, which are shared by many other independent science groups in our networks, including the Benioff Ocean Science Laboratory, are:

- to advance the role of robust, independent, and multidisciplinary science in the Global Plastics Treaty;
- in the intermediate term to promote the creation of a space for independent science in the INC process to inform negotiations for effective evidence-informed objectives and provisions of the Treaty; and
- in the mid-to-long term, promote the establishment of a well-designed Science-Policy Interface (SPI) mechanism or body as part of the Treaty to support the implementation of commitments.

Ensuring the effectiveness as well as the successful implementation of the treaty will benefit from the establishment of a scientific assessment and advisory mechanism for monitoring and reviewing progress, providing policy-relevant best available scientific evidence and guidance from across the natural and social sciences and assessing potential solutions in a diversity of contexts against a harmonized set of quantitative and qualitative metrics.

This scientific assessment and advisory mechanism should be structured to facilitate scientist engagement and to ensure transparent development and delivery of the best available science in a timely way, starting with the INC process. Such activities could occur alongside or between INC meetings and include hosting science workshops, organizing delegate briefings, convening policymakers to solicit key questions, preparing scientific and technical summaries, catalyzing research and analysis on sources and solutions, and engaging the broader public in such discussions, to ensure a strong science-policy-society interface.

The elements contained in the Options Paper (UNEP/P/INC.2/4 in reference to research and scientific and technical cooperation and coordination need to be further strengthened with specifics and established as requirements. Such mechanisms should be established beginning now, with mechanisms established to enable use in two phases: (1) the negotiation/intercessional phase and (2) the implementation phase. **For specifics, see our submission for Part B, Intersessional Work, under contact Group 2.**
2. Principles

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

Proposed principles:
1. Independent Scientific Consensus for Action
2. Precautionary Principle
3. Science and knowledge-based decisions
4. Equity and SEJ
5. Transparency
6. Source Reduction (Waste Hierarchy)

Explanatory Text:
1. Independent Scientific Consensus for Action. Authoritative sources recognize the significant scientific consensus regarding the detrimental impact of plastic pollution on human health and the right to a healthy environment. The independent scientific consensus should serve as a vital foundation for guiding discussions and shaping an effective science-based treaty. Engagement of science and knowledge is critically important for decision-makers to understand the problem and its implications, formulate evidence-based Treaty provisions, and ensure effective and timely implementation. For instance, reports that express collective scientific consensus from independent sources include UNEP’s From Pollution to Solution report, the National Academies of Sciences, Engineering, and Medicine’s report Reckoning with the U.S. Role in Global Ocean Plastic Waste report, The Minderoo-Monaco Commission on Plastics and Human Health report, and UNEP’s Chemicals in Plastics technical report.

2. Precautionary Principle. All decisions, particularly where there are uncertainties, must be rooted in the precautionary principle. There is enough scientific evidence to act now. For instance, the health effects of chemicals used in plastics have been extremely well documented in multiple reports by independent scientific entities. There will always be uncertainties, and the precautionary principle must be applied. The rationale lies in the current scientific information:
   - Plastics and related chemicals harm or pose risks to environmental and human health, especially their toxic chemical additives and micro- and nanoplastics. In addition, plastic materials can carry invasive species and pathogens through waterways, potentially harming local ecosystems and wildlife. For example, pathogens such as bacteria and viruses can attach to plastic and be transported across water bodies, increasing the risk of disease outbreaks among marine animals and humans exposed to contaminated water.
   - The chemicals in plastics include known human carcinogens, endocrine disruptors, neurotoxicants, and persistent organic pollutants. The chemicals can leach out of plastics, enter the environment, cause pollution, and result in human exposure and disease.
   - Infants in the womb and young children are particularly at high risk of plastic-related health effects. Early-life exposures to plastic-associated chemicals also increase the risk of multiple non-communicable diseases later in life.
● There are strong linkages between environmental and human health and the social impacts of plastic pollution associated with loss of biodiversity and ecosystem resilience. In addition, plastic-related toxicants can contaminate protein sources, such as fish and seafood, which can have negative impacts on human health.
● Plastic production, use, and disposal also play a role in exacerbating the causes and impacts of climate change and biodiversity loss.

3. Science and knowledge-based decisions. UNEA Resolution 5/14 stressed the need to strengthen the science-policy interface at all levels and specifically decided to consider the best available science, traditional knowledge, knowledge of indigenous peoples, and local knowledge. The treaty needs to be informed by an independent evaluation and review of the effectiveness of plastic pollution mitigation strategies and solutions being developed, proposed, or implemented to ensure more health-protective and safe substitutes and methods for equitable and environmentally sound management of plastic waste.

4. Equity and Social and Environmental Justice. Authoritative sources recognize the significant scientific consensus regarding the detrimental impact of plastic pollution on human health and the right to a healthy environment. Socio-economic impacts and costs, including social and environmental justice impacts, occur across the full life span of plastics and affect economically and politically marginalized groups and geographies. Enable full and meaningful participation, particularly of those most impacted by plastic pollution Indigenous peoples, coastal communities, waste pickers, subsistence fishers, and agriculturalists - in the negotiation process. Engage with their stories and demonstrate the connection between scientific evidence and people’s lived experiences. Science channeled into the negotiation process should be open access, clear and concise as possible. Key scientific documents developed at the request of INC should be translated into all UN languages.

5. Transparency. Developing effective, systemic, and durable solutions will require public reporting of data on plastic production and formulations used, as well as any chemicals added to the plastic material by plastic feedstock and product producers. In order to ensure the safe and responsible use and disposal of plastic products, it is necessary to establish mandatory labeling standards that provide information about their chemical content, safe use, and safe end-of-life treatment.

6. Source Reduction. Reducing plastic waste, pollution, and their impacts will ultimately require minimizing virgin plastic production, eliminating harmful polymer precursors and additives, primary micro- and nano-plastics, and unnecessary, non-durable, and problematic plastic products such as many single-use/disposable items.
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:

1. **Institutional Arrangements: Independent Science Advice Mechanisms and Science-Policy Interface (SPI)**

Explanatory Text:

1. UNEA Resolution 5/14 stressed the need to strengthen the science-policy interface at all levels and specifically decided to consider the best available science, traditional knowledge, knowledge of indigenous peoples, and local knowledge systems in the deliberations. All decisions, particularly where there are uncertainties, must be rooted in the precautionary principle.

   This topic was not discussed or enabled during INC-2 and must be addressed at and after INC-3, including specific institutional arrangements established by delegates and the INC Secretariat. Science input is needed now and should not be postponed. The independent scientific consensus should serve as a vital foundation for guiding discussions and shaping an effective science-based Treaty. Engagement of science and knowledge is critically important for decision-makers to understand the problem and its implications, formulate evidence-based Treaty provisions, and ensure effective and timely implementation.

   The ISC is prepared and ready to serve and engage with delegates, as well as the INC Secretariat, and other science mechanisms in the UN systems, including at UNEP, WHO, and the Secretariats to the Basel, Rotterdam, and Stockholm (BRS) Convention, and the Science Policy Panel (SPP), to identify experts, support broad-based outreach or convenings, and develop these ideas further in the common interest of moving forward with this important global effort. ISC, GCSE, and other independent scientific groups, including the Benioff Ocean Science Laboratory, also stand ready to assist with their networks.

   We also suggest delegates directly engage the science community at the national level and regional level and that UNEP assists in providing delegations access to scientists in regions with fewer resources.

   **For specifics, please see our submission under Part B, Intersessional Work, under contact Group 2.**