



## INC-3 Submission by the Workers and Trade Unions Major Group represented by the International Trade Union Confederation (ITUC)

*The International Trade Union Confederation (ITUC) is the global voice of the world’s working people. The ITUC’s primary mission is the promotion and defence of workers’ rights and interests, through international cooperation between trade unions, global campaigning and advocacy within the major global institutions.<sup>1</sup>*

Name of country (for Members of the committee)	
Name of organization (for stakeholders to the committee)	International Trade Union Confederation (ITUC) for the Workers and Trade Unions Major Group.
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### 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:**

The Workers and Trade Unions Major Group is convinced that the international legally binding instrument should be based on a comprehensive approach that addresses the full life cycle of plastics as called for by United Nations Environment Assembly resolution 5/14. Regarding the scope of the future instrument we therefore support option a) as indicated in document ‘UNEP/PP/INC.2/4 ‘:

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<sup>1</sup> The ITUC is grateful for the input received for this submission from Public Services International (PSI), the global union federation for workers in public services and from the Trade Union Confederation of the Americas (TUCA).

*“The legally binding instrument is expected to cover the whole life cycle of plastics, from extraction to their production and design to their use, consumption and disposal, and address all sources of plastic pollution, covering materials, products, chemicals, additives and microplastics, recognizing the risk of plastic pollution to human health. “*

## 2. Principles

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

### **Proposed principles:**

*All measures to stop plastic pollution shall be implemented by means of a ‘just transition’ that ensures a positive social impact for all workers regardless of their status (formal or informal workers; in permanent or precarious employment; employed by public or other providers) and for all communities affected. A just transition towards an environmentally sustainable economy as well as towards a safe, healthy and effective plastic disposal systems without plastic pollution and contamination needs to be properly managed and to contribute fully to the goals of decent work for all, social inclusion and the eradication of poverty. It should be based on the Fundamental Principles and Rights at Work - as established by the International Labour Organisation - including the freedom of association and the effective recognition of the right to collective bargaining (through social dialogue) and the right to a safe and healthy working environment.*

### **Explanatory Text:**

The principles included in the ILBI should contribute to the effective realisation of the broad mandate of UNEA Resolution 5/14 with a focus on the *the whole life cycle of plastics, from extraction to their production and design to their use, consumption and disposal, and address all sources of plastic pollution, covering materials, products, chemicals, additives and microplastics*. As part of the principles it is important that not only the ‘what’ should be specified (stopping and reversing plastic pollution) also the ‘how’ should be part of the scope. The resolution refers to the 2030 Agenda for Sustainable Development and the principles of the Rio Declaration on Environment and Development.

Additionally, the Global trade union movement proposes to include an explicit reference to the ILO Declaration on Fundamental Principles and Rights at Work and the concept of ‘just transition’ as it is defined by the International Labour Organization in its 2015 ‘Guidelines for a just transition towards environmentally sustainable economies and societies for all’.<sup>2</sup>

Reference to the ILO’s concept of just transition guarantees that the impact on all workers involved in the plastics value chain is taken into account. It includes all workers regardless of their status (formal/informal; permanent/precarious; employed by public or private sector operators) both upstream and downstream in the value chain. Stopping and reversing plastic pollution in a way that guarantees a just transition for all affected workers and communities will contribute greatly to the support in civil society for the proposed measures and actions of the ILBI.

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<sup>2</sup> See <https://www.ilo.org/declaration/lang-en/index.htm#:~:text=freedom%20of%20association%20and%20the,of%20employment%20and%20occupation%3B%20and> and [https://www.ilo.org/global/topics/green-jobs/publications/WCMS\\_432859/lang-en/index.htm](https://www.ilo.org/global/topics/green-jobs/publications/WCMS_432859/lang-en/index.htm)

All measures to reach the objectives of the ILBI must rest upon legally enforceable obligations on the corporate actors engaged in plastic production, use, collection and disposal and assert the right to adequate, accessible and equitable waste and sanitation services as on a public good basis (health, waste management, water and sanitation, etc.). Only in this way will waste services be enabled and empowered to fulfil targets and indicators of both SDG 8, SDG 11 and SDG 12, notably with commitments to prevent, reduce, recycle and reuse - as well as to properly collect and discharge – and to properly handle and treat chemical and other hazardous waste through the whole life cycle in accordance with international standards by 2020.<sup>3</sup>

Likewise, legally binding measures are necessary to uphold the transformative commitments made by UN Habitat member states in the 2016 New Urban Agenda (NUA), which pledges to realize universal access to sustainable waste management systems, minimizing landfills and converting waste into energy, with special attention to coastal areas.<sup>4</sup>

### 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:

The Workers and Trade Unions Major Group would like to highlight two important sources of input that are relevant to deal with the impact on workers of plastic pollution during all the life cycle phases of plastics:

1. Study on the **'Global governance of plastics and associated chemicals'** by the Secretariat of the Basel, Rotterdam and Stockholm Conventions and the United Nations Environment Programme BRS, March 2023) and specially its recommendations regarding potential mechanisms for closing the governance gaps across the full life cycle of plastics and associated chemicals.<sup>5</sup> The study refers the Chemicals Convention (C170) of the International Labour Organization which aim it is to prevent or reduce the incidence of chemically induced illnesses and injuries at work. The Convention is relevant for securing occupational safety of workers across the life cycle of plastic.

2. **A safe and healthy working environment as a Fundamental Principles and Rights at Work.** At its 110th Session in June 2022, the International Labour Conference decided to amend the ILO Declaration on Fundamental Principles and Rights at Work (1998) to include “a safe and healthy working environment” as a fundamental principle and right at work. With the adoption of the [Resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work](#), the International Labour Conference decided to designate

<sup>3</sup> SDG targets 11.6, 12.3, 12.4, and 12.5 (<https://sdgs.un.org/goals/goal11> and <https://sdgs.un.org/goals/goal12>).

<sup>4</sup> UN General Assembly (2016), para. 34, 71, 74, 121-123.

<sup>5</sup> <https://www.basel.int/Implementation/Plasticwaste/Cooperationwithothers/tabid/8335/Default.aspx>

the [Occupational Safety and Health Convention, 1981 \(No. 155\)](#) and the [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#) as fundamental Conventions. These two conventions describe the core principles and rights in the field of occupational safety and health (OSH) and serve as the basis for the more advanced safety and health measures described in other OSH instruments. All ILO members (national governments), even if they have not ratified these two conventions, now have an obligation arising from the very fact of membership in the ILO to respect, to promote and to realize, in good faith and in accordance with the ILO Constitution, the principles concerning the fundamental right to a safe and healthy working environment.