Japan’s Intervention at Contact Group 3
15 November 2023

Definition:
On the definitions, we think that the synthesis report lacks a proposed definition on recovery so we would propose that there should be the definition of energy recovery, which is different from recycling, material recycle, or chemical recycle.

Principles:
In the principles, I heard a lot of concrete proposals, and while I reserve all of them, my delegation would like to make a few comments on each of them.

The principles, we believe that, like the Minamata Convention and other existing MEAs, there should be a succinct reference to some principles in preamble, and not as a separate principle chapter.

On the Rio Principles, Japan does not oppose to including them in the preamble on general terms, but we oppose to going into the details or highlighting specific paragraphs.

On the common but differentiated responsibilities, let me explain why Japan is opposing to inclusion or highlighting the principle.

Japan believes that plastic pollution is occurring throughout the global value chain and plastic leakage into the environment not only from developed countries but also from developing countries in part due to insufficient environmentally sound waste management.

Plastic pollution is an issue that all countries should address, and therefore, Japan considers it is not appropriate to have a specific reference to the common but differentiated responsibilities. Particularly, we would oppose to having different obligations for different groups of countries.

On the other hand, we are willing to discuss international cooperation, technical assistance, in order to cover the capacity gaps. On the precautionary principle, we consider that the term, the precautionary principle, lacks an internationally agreed definition, and it has a stronger implication to be used as a pre-set justification for restricting plastic or plastic products without adequate consideration lacking solid specific scientific evidence.

On other legally binding documents such as the Stockholm Convention and Cartagena Protocol on Biosafety, we refer to the precautionary approach. We believe this word is better.

On EPR, bearing in mind that the situation of plastic circulation differs from country to country. It is necessary first to share a common understanding on the basic concept
of EPR and the need to an appropriate degree of flexibility for the application of EPR in each country. In any event, I think a further discussion on what EPR means or context is necessary.

Governing Body:

On text on the governing body, so we would be ready to look at the proposals which seem to have been in the pipeline, maybe to make it member states let process if there is a proposal, we could discuss later in the week so that we can have at least a draft or proposal in the document. Our delegation believes that the role, the functions of the governing body should be well defined although the definitions or the scope of the function of the governing body will only be able to be finalized after we have discussed and negotiated all the substantive provisions.

So, there will, in any even, be a placeholder and to be reviewed at the end. Particularly, I would like to point out that we cannot give carte blanche to the Conference of Parties even if we say the implementation of the instrument. Decisions related to the implementation of the instrument we have to be sure what we are mandating on the COP.

Subsidiary Body:

In order to make a decision based on scientifically grounded information and to consider and implement appropriate measures, it is essential to accumulate and update the latest various scientific findings and examine the possibility of the utilization and promotion of information sharing.

Under the instrument there should be a function to regularly assess the current state of scientific knowledge and to make necessary recommendations to the Conference of Parties from scientific and technical perspective, but we believe that there are several options for the structure such as subsidiary body but also specialized but independent body for this instrument or the Science Policy Panel on chemicals, waste, pollution and prevention which is separately being discussed. We should bear in mind the structure to differ depending on what we need to evaluate.

In addition, there are cases or databases of information platform that have been established operated at global and regional levels such as Global Partnership on Plastic Pollution and Marine Litter and also Japan's marine surface microplastics database. We need to promote the utilization of and coordination with such existing efforts.