Part II

5. Product design, composition and performance
   a. Product design and performance

Due to the production technology of plastic products and availability of recycled materials in each country, it is considered difficult to set a globally uniformed common design standard for all plastic products as in Option 1. It is necessary for each country to develop its own standard for each major product group as in Option 2, taking into account the characteristics and usage of products in each country.

For this purpose, it would be effective to provide the following items in establishing common elements for setting design and performance criteria.

- Structure: Reduction of weight, simplification of packaging, longer use and life, use of easily reusable parts or reuse of parts, single material, easy disassembly and separation, easy collection and transportation, easy crushing and incineration
- Materials: Substitution of materials other than plastic, use of easily recyclable materials, use of recycled plastic, use of bio-plastics

Even under Option 2, measures should not be based on a regulatory scheme, but should remain appropriate measures according to the actual situation in each country.

Based on these points, we propose the following text:

1. Each Party shall take measures, including those referred to in paragraphs 2 and 3, to enhance the design of plastic products, including packaging, and improve the composition of plastics and plastic products, with a view to:
   a. Reducing demand for and use of primary plastic polymers, plastics and plastic products;
   b. Increasing the safety, durability, reusability, refillability, repairability and refurbishability of plastics and plastic products, as relevant, and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste; and
   c. Minimizing releases and emissions from plastics and plastic products, including microplastics, considering technical feasibility and accessibility of potential microplastic alternatives and socio-economic impacts.

Option 2

2. Each Party should adopt sustainable product design and performance criteria and take the necessary measures to:
   a. Reduce the use of plastics across the value chain, including in product packaging; and
   b. Increase the safety, durability, reusability, recyclability, refillability, repairability and refurbishability of plastics and plastic products, as relevant, and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste;

in accordance with the elements contained in part I of annex C, and taking into account relevant international standards and guidelines, including any relevant sector- or product-specific
standards and guidelines. The measures adopted pursuant to this provision shall be reflected in the national plan communicated pursuant to [part IV.I on national plans].

3. Each Party should establish, in accordance with the elements contained in part I of annex C, to the extent possible, transparency, labelling and certification procedures, and requirements, for plastics and plastic products that conform to the design and performance criteria established pursuant to paragraph 1, taking into account CBI (Confidential Business Information).

Provision common for Options above

3. Parties are encouraged to work with relevant international organizations towards the development of standards and guidelines at the multilateral level, including on a sectoral basis as relevant, to reduce the use of plastics in products across the value chain, including in product packaging, and improve the design of plastic products to increase their safety, durability, reusability, refillability, repairability and refurbishability, and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste.2

b. Reuse, recycling, refill and repair of plastics and plastic products

Ambitious efforts should be made in the area of recycling and reuse, and this item should also cover recycling. In line with Option 1, we call for each country to take measures by setting minimum targets for reuse and recycling rates. However, since progress in the reuse and recycling rates will lead to reductions, no reduction rate is required.

Since efforts at the midstream stages such as distribution, sales, consumption are important to promote reuse and recycling, the efforts made at the midstream stages should be included.

Option 1

1. Each Party shall, based on guidance to be adopted by the governing body* at its first session, take effective measures to promote reuse, recycling, refill, repair, repurposing and refurbishment, as relevant, of plastics and plastic products produced within its territory and those available on its market, in particular through the implementation of reuse, recycling, refill and repair systems.3

2. Each Party shall take the necessary measures, covering at the distribution, sales, and consumption stages, to achieve the minimum recycling targets, and, as appropriate, reuse, refill and repair targets contained in part II of annex C within the timeframe identified in that annex, for plastics and plastic products produced within its territory and those available on its market.

If it has to be Option 2, it is necessary to set ambitious time-bound national targets and then take appropriate measures according to the actual situation in each country. For this reason, “should” in paragraph 2 of Option 2 should be revised to “shall”. In addition, the following clause should be added in order to specify that measures such as reuse are important to be taken at the midstream stage.

Option 2

1. Each Party shall, based on guidance to be provided by the governing body* at the latest by its second session, take effective measures, covering at the distribution, sales, and consumption stages to promote the reuse, recycling, refill, repair, repurposing and refurbishment, as relevant, of plastics and plastic products produced within its territory and those available on its market, in particular through the implementation of reuse, recycling, refill and repair systems.
2. Each Party shall adopt timebound targets in support of this objective.

**Provision common for Options above**

In addition, we would like to parallel in the provision common as much as possible the options for additional measures in use of the provision 5a. recycled plastic contents and 9. waste management. We would also like to mention measures to incentivize changes at the supply chain level through investments in recycling systems and changes in consumer behaviour through raising, consumer awareness on sustainable consumption.

**Provision common for Options above**

3. The measures taken to implement the provisions of this Article may include the use of regulatory and economic instruments, public procurement, or incentivizing changes in the supply chain by investing in reuse, recycling, refill and repair system and infrastructure, and in consumer behaviour through raising consumer awareness on sustainable consumption and shall be reflected in the national plan communicated pursuant to [Part IV.1 on national action plan].

c. Use of recycled plastic contents

The use of recycled plastics differs according to the actual situation in each country. Since we believe it is difficult to uniformly set a minimum percentage of recycling for product content common to the world.

In light of these objectives, under Option 2, ambitious time-bound targets should be set according to the actual situation in each country and appropriate measures should be taken, rather than uniformly setting elements common to the world in general and by sector, and rather than uniformly adopting a minimum percentage when setting targets in each country.

In the first paragraph of Option 2, we would like to change “should” to “shall”. In addition, the following clause should be added after the first clause in the second clause to clearly state that recycling should be addressed at the midstream stage (especially support for recycling infrastructure and awareness raising among consumers, which are in the common option "9. Waste Management" but not in this item).

**Option 2**

1. Each Party shall take the necessary measures for plastics and plastic products produced within its territory and those available on its market and to adopt timebound targets on the use of safe and environmentally sound post-consumer recycled plastic contents based on the elements contained in part III of annex C. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

2. Each Party should take measures to ensure that, where needed, primary plastic in products is replaced by safe and environmentally sound recycled plastic content. The measures taken to implement the provisions of this Article may include the use of regulatory and economic instruments, public procurement, or incentivizing changes in the supply chain by investing in recycling system and infrastructure, and in consumer behaviour through raising consumer awareness on sustainable consumption. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

d. Alternative plastics and plastic products,

Research and development of safe and sustainable plastic alternatives and their promotion should be encouraged, as in Option 2, an essential effort in achieving the objectives of the Plastic Convention.
As already noted in the Zero-Draft, alternatives to plastics should include bio-based plastics and biodegradable plastics and biodegradable plastics should also be included.

In addition, regulatory measures and economic measures should only be appropriate according to the actual situation in each country.

We would suggest that the taken measures be included in the national action plan.

Based on these points, we propose the following text:

Option 2

1. Parties should encourage the development and use of safe, environmentally sound and sustainable alternative plastics and plastic products. The measures taken to implement this provision may include the use of regulatory and economic instruments.

2. Parties, in implementing the above provision, shall ensure that alternative plastics and plastic products are safe, environmentally sound and sustainable, taking into account their potential for environmental, economic, social and human health impacts, including food security.

3. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].