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?

The Republic of Moldova supports the voices that advocates the vision of a treaty addressing the whole life cycle of plastics and which would provide for the reduction of primary plastic production at source through global targets included in the treaty, accompanied by market instruments.

Proposed scope: is to end plastic pollution, including in the marine environment, and to protect the environment and human health.

Explanatory Text:
UNEA resolution 5/14 “End plastic pollution: Towards an international legally binding instrument” provides that the instrument should be based on a holistic approach that addresses the full lifecycle of plastics (including microplastics).

Given mandate calls for the whole life cycle of plastics to be addressed and should therefore lead to a focus on the full range of issues, from the global targets to reduce the production of primary raw material, to the bans and phase out of certain plastic products of concern (products that are problematic, avoidable, and unnecessary), to eliminate the use or restrict of substances and polymers of concern as additives in plastic products, to increase the recycling of plastic and reduce disposal of plastic waste.

Plastic pollution comes to the environment from a variety of sources and pathways, and its elimination will require a large and comprehensive set of measures along the entire lifecycle of plastics, requiring a need for interventions throughout the lifecycle of plastics of the all involved stakeholders.
2. Principles

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

Proposed principles:

The Republic of Moldova believe that well know and efficiently applicable at international level principles on preventing the environmental pollution as well as on waste management based on the waste hierarchy, with a focus on prevention, reusability, and recycling should be set out in the instrument.

*Environmental protection principle:*
  a) precautionary principle to avoid adverse consequences;
  b) polluter pays principle;

*Waste management*
  c) waste hierarchy
  d) extended producer responsibility principle

Explanatory Text:

A new instrument should ensure a transition towards a chemically safe circular economy that addresses all stages of the plastics cycle and is guided by human rights laws, standards and principles. The treaty should enforce the ‘polluter pays’ principle to ensure that those responsible for creating plastic pollution are liable for the costs associated with cleaning it up. To that end, strict controls for plastic production should be instituted to prevent harmful plastic pollution and its contribution to the triple planetary crisis. Effective measures should be agreed to hold plastics and chemical producers accountable for the damage already caused, support environmental remediation, and ensure access to effective remedy for those already impacted, particularly developing countries.

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 Republic of Moldova supports establishing of a robust and effective compliance mechanism to ensure the implementation of the instrument and to achieve its objectives. It becomes obvious that we need to learn from other MEAs, particularly Minamata Convention, how to establish a workable mechanism to support the new treaty implementation, to evaluate its effectiveness based on the progress in implementation of the national plans and common reporting framework.
In this regard, in order to ensure the necessary conditions to achieve the objective to end plastic pollution, the following instruments need to be established, such as the National Action Plan, based on the Plastic Inventory, Implementing and Compliance Mechanism, Reporting and Information Exchange mechanism, etc.

The multi-stakeholder dialogue provides a venue for deeper discussion and the instrument must engage in the process the Private Sector and Civil Society.

The Republic of Moldova recognizes that effectively addressing plastic pollution will require a strong financial mechanism capable to assist countries and to provide support towards the agreed instrument’s obligations.

Explanatory Text:

*National Actions Plans* that indicate how Party will meet its obligations under the instrument, including the Plastic Inventory to monitor plastics at national level, its sources, pathways, emissions, presence, levels and trends in humans and the environment.

*Implementation and compliance* mechanism to identify and consider both issues of compliance and issues that inhibit compliance.

*Reporting Requirements* - to report on the measures the Party has taken to implement the provisions of the instrument and to review achieved progress.

*Information Exchange*. The instrument should include provisions that support the collection and sharing of information on issues including health impacts, environmental pathways, technologies and best experiences.

*Engagement of Private Sector, and Civil Society*. The treaty will be binding instruments for the Parties and it is important to have a room that provide support for implementation from all the relevant sectors ensuring a constructive collaboration and synergies among the relevant actors.

*Financial support and private investments* to support developing countries and countries with economy in transition. The instrument should also provide incentives to drive state and private investments to support the objective of the instrument: to protect the environment and human health, and end plastic pollution.