

## TEMPLATE FOR SUBMISSIONS

Name of country (for Members of the committee)	
Name of organization (for observers to the committee)	Ocean Conservancy
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### **Input on the potential areas of intersessional work to inform the work of INC-3 (following the lists compiled by the co-facilitators of the two contact groups)**

#### **Potential areas for intersessional work**

The list of potential areas for possible intersessional work compiled by the co-facilitators of the two contact groups at INC-2 is set out below. Members and observers may wish to provide input on one or more of these areas.

#### **Contact group 1:**

1. Information on definitions of, e.g. plastics, microplastics, circularity
2. Information on criteria, also considering different applications and sectoral requirements, including:
  - a. Chemical substances of concern in plastics,
  - b. Problematic and avoidable plastic polymers and products and related applications
  - c. Design e.g. for circularity, reuse
  - d. Substitutes and alternatives to plastic polymers and products
3. Potential substances of concern in plastics, problematic and avoidable plastic polymers and products
4. Potential sources of release of microplastics (applications and sectors).

*(Please note: A longer list is included in the co-facilitators report on discussions in contact group 1 <sup>1</sup>. Submissions may also include input on any of the items in that longer list, such as, amongst others, the development of criteria to prioritise problematic and avoidable plastics; the development of targets for the reduction, reuse and repair of problematic and avoidable plastic products; or the guidelines on EPR)*

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<sup>1</sup> The report can be accessed here: <https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf>.

**Contact Group 2:**

1. To consider the potential role, responsibilities and composition of a science and technical body [to support negotiation and/or implementation of the agreement]
2. To consider potential scope of and guidance for National Action Plans [including optional and/or suggested elements]
3. To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered
4. To consider how other MEAs provide for monitoring, and suggest best practice
5. To consider options to define ‘technology transfer on mutually agreed terms’
6. To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]
7. To identify options to mobilise and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))
8. To map current funding and finance available [to address plastic pollution] and determine the need for financial support for each Member
9. To identify capacity building and training needs for each Member.

Inputs relating to potential areas for intersessional work. Please identify clearly which area your input relates to.

**Contact Group 1:**

**Information on definitions of, e.g. plastics, microplastics, circularity.**

The instrument should define plastics and products, building on established definitions in existing international fora, such as the Basel Convention where plastics are defined as “... a synthetic material or modified natural material, either a polymer or combination of polymers of high molecular mass modified or compounded with additives such as fillers, plasticizers, stabilizers, flame retardants and colorants”<sup>2</sup>. There are different definitions of plastic in current international or national documents, including those of the International Organization for Standardization (ISO)<sup>3</sup>, and the OECD<sup>4</sup>. Crucially, the accepted definitions for this instrument should encompass chemical additives present in plastics, bearing notable risks to human and environmental health. As such, these additives should be duly considered and defined. Furthermore, additional substances associated with the complete lifecycle of plastics, such as air emissions (including greenhouse gases and other harmful toxins) and water emissions resulting from plastic production, consumption, and disposal, should also be subject to consideration in this context.

<sup>2</sup> [UNEP/CHW.16/6/Add.3/Rev.1](#) (May 25, 2023)

<sup>3</sup> [ISO 472:201](#): Plastics — Vocabulary. Geneva: International Organization for Standardization, 2013.

<sup>4</sup> Organisation for Economic Co-operation and Development. (2023). OECD Definition of Polymer. Retrieved from: <https://www.oecd.org/env/ehs/oecddefinitionofpolymer.htm>

Also, we support intersessional work specific to all definitions, but, in particular, on the definition of microplastics, that classifies them in the agreement as primary (intentionally manufactured to be small) or secondary (degraded or shed from larger plastics).

Microplastics are any plastic particle between 100nm and 5mm in size. The term microplastics incorporates a large diversity of plastic types, including those that were produced as microplastics (e.g., microbeads, pre-production pellets often referred to as “nurdles”) and those that are degraded bits of larger plastic products (e.g., tire dust, fibers, paints, fragments, and films). The former are called primary microplastics and the latter are referred to as secondary microplastics. Secondary microplastics are the most common type of microplastics found in the ocean<sup>5</sup>.

**Potential sources of release of microplastics (applications and sectors).**

During the intersessional period, the committee should collaborate closely with eminent experts and scientists in the plastics field to comprehensively investigate the relevant sources and pathways of microplastics, both primary and secondary, that contribute to environmental pollution. Moreover, the committee is urged to assess the impacts of microplastics in the ocean, freshwater bodies, air, soil, wildlife, and where possible, on humans.

Notably, Ocean Conservancy has a robust ocean plastics research program, which includes leading experts on microplastics, the fate of ocean-bound plastics, and emerging issues within the context of plastic pollution. Their pioneering research has significantly advanced scientific understanding of the extent and dimensions of plastic pollution. Leveraging insights from such research could effectively contribute to the committee's endeavors and inform their deliberations. Ocean Conservancy scientists have developed a quick-reference fact sheet highlighting key microplastic facts and figures, accessible [here](#). Based on the best available science, we would recommend the review and inclusion of these types of microplastics and potential interventions for each:

- Primary microplastics (intentionally manufactured to be small)
  - Pre-production plastic pellets (“nurdles”) ([Marine Pollution Bulletin](#))
  - Microbeads ([Marine Pollution Bulletin](#); [Society for Conservation Biology](#))
  - Glitter ([Water Research](#); [Marine Pollution Bulletin](#))
- Secondary microplastics (degraded from larger plastics)
  - Microfibers ([Chemosphere](#); [Environmental Science and Pollution research](#); [Science of the Total Environment](#); [Marine Pollution Bulletin](#))
  - Paint particles ([Environment Earth](#))
  - Films ([Environmental Pollution](#))
  - Foams ([Journal of Hazardous Materials](#))
  - Fragments ([Environment International](#))
  - Tire wear particles ([Journal of Geophysical Research: Oceans](#))

In addition to the different types of microplastics, there are known sources and pathways for microplastic pollution that should be reviewed to identify potential interventions for inclusion in the instrument:

- Production facilities (plastic production facilities as well as textile manufacturers)
- Stormwater
- Wastewater
- Construction sites

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<sup>5</sup> Law KL, Morét-Ferguson SE, Goodwin DS, Zettler ER, Deforce E, Kukulka T, et al. Distribution of surface plastic debris in the eastern Pacific Ocean from an 11-year data set. *Environ Sci Technol*. 2014;48:4732–4738.

- Landfills
- Agricultural runoff
- Clothing washing machines (commercial, government-owned, residential)
- Steel infrastructure (e.g., bridges, buoys) requiring painting/sandblasting
- Dry dock facilities for marine vessels
- Abandoned, lost or otherwise discarded fishing gear (ALDFG) also referred to as ghost gear
- Cigarette butt pollution
- Macroplastic pollution

### **Development of targets for the reduction, reuse and repair for plastic products**

Ocean Conservancy supports source reduction as a key focus area in the ILBI. To this end, the committee is encouraged to develop specific work during the intersessional period to lay the groundwork for its inclusion in the agreement.

Source reduction means producing and using less plastics to prevent downstream pollution associated with the plastics lifecycle. For plastics, source reduction is any mechanism that results in a net reduction of plastics usage including, but not limited to, shifting from single-use plastics to reusable or refillable materials, eliminating unnecessary plastics, or reducing the amount of plastic used through rightsizing, concentrating, or switching to large or bulk formats.<sup>6</sup>

Numerous studies have modeled interventions necessary to achieve a significant reduction in ocean plastic pollution and the sector's associated climate emissions, all reaching the same conclusion: We need a comprehensive approach that addresses all stages of the full life cycle of plastics, including producing less plastics, in addition to improving waste management systems and continuing targeted cleanups. To avoid projected increases in ocean plastic pollution and reduce it back to 2010 levels of ~8 million metric tons (MMT), models show that by 2030, we need to reduce plastic consumption and usage by 25-40% depending on country income level (as a proxy for plastic usage).<sup>7</sup>

Other studies have found that to achieve a roughly 80% reduction in ocean plastic leakage, a 47% reduction (including direct efforts such as elimination and reuse, and switching to non-plastic materials) by 2040 will be necessary.<sup>8</sup> Still others have modeled efforts to reduce the climate impacts from the plastics sector, and have found necessary reductions ranging between 24 and 30% by 2050 to achieve net-zero.<sup>9 10</sup>

To achieve the reductions necessary based on the best available science, Ocean Conservancy supports a minimum target of 50% reduction of single-use plastics by 2050 for the instrument. Ocean Conservancy scientists estimate that a 50% reduction of single-use plastics by 2050 would eliminate over 2.6 billion metric tons of plastics and prevent 10.8 to 11.5 billion metric tons of CO<sub>2</sub>-equivalent emissions, equivalent to taking every car on earth off the road for 1.6 years.

Single-use plastics are the ideal target for source reduction policies as they represent the types of plastics that are most easily eliminated, replaced by alternative delivery systems (e.g., reuse and refill), or transitioned to more sustainable material types. Further, data from Ocean Conservancy's International Coastal Cleanup® show that the most common items polluting beaches and waterways around the globe each year are single-use plastics.<sup>11</sup>

<sup>6</sup> CA S.B. 54 § 42041 (aj)

<sup>7</sup> Borrelle, S.B., et al. (2020). *Science*.

<sup>8</sup> Lau, W.W.Y., et al. (2020) *Science*.

<sup>9</sup> Energy Transitions Commission. (2020). [Mission Possible](#).

<sup>10</sup> CGC & Systemiq. (2022). [Planet Positive Chemicals](#).

<sup>11</sup> Ocean Conservancy. (2021). [We Clean On](#)

Single-use plastics represent nearly 40% of annual plastics production globally<sup>12</sup> and are one of the fastest areas for growth in the sector. This means that a focus on single-use plastics reduction now can have an outsized impact on preventing pollution from across the plastics lifecycle (including litter and emissions). Fortunately, there is precedent for ambitious source reduction. In 2022, California passed the first legislation in the world to require a significant reduction in single-use plastics. It mandates a 25% reduction in single-use plastic packaging and foodware over 10 years (by 2032).<sup>13</sup> As the fifth largest economy in the world, California's ambitious targets will drive innovation in upstream redesign and transformative business models (e.g., reuse and refill) that are likely to have ripple effects across other economies. If a 50% source reduction target is included in the ILBI, it would more than double the amount of time (25 years) to achieve twice the level of reduction as required by law in California by 2050.

This information could be used by an intersessional working group dedicated to this item as a starting point for specific reduction and reuse and refill targets, and conversation on implementation mechanisms to achieve this.

### **Work with relevant stakeholders on fishing gear in the lifecycle of plastics**

Ocean Conservancy supports the inclusion of measures to prevent, mitigate and remediate sea-based sources of marine plastic pollution, specifically abandoned, lost, or otherwise discarded fishing gear (ALDFG) also referred to as ghost gear. Negotiations to date have focused predominantly on land-based sources of plastic pollution with little discussion around potential control measures and obligations related to sea-based sources of plastic pollution, such as fishing and aquaculture gear. Furthermore, the proposed measures in the options document are inadequate to holistically address this pervasive and unique form of marine plastic pollution. As such, we urge the committee to develop specific work during the intersessional period to lay the groundwork for its inclusion in the ILBI. Given the limited discussion on sea-based sources of plastic pollution in the negotiations to date, we propose that the zero-draft include a placeholder for the addition of an article on plastic fishing and aquaculture gear which would be subsequently supplemented by the intersessional work proposed here.

**ALDFG is a distinct form of marine plastic pollution** with causes, impacts and potential solutions being significantly different from other forms of plastic debris, and which vary significantly by local and regional contexts. Being predominantly made of plastic, ALDFG also contributes to the proliferation of microplastics in the environment. As such, for the ILBI to be based on a comprehensive approach that addresses the full life cycle of plastics, the committee may wish to consider the inclusion of control measures and voluntary approaches specifically to reduce ALDFG across the full life cycle of fishing and aquaculture gear.

Current frameworks to manage ALDFG are fragmented, largely voluntary and inadequate, and their existence should not be a reason for inaction or lack of inclusion of ALDFG-specific measures in the instrument. Rather, the ILBI should complement, strengthen, and clarify existing frameworks related to ALDFG specifically.

For the most part, fishing gear is a significant financial investment, and most fishers do not want to lose their gear. However, fishing gear can enter the marine environment for a variety of reasons including rough weather conditions, mechanical problems, interaction with other marine traffic, human error, or gear snagging on the substrate or subsurface obstructions. As a result, an estimated 5.7% of fishing nets, 8.6% of traps and pots, and 29% of fishing lines end up lost or abandoned in the marine environment annually<sup>14</sup>.

<sup>12</sup> Geyer, R., et al. (2017). Science.

<sup>13</sup> Ocean Conservancy (2022). [California Senate Bill 54: A Win for Our Ocean](#)

<sup>14</sup> Richardson, K., Wilcox, C., Vince, J. & Hardesty, B.D. 2021. Challenges and misperceptions around global fishing gear loss estimates. Marine Policy, 129. <https://doi.org/10.1016/j.marpol.2021.104522>

Fish is a crucial form of animal protein in people's diets all over the world, and global fish consumption has risen 122% in the past 30 years<sup>15</sup>. With global fish food consumption rates expected to increase by 14.8% by 2030<sup>16</sup>, the ILBI should include specific measures to address this unique form of plastic pollution holistically, across its full life cycle to prevent plastic pollution and safeguard global food security, fisheries sustainability and the lives and livelihoods of those who depend on fishing.

To this end, we support the establishment of intersessional work in consultation with relevant stakeholders that can lead to the development of recommendations that apply a combined approach of both mandatory international commitments and voluntary national actions specific to fishing and aquaculture gear.

To support this proposal, in consultation with member governments, Ocean Conservancy's Global Ghost Gear Initiative® published a [white paper](#) on the impact of fishing gear as a distinct form of marine plastic pollution on the impacts of fishing gear as a distinct form of marine plastic pollution. The document provides a series of potential voluntary approaches, and control measures for reducing ALDFG across different stakeholder groups and can be used to inform discussions and intersessional work on this topic. As a concrete step, we support the intersessional work using this as a starting point for broader discussion and consultation among countries and interested parties.

Should a sectoral approach be applied for plastic fishing and aquaculture gear in the ILBI, being a distinct form of plastic pollution, we maintain that the addition of a specific article on the prevention and reduction of plastic fishing and aquaculture gear across its full life cycle is necessary, accompanied by specific mandatory control measures and voluntary approaches to address the most harmful form of marine plastic pollution.

### **Human Rights Approach**

Intersessional work is proposed to incorporate a human rights approach into the instrument. Pollution associated with the extraction of feedstock for plastics, its production, use, and disposal in landfills, dumpsites, incinerators, and the environment create human rights concerns. In addition, those collecting and recycling plastics, particularly those in the informal sector, may be exposed to greater health burdens due to regular handling of plastics and other harmful waste products and/or often working in hazardous conditions. These waste workers are critical to plastic waste management globally; thus, significant consideration must be devoted to ensuring that their livelihoods are not eliminated, and a just transition includes foundational roles in the reuse, refill, and repair economy. It is critical that the intersessional work includes the expertise from members of the informal waste collector/picker sector, – who are estimated to collect as much as 60% of the plastics recycled globally.<sup>17</sup>

### **Contact Group 2:**

#### **To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered**

Current provisions within existing Multilateral Environmental Agreements (MEAs) and other instruments on cooperation and coordination that could be considered for inclusion in the ILBI could be:

- United Nations Framework Convention on Climate Change (UNFCCC):

<sup>15</sup> Food and Agriculture Organisation of the United Nations 2020 <https://www.fao.org/state-of-fisheries-aquaculture>

<sup>16</sup> OECD/FAO (2021), OECD-FAO Agricultural Outlook 2021-2030, OECD Publishing, Paris, <https://doi.org/10.1787/19428846-en>

<sup>17</sup> Lau et al. 2020

Article 4.2(c): Calls for promoting and facilitating climate change-related education, training, public awareness, public participation, and public access to information.

Article 11: Establishes a mechanism to promote the development and transfer of environmentally sound technologies and the implementation of technology cooperation and capacity-building activities.

Article 13: Encourages parties to cooperate in improving education, training, and public awareness on climate change and its effects.

- Convention on Biological Diversity (CBD):

Article 17: Calls for parties to facilitate the exchange of information, scientific and technical cooperation, and access to resources for environmentally sound use.

Article 18: Promotes cooperation on the conservation and sustainable use of biodiversity and encourages parties to develop bilateral, regional, and multilateral agreements or arrangements.

Article 20: Establishes the Clearing-House Mechanism to promote information exchange, technical and scientific cooperation, and capacity-building.

- Conference of the Parties to the Convention of Biological Diversity (CBD) Kunming-Montreal Global Biodiversity Framework:

Target 7: Calls to reduce pollution risks and the negative impact of pollution from all sources, by 2030, and working towards eliminating plastic pollution.

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal:

Article 11: Encourages parties to cooperate in the development and implementation of environmentally sound waste management technologies and practices.

Article 12: Facilitates technical and scientific cooperation, including information exchange, research, training, and the provision of technical assistance.

Article 13: Promotes the exchange of information on hazardous wastes, including available technologies and alternative substances, and encourages parties to cooperate on research and development.

- Stockholm Convention on Persistent Organic Pollutants (POPs):

Article 10: Encourages parties to promote and facilitate the exchange of information, scientific research, and technical cooperation related to POPs.

Article 11: Establishes a financial mechanism to assist developing country parties in meeting their obligations and encourages parties to cooperate in the transfer of technology, technical assistance, and capacity-building.

Article 13: Promotes international cooperation to facilitate the implementation of the convention, including information exchange and the sharing of best practices.

- Montreal Protocol on Substances that Deplete the Ozone Layer:

Article 10: Encourages parties to cooperate in scientific research and systematic observations and to exchange information relevant to the protocol's objectives.

Article 13: Facilitates cooperation in the transfer of technology, technical assistance, and training to developing country parties to enable them to comply with their obligations.

Article 14: Establishes a financial mechanism to assist developing country parties in meeting their obligations, including capacity-building activities.

- United Nations Environment Programme (UNEP):

UNEP plays a crucial role in facilitating international cooperation and coordination on environmental issues, including plastic pollution. It supports countries in sharing information, developing best practices, and fostering collaboration through initiatives such as the Global Partnership on Marine Litter and the Global Plastic Action Partnership.

These provisions within existing MEAs and instruments highlight the importance of cooperation, coordination, and the exchange of information, technology, and expertise. In coordination and with support of the Secretariat, and other MEA secretariats if needed, intersessional work could be set up to agree on the best articles drawn from these MEAs (and possibly others) to be introduced as text into the ILBI.

### **To consider how other MEAs provide for monitoring, and suggest best practices**

Existing MEAs, including those mentioned above, provide valuable examples of monitoring mechanisms and best practices that can be considered for inclusion in the future ILBI. Among others:

#### Reporting, Review, and Assessment Mechanisms:

MEAs periodically review and assess their effectiveness, taking into consideration new scientific knowledge, technological advancements, and changing circumstances. These review processes help identify gaps, evaluate progress, and inform decision-making for further actions. Many MEAs establish reporting and review mechanisms that require parties to provide regular reports on their implementation efforts. These reports serve as a basis for monitoring progress and identifying areas for improvement. The reports are often reviewed by expert bodies, such as scientific committees or subsidiary bodies, which provide recommendations and guidance to parties.

Best Practice: The ILBI could incorporate reporting, review, and assessment mechanisms that require parties to submit specific periodic reports on their plastic pollution reduction measures, progress, and challenges. An expert body or committee set up by the ILBI could review these reports and provide assessments, recommendations, and best practices for effective plastic pollution management, identify country similarities, and foster exchanges among these countries. These regular review cycles could assess the effectiveness of measures, identify emerging challenges, and incorporate updated scientific knowledge and best practices into decision-making processes.

#### Data Collection and Information Sharing:

MEAs often emphasize the importance of data collection, information sharing, and knowledge dissemination. Parties are encouraged to share data, research findings, best practices, and experiences to enhance understanding and inform decision-making processes. This promotes transparency, collaboration, and evidence-based approaches.

Best Practice: The ILBI could include provisions that promote standardized data collection methodologies, data sharing platforms, and the establishment of a global database on plastic pollution. Encouraging parties to share data, research findings, and best practices would facilitate knowledge exchange and enable the development of evidence-based strategies to tackle plastic pollution.

#### Scientific and Technical Cooperation:



MEAs recognize the importance of scientific and technical cooperation in addressing complex environmental challenges. They encourage the exchange of scientific information, research collaboration, and capacity-building activities to support the implementation of the agreements.

Best Practice: The ILBI could include provisions to foster scientific and technical cooperation among parties. This could involve establishing networks, promoting research partnerships, facilitating technology transfer, and supporting capacity-building initiatives to enhance understanding, innovation, and effective plastic pollution management.

#### Compliance and Enforcement:

MEAs often include provisions related to compliance and enforcement to ensure the effective implementation of their obligations. They establish mechanisms to monitor compliance, investigate non-compliance, and apply appropriate measures and sanctions.

Best Practice: The ILBI could include provisions for monitoring and verifying compliance with plastic pollution reduction targets, waste management requirements, and other obligations, including globally binding ones and voluntary commitments acquired through the development of national action plans. It could establish an enforcement mechanism to address non-compliance and apply appropriate penalties or remedial actions.

#### **To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]**

Ocean Conservancy supports that intersessional work is established on how a potential hybrid financing mechanism could work in the ILBI.

A hybrid financing mechanism combines the advantages of a specialized fund with the resources and expertise available through an established institution. The intersessional group could focus on:

#### Establishing the Fund:

The future instrument would outline the establishment of a dedicated fund explicitly dedicated to plastic pollution mitigation and remediation efforts. The legal agreement would define the fund's objectives, governance structure, and operational modalities.

#### Governance and Funding Mechanisms:

To leverage existing resources and expertise, the governance structure and funding mechanisms of an established environmental fund like the GEF could be adapted or modeled upon. This would provide access to established systems for project selection, monitoring, evaluation, and financial management. The fund's governance board or council could be composed of representatives from relevant stakeholders, including governments, civil society organizations, and international financial institutions, to ensure broad-based decision-making.

#### Utilizing Existing Expertise:

By partnering with an existing environmental fund, the hybrid mechanism would benefit from the experience, knowledge, and networks of the institution. This would help streamline project implementation, enhance technical support, and facilitate coordination with other environmental initiatives.

#### Innovative Financing Opportunities:

As outlined in our submission A on elements not discussed during INC2, the hybrid mechanism should explore innovative financing opportunities. This could involve engaging with public and private sector

entities (including plastic producers through extended producer responsibility, taxes or levies, or other cost-sharing policies), philanthropic organizations, impact investors, and other funding sources. Innovative financing mechanisms, such as green bonds, crowdfunding, and public-private partnerships, could be explored to mobilize additional resources for remediation efforts (see more below).

Capacity Building and Technical Assistance:

The financing mechanism could also prioritize capacity building and technical assistance, particularly for vulnerable countries and Small Island Developing States (SIDS). This would help enhance their ability to implement upstream prevention activities (e.g., transition away from single-use, increase waste collection and management capacity) as well as downstream remediation activities effectively.

Transparent and Accountable Management:

Transparency and accountability must be paramount in the management of the hybrid financing mechanism. Regular reporting, financial audits, and independent evaluations would ensure that the funds are collected and used effectively. Monitoring and evaluation mechanisms would be established to track progress, assess impact, and make necessary adjustments to enhance the efficiency and effectiveness of the financing mechanism.

Remediation of Legacy Plastic Waste:

Considering the unequal pollution burden placed on some nations, the hybrid mechanism would prioritize efforts to reduce and eliminate the release of plastics, including microplastics, into air, water, and land, with a particular focus on vulnerable countries and SIDS. The hybrid mechanism could also include provisions specifically dedicated to addressing existing plastic pollution in the environment and the remediation of legacy plastic waste, particularly in areas of high cultural, ecological and/or socioeconomic importance.

**To identify options to mobilise and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))**

Related to the above-mentioned items, Ocean Conservancy supports intersessional work to develop models and mechanisms to mobilize private resources and innovative financial mechanisms aligned with the polluter pays principle. Among others, the following could be considered:

Plastic Fees, Taxes, or Levies:

A fee, tax, or levy on plastic production or users to generate revenue that would finance initiatives to reduce plastic waste could be considered. The fees collected would be directed towards funding initiatives and projects aimed at plastic pollution prevention, reduction, cleanup, and remediation. Like the plastic packaging tax in the United Kingdom, this mechanism would help internalize the environmental costs associated with plastic pollution and provides a dedicated source of funding for addressing the issue<sup>18</sup>.

Extended Producer Responsibility (EPR) System:

An EPR system is another mechanism that nations could consider to fund the collection, reduction, reuse, and recycling of plastic waste. EPR policies for plastic packaging have been in use around the world for decades to hold producers of plastics financially responsible for their products throughout their life cycle. Plastic producers would contribute to a fund specifically dedicated to financing reduction, reuse, and recycling programs, including those carried out by informal waste pickers, waste management

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<sup>18</sup> Retrieved from: <https://www.gov.uk/government/publications/plastic-packaging-tax-force-of-law-guidance>

infrastructure, and other initiatives aimed at reducing plastic pollution. This mechanism incentivizes producers to design products with recyclability and environmental considerations in mind, while also generating funds for plastic pollution mitigation. A parallel system for EPR for fishing gear could also hold producers accountable and help fund prevention. Ocean Conservancy supports intersessional work to exclude current chemical recycling technologies from legal provisions or receiving financing from this fund as these technologies increase pollution (including greenhouse gas emissions) and affect disproportionately fence-line communities, and other marginalized and vulnerable groups.

Regarding the proposed Global Plastic Pollution Fee (GPPF), this could operationalize the polluter pays and remediation principles, described in Ocean Conservancy's INC-3 Written Submission A. Besides the contribution made by the GPPF proponents and supporters, it is important for an intersessional working group to consider:

Fee Collection and Administration:

The GPPF would be collected at various stages of the plastic life cycle, such as production, importation, or sale. The specific collection mechanism would be outlined in the instrument and could involve cooperation with customs authorities, tax agencies, or other relevant institutions. The funds collected would be channeled into the dedicated fund and destined for remediation efforts.

Collaboration with Existing Funds and Financial Mechanisms:

Furthermore, to leverage existing resources and expertise, the hybrid financing mechanism could explore collaboration with established environmental funds and financial mechanisms, such as the Global Environment Facility (GEF) or regional development banks. This collaboration would help access additional funding sources, technical assistance, and project implementation support while maintaining a unique identity and purpose for the Remediation Fund.

By implementing a hybrid financing mechanism that includes a Global Plastic Pollution Fee and/or a dedicated Remediation Fund, the international legally binding instrument would operationalize the polluter pay principle and remediation principle. This approach would ensure that the costs of plastic pollution are borne by the responsible parties, while providing the necessary resources to reduce, prevent, clean up, and restore polluted environments, and encourage local organizations to be involved in this process.

Concerns Regarding Plastic Credit Schemes

Plastic credit schemes must follow strict principles, particularly regarding additionality, and, if used, be carefully tracked and managed. Concerns in this emerging field include how the credits are earned and applied, what claims (marketing or otherwise) companies or countries could make if using them, and what mechanisms are going to be in place to track and ensure transparency. Currently, Ocean Conservancy has not endorsed plastic credits as part of the solution to plastic pollution, including fishing and aquaculture gear. Ocean Conservancy does not support the use of the terms "plastics-neutral" or "plastics-positive" as it finds these terms to be misleading. Cleaning up some plastics somewhere does not negate the impacts of the plastics being produced elsewhere.

Concerns Regarding the Use of Carbon Credit Schemes to Support Plastics Recycling

Carbon credits have been tentatively proposed as a potential source of revenue for projects such as recycling that reduce waste and greenhouse gas emissions. Increasing the diversion of plastic waste to mechanical recycling systems is an important strategy to reduce the greenhouse gas pollution associated with plastic waste incineration, open burning, and waste to energy systems. The use of the direct financing mechanisms – such as EPR systems or plastic pollution fees, taxes, or levies described above – are more appropriate

means of support for plastic waste management and recycling systems. Ocean Conservancy recommends against the use of carbon credits for this purpose, given the major documented issues associated with voluntary carbon markets: most carbon offsets available today do not meet scientific and environmental standards of verifiability, durability, additionality, and uniqueness. Further, they do not fully account for the non-linear impacts of the emissions of greenhouse gas pollution on the climate. Carbon credits based on reductions in emissions from improved waste management are likely to face significant challenges in terms of verifiability and durability, and, therefore, are not well-suited to this financing mechanism.