

Submission part A

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Saudi Arabia is in view that in order to develop the scope of the instrument the treaty should be based on ending plastic pollution per resolution 5/14, resulting from plastic waste. This can be achieved when tackling the root cause of the Pollution, which is ineffective management of waste. With focus on promoting, environmentally sound management (ESM) with consideration of all stages of plastic as stated in decision 5/14, to achieve a comprehensive and an inclusive treaty, to ensure ability of implementation, commitments must be based on national circumstances, with special flexibility provisions to developing countries, underpinned by bottom-up approaches.

Primary plastics have become a cornerstone of modern society, driving innovation in many industries. Phasing out their supply or demand would not only stifle technological advancements but also risk economic growth and stability, as they have proven to be versatile, durable and cost effective. Therefore, focusing on responsible production, consumption, and recycling should be our priority, rather than eliminating a material that has proven indispensable for countless applications.

Saudi Arabia would like to note that plastic products continue to provide durable, cost-effective, and efficient options to global delivery services compared to other alternatives. Plastic plays a significant role in safeguarding human health, medical equipment, food safety, protective gear, temporary and permanent housing.

Scope:

The scope of treaty shall provide a roadmap for developing a treaty to tackle the challenge of plastic pollution in the lifecycle of plastic waste using innovative and advanced technologies. And to be based on UNEA resolution 5/14

- To promote sustainable production and consumption of plastics, including, among others, product design, and environmentally sound waste management, through resource efficiency and circular economy approaches
- To develop, implement and update national action plans reflecting country-driven approaches to contribute to the objectives of the instrument.
- To specify national reporting, as appropriate.
- To provide scientific and socio-economic assessments to address & understand the impacts related to plastic pollution policies.
- To promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates, avoiding duplication, and promoting complementarity of action.
- To specify arrangements for capacity-building and technical assistance, technology transfer on mutually agreed terms, and financial assistance, recognizing that the effective implementation of some legal obligations under the instrument is dependent on the availability of capacity building and technical and adequate financial assistance.

- To encourage inclusive action by all stakeholders to take measures aiming for ambitious plastic pollution solutions including the private sector with associated industries and informal sector workers as key players to solutions.
- Emphasize the role of research and development in finding technical and technological solutions
- Assessing, and understanding the socio-economic impacts of the implementation of response measures, and the principle of limiting the harm to the economy and environment of developing countries.

Saudi Arabia views built on recalling the UNEA Resolution 5/14 to develop treaty scope as explained and limited as above, Saudi Arabia is in the position to compact plastic pollution and understanding the importance of promoting sustainable design of products and materials in order that they can be reused, remanufactured, recycled, or remove plastic waste from the environment thereby retaining value in the economy for as long as possible along with the resources they are made of, with adaptation of one of the circularity approaches. Such as:

1. Highlight the importance of supporting research and development in finding technical solutions that adopt circular approaches and investigate sustainable technical solutions.
2. Assessing, and understanding the socio-economic impacts of the implementation of response measures, and the principle of limiting the harm to the economy and environment of developing countries should be a key part of any agreement.

In order to develop the scope of the instrument, the objective of the treaty should be based on ending plastic pollution per resolution 5/14, resulting from plastic waste. This can be achieved when tackling the root cause of the Pollution, which is ineffective management of waste. Core obligations shall be solely focused on promoting, environmentally sound management (ESM) with consideration of all stages of plastic as stated in decision 5/14. to achieve a comprehensive and an inclusive treaty, these specific obligations, shall be based on national circumstances, with special flexibility provisions to developing countries, underpinned by bottom-up approaches. These specific obligations shall refer to the objective of the treaty as mandated and by the scope of the treaty.

Regarding the second part of the scope section, prior to answering the types of substances, materials, products and behaviors that should be covered by the future instrument, there are key areas needs to be taken into considerations:

- Primary plastics have become a cornerstone of modern society, driving innovation in many industries. Phasing out their supply or demand would not only stifle technological advancements but also risk economic growth and stability, as they have proven to be versatile, durable and cost effective. Therefore, focusing on responsible production, consumption, and recycling should be our priority, rather than eliminating a material that has proven indispensable for countless applications.
- Banning certain types of plastics can have negative effects on the global recycling industry.
- Saudi Arabia would like to note that plastic products continue to provide durable, cost-effective, and efficient options to global delivery services compared to other alternatives, including but not limited to large scale shipments and movement of goods and food. Saudi reiterates its commitment to exploring sustainable means to reuse plastic products.

- Plastic plays a significant role in safeguarding human health, and the entire world has seen a clear example during the COVID-19 pandemic. Plastics also play a major role in medical equipment, food safety, protective gear, temporary and permanent housing.
- Recognize the benefits of promoting the circularity of plastic waste, we believe that it is crucial for each member state to establish their own National Action Plans while considering their unique circumstances and capacities. The need for design criteria to enable circularity under national circumstances, which includes efforts to investigate means to reuse and repair plastic products and prioritizes for the reduction of environmental harms, including the marine life.
- Awareness is important aspect tackling plastic pollution as the main source of plastic pollution arrives from mismanagement of plastic waste during the consumption phase.

The Scope of the Treaty Should Include the Following Activities

1. National Action Plans (NAPs)

National Action Plans shall serve as the main obligation and the backbone for all parties involved, providing a roadmap for each party to contribute towards achieving the objectives of the instrument. Many Multilateral Environmental Agreements (MEAs) depend on actions determined at the National level, hence this bottom-up approach is necessary in achieving the intended goal of minimizing plastic pollution.

- These plans should be developed with consideration to the national circumstances of each nation. In the process of developing these policies, it is recommended that states take into account the potential 12 core obligations list proposed by the secretariat, treating them as a valuable policy toolkit that can be tailored to their specific circumstances, recognizing no one size fits all. The primary focus of these plans should be to promote sustainable production and consumption of plastic, enhance plastic's design for circularity in a way that safeguards human health and the environment, and strengthen the environmentally sound management of plastic waste.

2. Trade: Import and Export Requirements to Parties and Non-Parties on a Non-Discriminatory Basis.

- Implementing non-discriminatory trade practices can motivate industry to diversify its product offerings and invest in innovative solutions to maintain competitiveness in the global market. This can drive the industry to develop new, environmentally friendly products or processes, opening up new market opportunities.
- Trade requirements should consider the varying levels of development, capabilities, and domestic policies of countries. Therefore, the future instrument should not make it difficult for some nations to comply with the requirements, in order to not hinder their economic growth or hampering their efforts to address domestic priorities.
- Potential conflicts with WTO rules: Non-discriminatory approaches could potentially come into conflict with World Trade Organization's rules, particularly if they are perceived as protectionist or unfairly disadvantaging certain countries. This could lead to disputes and undermine the stability of international trade.
- Prevent favoritism policies in all import and export requirements for a certain product that can play an economic changing effect, as a result of having a special policy for one material and ignoring others.

Principles:

Recall the UNEA Resolution 5/14 Preamble:

Reaffirming United Nations General Assembly resolution 70/1 of 25 September 2015, by which the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development.

Reaffirming also the principles of the Rio Declaration on environment and development adopted in Rio de Janeiro in 1992,

Also Recall Para 3:

- Decides that the intergovernmental negotiating committee is to develop an international legally binding instrument on plastic pollution, including in the marine environment henceforth referred to as the instrument, which could include both binding and voluntary approaches, based on a comprehensive approach that addresses the full lifecycle of plastic, taking into account among other things, the principles of the Rio Declaration on Environment and Development, as well as national circumstances and capabilities,

Principles for us to call on:

1. The Parties have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.
2. The Parties in particular developed countries should respect the principle of sovereignty of States in international cooperation to address the issue of plastics pollution in a facilitative, non-instructive and non-punitive manner, and avoiding any undue burden being placed on Parties.
3. The Parties should protect the environmental system for the benefit of present and future generations of humankind, on the basis of historical responsibility, equity and in accordance with their common but differentiated responsibilities and respective capabilities (CBDR+RC). Accordingly, developed countries should take the lead in addressing the adverse effects of plastic pollution and the impacts of the implementation of response measures on developing countries.
4. Parties should respect the right to development to equitably meet the environmental needs of present and future generations, in particular for developing and least developed country Parties.
5. The specific needs, priorities and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse impacts of plastic pollution, and of those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the instrument, should be given full consideration.
6. The Parties should ensure environmental integrity by building on and enhancing the environmental agreements under other UN bodies respecting the decisions and agreements under the UN and to avoid any contradictions or inconsistent elements.
7. In order to protect the environment from plastics pollution, the precautionary approach shall be widely applied by Parties according to their capabilities and responsibilities based on the CBDR principle, & national circumstances.
8. The developing countries have the right to promote sustainable development. Policies and measures to protect the environmental system should be appropriate for the specific conditions of each Party and should be integrated with national development programs, taking into account that economic development is essential for adopting measures to address plastic pollution.
9. The Parties should cooperate to promote a supportive and open international economic system that would lead to sustainable economic growth and development in all Parties, particularly developing countries, including the least developed Parties and those most environmentally vulnerable, thus enabling them to better address the problems of plastic pollution. Measures taken to combat plastic pollution, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

10. All efforts should be made to reach an international consensus agreement on plastic pollution, informed by scientific certainty in a manner that is implementable by all Parties according to their respective capacities and to the extent of the support received from developed Parties.
11. Parties shall co-operate in good faith and in a spirit of partnership in the fulfillment of the principles embodied in the Rio Declaration and in the further development of international law to combat plastics pollution based on full scientific certainty.
12. Developed countries shall recognize the importance of integrated and holistic approaches when providing means of implementation.
13. Developing countries should not carry the burden of means of implementation and their required needs by themselves.
14. Means of implementation shall address the concerns of developing countries on the impacts of the implementation of response measures.
15. Developing countries shall be enabled to communicate their required needs for effective implementation of the future treaty
16. Means of implementation shall be treated equally and in parallel with control measures.
17. Acknowledging the role of plastic to meet sustainable development goals.
18. Plastic pollution and the leakage of plastic and plastic wastes into the environment can occur from a variety of land-based and ocean-based sources, and mainly from mismanagement of plastic waste. The sources include, but are not limited to illegal traffic, historical dumping of plastic waste to the developing countries, the uncontrolled dumping of waste, and litter.
19. Bottom- up approach should be the main principle of any works of this treaty, considering national circumstances and capacity.

Additional considerations

- Detailed means of implementation from developed to developing countries, including financial support provided from developed to developing countries, capacity building, and technology transfer.
- This instrument should not dive into the scope of existing treaties or instrument that have been approved under the UN, if negotiating parties identify gaps in other treaties, than a recommendation will be made to amend the existing treaties and not include them in the instrument.
- Reporting and monitoring provision as well standardization should be developed nationally. There is no one size and no common standards that fit all as individual countries economic circumstance and

available infrastructure defer significantly. Reporting and monitoring must not burden countries, particularly developing countries, and should not affect their right to develop their economies. Countries can build their reporting on national action plans and strategies, allowing the freedom of the countries to report the progress using the format of reporting they select. Having acknowledged plastic pollution as challenge, reporting instruments are to focus on pollution originated mainly from mismanagement of waste aspect and strengthening those elements.

- A national designed mechanism on plastic waste monitoring, reporting and verification would support policy makers to further measure impacts of implemented targets and policies.
- 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, some elements are premature to be discussed or could have the issue of duplication of work, such as:

Definitions:

It is premature to define any specific terms in legal documents as it will greatly depends on the context where it be used. This approach ensures definitions directly correlate with their use, enhancing the document's clarity. It also facilitates smoother implementation by ensuring each term serves a relevant purpose and creates a more streamlined and efficient document by eliminating unnecessary, unused terms.

Standards:

There are existing standards and regulations in place globally that address plastic waste and pollution. therefore, the instrument should not develop new standards to avoid duplicate the work with existing international standard-setting bodies in addition to the complexity and time consuming of this issue in addition to the fact that new standards might hinder innovation and adaptability.

Polymers and chemicals of concern and on possibly problematic plastics:

Recalling the UNEA resolution 5/14 Para.3. (K) To promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates, avoiding duplication, and promoting complementarity of action.

On this regard, Basel convention has work intensively on developing a detailed document on Technical guidelines on the environmentally sound management of plastic wastes which has been recently updated and adopted by parties in COP16 that discussed the topics of Polymers and chemicals of concern and on problematic plastics in details including but not limited to the following related topics:

- Types of plastics, additives and processing ads.
- Guidance on environmentally sound management (ESM) of plastic wastes

- Identification and inventories, examples:
 - Identification of plastic wastes sources
 - Identification of hazardous [and non-hazardous] plastic wastes

In order to achieve the ambitious timeline in resolution 5/14 for completing the INC's mandate, there should be utilization of current work without duplication of the efforts mandates of the other conventions and bodies

Compliance:

Compliance on implementation can better be designed after there is clarity on the obligations set in the treaty, compliance must be effective and efficient, with a clear process

Reporting:

Reporting will be an important part of the treaty to help reach the objective of the treaty but the details of reporting are too early to be given and can be designed by the governing bodies. Important elements of reporting should be:

- Non-intrusive
- Does not create burden on developing countries
- Designed by the countries to be catered to each set of actions tailored to address and accommodate different situations. With consideration for flexible and adaptable to various circumstances or requirements.

Additional Matters:

Preamble:

The preamble of the instrument shall include the following:

- Reference to the importance of the Principles of the Rio Declaration on Environment and Development, as well as national circumstances and capabilities.
 - Reaffirming of the Problem of plastic pollution caused by the mismanagement of plastic waste.
 - Reaffirming the importance of plastic production in contributing to the Sustainable Development Goals.
 - These policies and measures shall demonstrate that developed countries are taking the lead in modifying longer-term trends in ending plastic pollution. and taking into account the differences in these Parties' starting points and approaches, economic structures and resource bases, the need to maintain strong and sustainable economic growth, available technologies and other individual circumstances, as well as the need for equitable and appropriate contributions by each of these Parties to the global effort regarding that objective.
- **Circular approaches:** the instrument could advocate for a shift away from the linear model of production and consumption. Instead, it could promote a circular economy that minimizes waste and makes the most of resources. This might involve measures like improved product design for easier recycling, promoting repurpose and reuse.

- **Means of Implementation:** action on control measures to shall be commensurate to the ambitious levels of compliance; it is equally important to have equally ambitious levels means of implementation, including financial resources, capacity-building, and technology transfer to support developing countries. As this would be the only way to ensure that our ambitions to address the challenge of plastic pollution can be achieved.

- **Commitment to Action:** The preamble may conclude an ambition and inspiring call to action plastic pollution and a global commitment to work collectively and decisively to achieve this goal on gradual basis.
- Reaffirming the importance of cooperation, coordination and complementarity among relevant regional and international conventions and instruments, while respecting their respective mandates, to prevent plastic pollution and its related risks to human health and adverse effects on human well-being and the environment.

Flexibility:

Flexibility that provisions allow countries discretion in the implementation of their commitments, taking into account their national circumstances.

Governing Body:

The proposed governance structure for this treaty, along with its bodies (to be determined in the future), should prioritize inclusivity, fairness, and the acknowledgment of common but differentiated responsibilities among member states. It is essential to consider response measures while addressing the plastic waste and pollution issue.

As established in majority of MEAs and, to accomplish the timeframe goal set for the INC to complete its work by 2024 as set in UNEA res. 5/14, initial governing bodies for the INC to decide should of the following:

- **Secretariat:** Many MEAs have secretariats that are responsible for facilitating and coordinating the implementation of the agreements. These secretariats are often located at the headquarters of the respective treaty organizations
- **COP/MOP:** The COP is the supreme governing body of many MEAs. It is made up of representatives from all member countries and typically meets periodically to make decisions on the implementation of the agreement.
- **Technical Body:** offers scientific and technical advice to parties to the MEA. This advice relates to understanding the environmental issue addressed by the agreement, assessing the impacts of human activities, or evaluating the effectiveness of proposed measures. and to madeup of open ended working groups

As we recognize the important role of Plastics in its contribution to the sustainable development goals, thereby for the Technical Body: INC shall establish a socio-economic technical body with the mandates of:

- **Assessing, and addressing the impacts of policy interventions**
- **Assess the environmental and economic feasibility of switching to alternatives of plastics.**

These bodies should be specifically mandated to identify and provide recommendations on inclusive solutions, approaches, and technologies for tackling the problem of plastic pollution. It is important to focus on the issue of plastic pollution while also recognizing the broader waste problem to avoid solely blaming plastics without acknowledging their value.

Furthermore, it is crucial to consider the diversity in actions based on regional and economic contexts. The costs associated with treating plastic waste vary significantly between developed and emerging markets. Adopting a unified approach may impede the feasibility of these solutions for all parties involved due to substantial differences in terms of costs, employment opportunities, and other factors.

Effectiveness Evaluation:

National based Evaluation, monitoring, reporting, periodic review and compliance all can be considered after the treaty is established, it is crucial to implement a high-level agreed system for evaluation, monitoring, reporting, and periodic review. This ensures that the treaty's objectives are being met, and any necessary adjustments can be made. Compliance with the treaty's terms is equally vital, as it maintains the integrity and effectiveness of the agreement, ultimately promoting its long-term success. to have an effective treaty Implementation below elements should be considered

Research and Analysis, research is one of the key elements of the treaty and its future application, list of some topics Saudi Arabia is interested in exploring explained in submission B

Stakeholder engagement

Saudi Arabia believes that in order to create a holistic mechanism to address plastic waste pollution, stakeholders from across the value chain (including, packaging, food & Beverages (F&B) industry and informal sector workers) must be involved in the creation of an internationally binding instrument. detailed of Saudi Arabia views on this explained in submission B .

Awareness-raising, education, and exchange of information

Saudi Arabia believes that the most effective way to introduce a robust solution to address plastic waste pollution is by enabling end-users to garner further knowledge on their waste management practices. Therefore, the Kingdom also supports the notion of awareness-raising, education, and the exchange of information as part of the legally binding instrument. detailed of Saudi Arabia views on this explained in submission B .