Agenda item 2-i.: Preamble, definitions, principles, scope (approximate time duration 2.5 hours)

Statement Switzerland

Thank you Chair,

First, we would like to thank you and the Secretariat for compiling the synthesis report.

Regarding the preamble,

- The preamble should give context on how to interpret the operative provisions. As mentioned in the Synthesis report, we see it as the place where also principles could be placed.

- Switzerland considers the preamble in Section A of Appendix I of the options paper INC.2/4 as a good basis for further discussions.

- In addition, the preamble should make reference to relevant MEAs such as the BRS Conventions, and in particular the Basel Convention.

On definitions,

- Switzerland acknowledges that agreed definitions will be required for the instrument as it brings clarity for the negotiation as well as for the operation and implementation of the instrument.

- We support the approach mentioned in the Synthesis Report of using definitions that already exist in the various international conventions and legal frameworks.

- We also agree that the focus should be on the definition of terms used in the instrument that are critical for the negotiations (such as chemicals and polymers of concern or problematic and avoidable plastic products), and which are necessary for substantive discussions and the interpretation of the operative provisions.

- Switzerland shares the view that definitions cannot be considered in isolation and should therefore be determined by the content of the substantive provisions of the instrument.

Regarding principles,

- we support the view that there is no need for a separate article. Most MEAs do not have a specific article on principles.

- We prefere for either including principles in the preamble or to place them in a dedicated provision also in view of the limited negotiation time available.

- To be clear, this does not mean that principles are not of importance, however if we take as a example the “waste hierarchy” – this principle will be key for the LBI. However it will truly lead our work not if it is mentioned as a principle but if it is translated into concrete action in the relevant articles of the LBI.
Finally Switzerland shares the view that the **scope** of the instrument can be derived from UNEA Resolution 5/14 as outlined in para §47 synthesis paper:

This will allow us to develop a LBI that allows us to

- address plastic pollution, including in the marine environment and **microplastics**;
- be based on a comprehensive approach that addresses the **full lifecycle of plastics**;
- promote **sustainable production and consumption** of plastics through product design and environmentally sound waste management, including resource efficiency and circular economy approaches;
- tackle existing plastic pollution (**legacy plastics**);
- take into account, among other things, the principles of the Rio Declaration on Environment and Development, as well as national circumstances and capabilities.

The operative provisions will guide us regarding the scope. We think that the scope of the future instrument will be identified through discussions on each provision. Having said that we therefore do not see a need for in-depth discussions on scope before continuing our work.