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)

| Name of country (for Members of the committee) | Tearfund & Tearfund Australia |
| Name of organization (for observers to the committee) | Tearfund & Tearfund Australia |
| Contact person and contact information for the submission | Lucy Tanner lucy.tanner@tearfund.org |
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Introduction

The following is a joint submission made by Tearfund (UK) and Tearfund Australia, who together are part of a close alliance of aid and development agencies that make up the global Tearfund Family. Our organisations represent more than 350,000 supporters as well as partner organisations across more than 50 countries, who are working in partnership to end poverty. We have a shared objective of lessening the impact of plastic pollution on people living in poverty through reducing the production and use of plastics, improving solid waste management and by seizing the opportunity to create improved livelihoods within a circular economy in plastics.

Contact Group One

2. Information on criteria, also considering different applications and sectoral requirements, Including:
   b. Problematic and avoidable plastic polymers and products and related applications

With regards to item 2b on the list of areas for intersessional work from Contact Group 1, we wish to provide the following input.

Plastic sachets represent a key plastic product which is both problematic and avoidable.

Problematic because these sachets, which are made of multi-laminate material, are the cause of large amounts of dumping and burning across low- and middle-income countries. There are many problematic single-use plastics being distributed in low- and middle-income countries but the ‘sachet economy’ is one of the most visible – and harmful – examples. In Tearfund and WasteAid’s 2018 survey on the impacts of plastic pollution on poverty, plastic sachets were the most commonly identified item among mismanaged...
solid waste.\textsuperscript{1} The scale of the problem is also apparent from waste audits.\textsuperscript{2} In many countries, sachets are synonymous with blocked drains and widespread open burning and the manifold resulting health impacts. Sachets are very rarely collected by waste pickers because they have low value and are virtually impossible to recycle in a cost-effective way. Although some will argue that cement kilns provide a recycling route for sachets, we believe that burning plastic waste is no solution to the world’s plastic pollution problem. Supplying sachets to operators of such facilities will lock in future demand, making it harder to reduce plastic waste.

The prolific use of sachets is often justified around arguments of accessibility: many families are unable to afford standard sizes of branded products, so single-serve sachets are a more accessible way for them to obtain these products. However, refill models also allow for the purchase of small quantities of products in reusable containers, thereby making sachets completely avoidable in this regard.

Water sachets in particular have been a mixed blessing in many low-income countries, providing clean drinking water for people who otherwise could not access it, while simultaneously contributing to the plastic pollution crisis. However, these are also largely avoidable. With proper investment in water, sanitation and hygiene (WASH) people would have access to safe water without having to buy it in plastic sachets. This is the obvious long term, economically and environmentally sustainable solution. Communities should not have to choose between access to clean water and overwhelming plastic pollution caused by empty water bottles and sachets.

\textit{Guidelines on EPR}

With regards to the longer list of possible areas for intersessional work from Contact Group 1, we wish to provide the following input regarding guidelines on EPR.

Despite their significant expertise and experience, waste pickers are rarely consulted or included in the design or implementation of EPR schemes. The consequences of such exclusion are poorly designed EPR schemes which pose a significant risk to waste picker rights and livelihoods. Even the benefits of well-designed EPR are likely to reach waste pickers slowly. Therefore, it is crucial that waste pickers are involved in the design of EPR schemes and that the schemes themselves integrate the waste pickers who are already operating in the context in question.

This is just one area where the treaty has the potential to make a real impact by establishing legally binding targets on EPR and ensuring waste picker participation and integration is mandated. The impact of poor EPR provisions in the treaty will have severe consequences for waste pickers.

\textsuperscript{1} Tearfund and WasteAid (2018) Survey on the impacts of plastic pollution on poverty. A survey of development practitioners from across the globe.

\textsuperscript{2} In a waste and brand audit carried out in the Philippines, a total of 54,260 pieces of plastic waste were collected, with most products being sachets. Greenpeace International press release, ’Nestlé, Unilever, P&G among worst offenders for plastic pollution in Philippines in beach audit’, 22 September 2017.
This position is aligned with WIEGO and the IAWP’s call for “ethical EPR.”

**Contact Group Two**

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))

With regards to item 2 on the list of areas for intersessional work from Contact Group 2, we wish to provide the following input.

We are strong advocates for National Action Plans which will allow national governments, especially in low- and middle-income countries, to make the right decisions for their context. In order to achieve this, NAPs should establish systems for consulting waste pickers and other affected communities.

However, despite this need for flexibility, NAPs must not leave any room for governments (or companies) to renege on promises, miss targets or avoid the consequences of doing so. Mandating increased transparency is key.

With regards to item 7 on the list of areas for intersessional work from Contact Group 2, we wish to provide the following input.

Getting the financial aspects of the treaty right will be essential to achieving its ambitions in low- and middle-income countries. Adequate financial provision must be made to build capacity for a just transition and to ensure low- and middle-income countries can meet the obligations of the agreement.

With reference to the list of ‘innovative and other financing opportunities’ provided at paragraph 24(e) of UNEP/PP/INC.2/4, we believe that credit schemes should be removed. Plastic credits are a false solution to the plastic pollution problem which fail to tackle the root cause of the problem - the unsustainable production and consumption of plastic. Plastic credits are often used to supply and fund dangerous practices such as co-firing in cement kilns, locking in future demand and disincentivising reduction. Schemes are often poorly regulated and whilst in some settings they can be used to support collection and recycling projects and positively impact people already working in the value chain, in other settings they can present an existential risk to the informal waste sector. The potential to support local economies, provide a living income for waste pickers and generate new job opportunities is not unique to plastic credits schemes, but is rather a benefit of investment into collection and recycling more generally. For these and other reasons not listed here, the inclusion of such schemes in the treaty is not desirable and does not appear to reflect the level of ambition most countries support for this instrument.
Also with reference to the list of ‘opportunities' provided at paragraph 24(e) we would wish to restate our position outlined above regarding socially responsible EPR systems, restated here for ease of reference.

Despite their significant expertise and experience, waste pickers are rarely consulted or included in the design or implementation of EPR schemes. The consequences of such exclusion are poorly designed EPR schemes which pose a significant risk to waste picker rights and livelihoods. Even the benefits of well-designed EPR are likely to reach waste pickers slowly. Therefore, it is crucial that waste pickers are involved in the design of EPR schemes and that the schemes themselves integrate the waste pickers who are already operating in the context in question.

This is just one area where the treaty has the potential to make a real impact by establishing legally binding targets on EPR and ensuring waste picker participation and integration is mandated. The impact of poor EPR provisions in the treaty will have severe consequences for waste pickers.

This position is aligned with WIEGO and the IAWP’s call for “ethical EPR.”

Regarding the proposed Global Plastic Pollution Fee (GPPF), we strongly support the proposed objective to raise revenue to fund safe and sound waste management infrastructure in Africa and other regions and the elimination of legacy plastic pollution, thus closing the ‘pollution gap’. 2 billion people (1 in 4 of us) do not have access to solid waste collection and so are left with little other option but to dump or burn our waste. The GPPF provides one potential solution to this problem whilst implementing the polluter pays principle referred to in Appendix I.D of UNEP/PP/INC.2/4. Clearly, there is much work to be done to establish how this proposal would work in practice and crucially, how it would involve the informal waste sector, but it provides a good basis for further discussion.