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?

Proposed scope:

It seems to us that a number of key points have not yet been addressed:

1) Zero direct release into the environment by 2040
2) The scope of the Treaty should cover the entire life cycle of plastics
3) We advocate a multilateral protocol like the Montreal Protocol

Explanatory Text:

1) The Treaty’s objective of “zero direct discharge into the environment by 2040” has not been adopted, although it appears to have some supporters among government delegates. Even the G7 countries are committed to it.

2) It is still unclear whether the scope of the Treaty will cover the entire life cycle of plastics, from production to disposal. In the eyes of the world, this would be a sign of growing ambition to tackle the evil of plastic pollution at its roots. Many countries have called for action that goes beyond reducing plastic pollution to curbing production as well. Delegates from the Pacific Islands were the first to make these calls, because of the unique challenge that plastic represents for states such as the Marshall Islands. They are too small to properly manage and dispose of plastic waste, leaving mountainous landfills that have become the archipelago's highest peaks. This situation can be found in many
archipelagic countries, as The SeaCleaners has witnessed first-hand with our operations in Indonesia, particularly Bali.

3) Finally, the mechanism that will govern the objectives of the Treaty has not yet been decided. We advocate a multilateral protocol like the Montreal Protocol of 1985, which defined clear and concrete objectives and is synonymous with effectiveness in our eyes.

2. **Principles**

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

Proposed principles:

1) Extended producer responsibility
2) Financial mechanisms to support the transition to a circular economy in developing countries and protect populations
3) Aligning the Global Treaty on Plastic Pollution with the Paris Agreement

Explanatory Text:

1) Extended producer responsibility needs to be addressed seriously, particularly in developing countries, where “polluters pay” could fund initiatives in the most vulnerable areas, something that has been avoided talking about during the first INCs.

2) As for financial mechanisms, a portion of government development aid should be earmarked to support the transition to a circular economy in developing countries (SIDS, certain African countries, etc.) and to protect the rights of people disproportionately exposed to chemicals and plastic waste. This is a matter of the utmost urgency.

3) It is essential to align the Global Treaty on Plastic Pollution with the Paris Agreement in order to cap plastic production at a level compatible with a warming of 1.5°C, which has barely been mentioned.

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:

As a member of the Innovation Alliance for a Global Plastics Treaty, we will be defending a number of key provisions:
1) The Treaty should support practical solutions for collecting plastic waste
2) The Treaty should place scientific research at the heart of its governance
3) The role of innovation and solution-oriented technologies must be defended in the Treaty
4) It is fundamental that the Treaty should aim to promote environmental justice
5) Improve access to rapid financing for innovators
6) Recognise, safeguard and promote the inclusion of innovations

Explanatory Text:

1) The Treaty will have to support concrete solutions for collecting plastic waste as part of the mix of solutions encouraged to reduce the consequences of marine plastic pollution. Many solutions already exist! On land and at sea. States must seize them. The aim is not only to hope to manage the legacy of plastic waste, which is already in the water and will take hundreds of years to decompose, but also to give society positive prospects for improving the situation in the short and medium term.
2) Placing scientific research at the heart of the governance of the Treaty is fundamental in order to base decisions on objective, harmonised and shared data and to encourage the development of data-based policies.
3) We want to see the role of innovation and solution technologies promoted in the Treaty, so that together we can accelerate systems change across the entire lifecycle of plastic pollution, from source to sea.
4) It is also fundamental for The SeaCleaners that the Treaty aims to promote environmental justice: by prioritising sustainable economic and employment opportunities, particularly within vulnerable communities; by engaging with communities of waste workers/pickers; by promoting the value of local knowledge to accelerate the implementation of innovative solutions along the plastics value chain, from source to sea.
5) Improving access to fast and flexible finance for innovators along the value chain, in the context of a highly time-sensitive fight against plastic waste, must also be a priority.
6) Recognising, safeguarding and promoting the inclusion of existing innovations in national and global regulatory frameworks.