Submission by the Workers and Trade Unions Major Group represented by Public Services International (PSI) on the Third Session of the Intergovernmental Negotiating Committee on Plastic Pollution including the marine environment (INC-3)

(13-19 November 2023, Nairobi, Kenya)

About PSI Global Union
Public Services International (PSI) is the Global Union Federation representing public service workers worldwide. We unite more than 700 trade unions representing 30 million workers in 154 countries. We defend trade union and workers' rights and fight for universal access to quality public services. Our members - two-thirds of whom are women - work across the whole public services spectrum, including national, state, regional and local government administrations, municipal and community services, public utilities including water and sanitation, waste collection and management and related services. We represent health and social care workers; public emergency workers, firefighters and many others. PSI is a constituent of the Trade Union and Workers UN Major Group.

About this submission
This submission is made by PSI on behalf of the Workers and Trade Unions Major Group, representing and organising the hundreds of millions of workers of the global supply chain who work in plastic production, manufacturing, use, waste collection, reuse, recycling and disposal - as well as workers in all public services, and in agriculture, fisheries, food processing, packaging, services, catering, hospitality and restaurants.

This submission reiterates the following prior submissions: ITUC submission to INC-1; ITUC submission to INC-2; PSI position on INC-2; ITUC Opening Statement at INC-2; and the ITUC submission to INC-3 that PSI endorses and to which it contributed. Moreover, it provides complementary input on INC-3 with the sectoral perspective of public service workers. Finally it draws on the Shared priorities for the Intergovernmental Negotiating Committee (INC) of the Trade Unions and Workers UN Major Group Constituents.1

This submission is composed of two parts: the first provides elements on which the INC Secretariat requested input ahead of INC3. The second makes overarching observations and recommendations on the zero draft.

Part 1 - ELEMENTS NOT DISCUSSED AT INC-2

1.1 Scope
The Workers and Trade Unions Major Group emphasises that the international legally binding instrument (ILBI) should be based on a comprehensive approach that addresses the full life cycle of plastics as called for by United Nations Environment Assembly resolution 5/14. Regarding the scope of the future instrument we therefore support option a) as indicted in document 'UNEP/PP/INC.2/4'. "The legally binding instrument is expected to cover the whole life cycle of plastics, from extraction to their production and design to their use, consumption and disposal, and address all sources of plastic pollution, covering materials, products, chemicals, additives and microplastics, recognizing the risk of plastic pollution to human health". The scope should be further specified to explicitly mention nano-plastics as object of the ILBI and inland waters, waterways and international waters as integral to its coverage of application.

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1 Paper by the ITUC, PSI, IUF, IndustriALL Global Union and the IAWP, 9 November 2023 available at: https://popup-umbrella.s3.amazonaws.com/uploads/4399f5a7-de02-4297-a75e-39b345abcbe9_ITUC-GUF-IAWP-Joint-09112023-EN.pdf?key=
1.2 Principles

Three key principles must be enshrined in the text of the ILBI and clearly referred to as per the definition of the relevant multilateral UN bodies that are its custodians, to ensure policy consistency and clarity of interpretation and implementation:

a) “Decent work” as per the definition of the International Labour Organisation (ILO): to ensure fair, safe, dignified working conditions in the production, distribution, recycling, collection and safe disposal of plastics, it is essential to uphold the Decent Work framework - as per the definition of the ILO all along the plastic supply chain, for all workers involved at any stage of the chain regardless of their employment status, including those in precarious and informal employment conditions, hence waste pickers, too. This definition requires to identify and facilitate pathways towards the progressive formalization of informal workers as per the ILO Recommendation 204, and as per the transformative commitment of the New Urban Agenda (NUA) and Sustainable Development Goal (SDG) 11. This approach means ensuring that all workers have the rights to organise and bargain collectively, to receive fair pay, to work in healthy and safe working conditions, and to access an adequate levels of social security, personal protective equipment (PPE) and lifelong training towards long-term employability and upskilling. Parties to the ILBI to ratify and comply with the fundamental ILO Conventions including those related to occupational health and safety at work. This also means eradicating child and forced labour, promoting gender equality, ensuring living wages, and providing safe and healthy working conditions for all workers involved in the plastic supply chain.

b) “Just Transition”2 as per the definition of the International Labour Organisation (ILO), which includes:
   o the respect of workers’ rights regardless of employment status;
   o the protection all workers in vulnerable conditions;
   o social dialogue with workers’ organisations at all stages of the negotiation process and implementation;
   o adequate measures to guarantee employability, equity and transparency for all workers in the transition away from single-use plastic production and waste.

Decent work and Just Transition are interconnected and complementary, and must be implemented all along the plastic supply chain, meaning not only on the downstream part of plastic pollution (collection, sorting, recycling, and disposal) but also on the upstream part (plastic production and plastic use – to be turned into reduction, prevention, re-use and sustainable alternatives). All measures to stop plastic pollution shall be implemented by means of a “just transition” principle and methodology that ensures positive social impact for all workers regardless of their employment status (formal or informal; in permanent or precarious employment; employed by public or other providers) and for all communities affected, including during every stage of INC. A just transition towards an environmentally sustainable economy as well as towards a safe, healthy and effective plastic disposal systems without plastic pollution and contamination needs to be properly managed and to contribute fully to the goals of decent work for all, social inclusion and the eradication of poverty. It should be based on the ILO Fundamental Principles and Rights at Work - including freedom of association and the effective recognition of the right to collective bargaining (through social dialogue) and the right to a safe and healthy working environment.

c. "One Health" approach as per the definition of the World Health Organization (WHO)

Human, animal and environmental health are inextricably interconnected. We therefore support the adoption of a “One Health” integrated approach as defined by the World Health Organization (WHO). This involves considering the impacts of plastic pollution on the health of people, on marine and terrestrial fauna, and on ecosystems and biodiversity at large. The prevention and remediation of plastic pollution, contamination, and related health risks shall be the main objective of the Treaty and the Parties’ commitments, which shall be addressed with the full participation of workers’ organisation, in collaboration

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with public health experts, environmental and biological scientists, toxicologists, endocrinologists, occupational safety and health (OSH) professionals, and veterinarians, based on the best available scientific information.

1.3 Additional considerations

INC is now halfway through the process set to reach an agreement to ban plastic pollution, and the Workers and Trade Unions Major Group constituents haven’t been adequately and systematically involved in the process. There are two ways INC could improve this shortcoming and ensure that is process is equitable and complies with the above-mentioned principles and therefore maximizes the opportunities to succeed:

a) **Setup of Intersessional Expert Groups on key themes:** intersessional work should be initiated to ensure progress on the strategic issues between INCs, given the limited negotiating time and limits on the number of contact groups that can be held simultaneously. Just Transition, waste management, financing, treaty governance and national plans are essential topics that should be addressed through the work of dedicated intersessional expert groups. The Intersessional expert group on Just Transition and waste management requires the main involvement of the international labour organisation, the executive secretariat and workers’ representation.

b) **Transparency in the INC process and equal access to contact groups:**

Given the access challenges faced during the second conference (INC-2) and the considerable interest in the negotiations, the Workers and Trade Unions Major Group emphasises the importance of establishing adequate arrangements to ensure that observers have the opportunity to actively participate in the official sessions. Considering that only the plenaries will be broadcast live and in view of the possible implementation of a floating accreditation system with delegate limits, we call for contact groups to be made available to all registered participants via video links. These links could be facilitated through additional physical rooms or, alternatively, through a web platform accessible to all. This would not only improve transparency and inclusiveness, but also allow an effective participation of observers, thus ensuring a more equitable and inclusive negotiation process that would foster trust and collaboration.

An additional obstacle to inclusive participation is the lack of timely translation of the documents contributed to the debate, especially if the voice of communities, indigenous peoples and rural dwellers in developing countries is to be included. Thus, the communication of the steps of this process fails to provide timely information that is understandable and relevant to vulnerable sectors.

2. **GENERAL COMMENTS, OBSERVATIONS and RECOMMENDATIONS ON THE ZERO DRAFT**

The following observations and recommendations relate to the “Zero draft text of the international legally binding instrument on plastic pollution, including in the marine environment” UNEP/PP/INC.3/ of 4 September 2023

PART I.

1. **Preamble:** the preamble is arguably the last task to be completed in the preparation of the new treaty and can therefore wait for future sessions where the substantive elements have been discussed. The potential elements presented in document UNEP/PP/INC.2/4 provide a starting point for such discussions. Reflecting the final content, it could contain more explicit references to the connection between plastic pollution and the current, unsustainable consumption patterns and the planetary crises linked to the climate change and biodiversity loss; the recognition of the impact of plastic pollution on human, animal and environmental health and planetary boundaries; and the ubiquitous, interdependent and transboundary nature of plastic pollution that threatens life on the planet. Starting a the debate with the preamble may not yet worth at this stage like showed by INC-
2. Objective:
The new instrument must have open objectives that allow it to address without restrictions the work needed to end plastic pollution, to protect human and animal health and the environment and to repair the damage already done including legacy pollution. It must also clearly include the objective of making every possible effort to restore to human and animal health as well as biodiversity and the environment and to protect them from further plastic-related harm.

Among the Option 2 sub-options the draft "based on a comprehensive approach addressing the entire life cycle of plastic" is most appropriate, in particular because it is derived from UNEA Resolution 5/14 “End plastic pollution: Towards an international legally binding instrument” (Resolution 5/14) and represents agreed language. We therefore prefer to refer to the dual objective of "ending plastic pollution" and "protecting human health and the environment" as formulated in option 1, but with reference to the full life cycle of plastic as formulated in option 2, sub-option 1.2. The following formulation for the treaty objectives would be adequate: "The objectives of this instrument are to put an end to plastic pollution and to protect human health and the environment, based on a comprehensive approach that addresses the entire life cycle of plastic”.

3. Definitions:
To the extent possible, definitions should be drawn on those that have been adopted or endorsed by other intergovernmental processes, including working definitions as necessary, and in the absence of a clear definition, it would be necessary to refer to the UN agency with competence on the matter as argued in this submission under point 1.2 for a) “Decent work” (ILO); 2) “Just Transition” (ILO); and 3) “One Health” (WHO). As with the preamble, definitions should be built up in the course of the negotiations, and complex and/or conflicting ones should be resolved through the work of Contact Groups and Intersessional Expert groups.

4. Principles:
In general terms, the principles of environmental law are already included in various provisions of the zero draft, but it would be useful for them to have a special point as designed in this draft, since the recognition of “just transition” and the situations of workers, their organisations and their communities refer to sources other than environmental law that require their principles to be incorporated into this text.

5. Scope:
The scope should be derived from the objectives and mandate of Resolution 5/14 and therefore cover the whole life cycle of plastics, from extraction to their production and design to their use, consumption and disposal, and address all sources of plastic pollution, covering materials, products, chemicals, additives and microplastics, recognizing the risk of plastic pollution to human health. The scope should be further specified to explicitly mention nano-plastics as object of the ILBI and inland waters, waterways and international waters as integral to its coverage of application. By the recognition of the interdependent and ubiquitous nature of plastic pollution and risks the scope and the application of the LBI would be global by default.

PART II.

1. Primary plastic polymers:
The text analyses three options for tackling the global plastic crisis:
   o Option 1: Establish global and national targets to reduce the production of primary plastics, similar to the Montreal Protocol.
   o Option 2: Set global targets, but allow countries to determine their national targets, similar to the Paris Agreement.
   o Option 3: Set only national targets without an overarching goal, which is considered insufficient.

We reject option 3, which offers less than the Paris agreement, as it lacks an overarching goal to guide ambition and effectiveness of actions. The text emphasises the need to reduce plastic production to address the environmental and climate crisis. It also argues that global national targets provide certainty and results, while nationally determined contribution targets have been insufficient, as evidenced by the Paris Agreement report indicating the need for more ambitious targets to limit global warming to 1.5°C.
2. Chemicals and polymers of concern:
The text considers three options for addressing polymers and chemicals of concern at the global level. The first option involves global elimination of specific substances, the second involves national level regulations for some substances and minimisation of others with adverse effects, and the third involves national regulations for substances of concern. The complexity due to the large number of chemicals in plastics is recognised. The importance of an exemption process for essential uses is also highlighted and the need for effective global regulation is emphasised.

Option 1 is best as it proposes a comprehensive approach to address polymers and chemicals of concern in plastics. The global elimination of chemicals identified as hazardous is crucial to protect human health and prevent environmental pollution. By setting a clear global standard, we can ensure the safety of people everywhere and significantly reduce negative impacts on our environment.

3. Problematic and avoidable plastic products:
The text discusses the need to address the problem of problematic and avoidable plastic products. Two options for dealing with these products are presented: the first involves agreed global restrictions for certain products and national measures for others, based on established criteria. The second option involves national measures based on the same criteria. We recommend that negotiators work from option 1 and examine actions taken by other jurisdictions, such as the EU and Rwanda, to develop an initial list of plastic products to be addressed. In addition, additional elements to be included are discussed, such as the process for updating the list of products and reporting requirements. Two options for addressing intentionally added microplastics are also mentioned, favouring the option 1 of globally agreed global restrictions.

4. Design, composition and performance:
Option 1 goes for globally agreed design and performance criteria with mandatory certification and labelling. Option 2 proposes nationally determined design and performance criteria with optional certification and labelling. To provide certainty and a level playing field in a global plastics economy, globally agreed product design and performance criteria are needed. The development of standards, such as those adopted by standardisation bodies like the International Organisation for Standardisation (ISO) are not a substitute for globally agreed product design and performance criteria, but rather a mechanism to facilitate compliance. The ILBI governing body should be empowered to endorse standards as appropriate for the purpose of certifying compliance with their design and performance criteria before they are used to demonstrate compliance. This will ensure harmonisation and facilitate implementation.

Under the options for 4.b to reduce, reuse, refill and repair, the draft presents two options in order of ambition. Option 1 - Obligation to promote reduction, reuse, refilling, repair, adaptation and refurbishment (based on guidance adopted by the Governing Body) with globally agreed targets for reduction, reuse, refilling and repair; and Option 2 - Obligation to promote reduction, reuse, refilling, repair, adaptation and refurbishment (based on guidance provided by the governing body) with nationally determined targets. A paragraph should be included that explicitly empowers the governing body to:

- adopt and revise design criteria (rather than guidance);
- periodically review reduction, reuse, refill and repair targets and promote reuse in high impact sectors where solutions already exist, such as packaging, given its key role in reducing consumption and compliance with bans on short-life plastic products.
- Run impact assessment and efficiency test on the ratios between the benefits of recycling and energy use and carbon emissions it causes.

Under the options for 4.c on the use of recycled plastic content, the zero draft presents two options in order of ambition: Option 1 - Mandatory minimum recycled content percentages set out in an annex; and Option 2 - Voluntary minimum recycled content percentages based on elements contained in an annex.
In general, measures to increase recycled content should be carefully considered in conjunction with indicative criteria for chemicals and polymers of concern to ensure that targets for increasing recycled content do not perpetuate the recirculation of toxic chemicals, which have been found in many products...
with recycled content, including toys, – or even release new ones. It is important to reiterate and prioritize here that that health protection is one of the core objectives of the instrument.

6. **Non-plastic substitutes.**
Encouraging non-plastics substitutes is important but making it the primary focus of the instrument diverts from the commitment to reduce plastic production at the source to preserve natural resources and protect human health and the planet for future generations. While we focus on plastics, it does not make sense to simply substitute one material problem with another and ultimately perpetuate a linear economy with substitutes that present their own challenges for resource use, the environment and waste management. We therefore urge negotiators to consider comprehensive criteria and assessments to support decision-making on switching to other materials, following the zero waste hierarchy.

7. **Extended Producer Responsibility**
In the context of the Circular Economy, the draft presents two options for Extended Producer Responsibility (EPR). The first option, of a mandatory nature, implies an EPR based on the modalities outlined in a specific annex. The second option, of a voluntary nature, provides for an extended EPR based on the modalities adopted by the relevant governing body.

It is essential that negotiators explicitly emphasise the importance of reuse and repair (60% of electrical and electronic waste components are plastic) as a central focus in Extended Producer Responsibility systems. Currently, this approach is limited to mentioning recycling and waste management as viable solutions. However, due to the obvious limitations of recycling and waste management, it is essential that EPR systems encourage a significant reduction in overall material use. To achieve this, a shift towards practices that minimise material consumption in various sectors, such as fishing gears, textiles and clothing, packaging and agriculture, as well as repairability in other products, must be promoted.

Although some general minimum requirements for EPR systems can be standardised, as indicated in Article 8a of the EU Waste Framework Directive, it is important to recognise that certain characteristics are sector-specific. Therefore, the treaty should aim to establish specific minimum requirements for EPR systems in particular sectors, where appropriate. Furthermore, it is imperative that these systems are developed in parallel with design and performance criteria for plastic products to ensure circularity. As such, these aspects should be an integral part of discussions on specific work programmes and actively contribute to the ongoing debate on this topic. In turn, in each of these practices, there needs to be a focus on Just Transition in conjunction with the potential for generating Decent employment. The design and implementation of EPR measures must prioritise this objective in parallel and leverage this opportunity.

8. **Emissions and Releases of Plastics Throughout their Life Cycle**
We support the initial provision to eliminate emissions and releases of polymers and plastic products into the environment, so it is crucial that the introductory text, in paragraph 1, makes explicit mention of "chemicals of concern" in addition to the terms "plastic polymers," "plastics," and "plastic products." Pellets, which are essential pellets for the production of plastics, are dispersed into the environment during various stages of the supply chain due to careless management, including production, storage, handling, transport and conversion. Despite measures by the International Maritime Organisation (IMO) to reduce the loss of pellets in maritime transport, the majority of pellets end up in the terrestrial environment. To ensure coherent action throughout the supply chain, the text should address this issue and empower the governing body to establish best practice guidelines on the handling and management of pellets to prevent their loss into the environment. Again, the primary focus should be on the protection of "One Health".

**Protection of Vulnerable Communities:** In developing guidelines for the implementation of this provision, it is crucial to explicitly incorporate protective measures for border communities and vulnerable populations. These measures should address both environmental impacts and health risks arising from plastic emissions.

**Work Programmes and Sectoral Strategies:** we emphasise the need to implement specific work programmes for determined sectors, such as packaging, fisheries, agriculture, food processing, textiles production, maintenance and handling; public services such as health and care, waste management, and public emergency services among others. These programmes should be designed in a comprehensive manner and
include global strategies to prevent, reduce and eliminate plastic pollution and their toxic compounds in specific sectors. To achieve this, the governing body should be empowered to launch sectoral work programmes, develop comprehensive global strategies, promote cooperation between Parties, trade union organisations, civil society and other intergovernmental organisations, and evaluate progress. Collaboration with entities such as the International Maritime Organisation (IMO), the Food and Agriculture Organisation of the United Nations (FAO) and the International Labour Organisation (ILO) are essential. These programmes should also involve state and non-state actors along the value chain, including producers, fishers, port authorities, local and regional governments, waste pickers, non-governmental organisations and research institutions.

9. Waste Management
The draft presents two options for waste management, ranked according to their level of ambition:
Option 1: Establishes the obligation to comply with minimum requirements for safe and environmentally sound collection, recycling and disposal, detailed in an annex. Option 2: Requires the adoption of measures in national schemes for safe and environmentally sound collection, recycling and disposal, based on harmonised indicators detailed in an annex. Both options include the prohibition and/or regulation of waste management practices that emit hazardous substances and prohibit dumping in the ocean, open dumping, littering and open burning.

The draft lacks at this point measures to protect sources of employment and workers' health and safety. In designing waste management measures, the draft and, in due course, the governing body should consider including in these standards the core objective of protecting public health as a result of integrated waste management, the creation of Decent work and respect for fundamental principles and rights at work according to the ILO.

The necessary coherence between the prohibition of leakage and dumping in waste management and the integration of informal waste workers in the waste management value chain requires not only their progressive formalisation but also their training, professionalisation and access to personal protective equipment (PPE) consistent with the challenge of management and control of plastic pollution and its negative effects.

The Governing Body should have the authority to set global targets for waste management, especially on separate collection and recycling. These global targets will provide the basis for national targets and the overall ambition of the treaty. Parties should report on their plastic waste management systems, and specific reporting requirements including statistics of the workforce employed in waste management work and Decent job creation targets should be established.

The Treaty must also recognize the vital role that Waste Management Systems and Waste Services public services and that they must therefore stay in public hands and be operated on a public good approach, not for profit. To ensure equitable access to quality waste services for all – the basic services that guarantee and protect public health and can ensure access to a safe, clean environment – both of which are human rights – waste services and related utilities need to be managed on a public based approach, with democratic ownership and participation of users, workers and communities; not privatized or run for profit extraction and shareholder returns. That is why we affirm that waste services and related utilities they cannot be subjected to market rules or be the object of profit.

To ensure the protection of public health and the environment, the proper management of plastic waste, and the protection of the public interest, we reject the privatization of waste management systems and infrastructure and that of its related services. Instead, we promote their re-municipalization and de-privatisation, with a special role to play for local and regional governments (LRGs) in cooperation with central governments, workers unions, waste pickers organizations and local communities. Waste management services must be transparent, democratic, participatory and ran in the common interest and secure Decent Work for all workers involved in waste service provision, and must be safe and effective for nature and the planet, so that they can preserve the health of all living beings.
9.b Fishing gear:
The inclusion of a specific provision dedicated to fishing gear is welcome, but it is essential that the regulation covers the whole life cycle of fishing gears, both as a material and as a product. This includes product design and performance criteria, extended producer responsibility systems and remediation measures such as environmentally sound recovery. The current provision, located in the waste management section, does not adequately address the challenges necessary to deal with abandoned, lost or discarded fishing gear, and we recommend that this be an item for cross-sessional work. The text must facilitate proper end-of-life treatment of this equipment, which is currently beyond the scope of international frameworks such as the IMO or FAO. It is therefore crucial to establish a specific article on fishing gear and ensure that it is subject to a specific work programme that initiates a comprehensive global strategy with policies and initiatives from state and non-state actors along the value chain.

10. Trade in listed chemicals, polymers and products, and in plastic waste
The provisions of this Treaty should override, when in conflict with WTO regulations, on grounds of the protection f public health, the environment and the commons.

11. Existing plastic pollution.
The polluters must pay and remediate. Existing plastic pollution control provisions provide a sound basis for remediation. It is important that the implementation of the principle does not end up becoming a validation mechanism for polluting acts, but that it serves to guide behavioural change towards environmentally sustainable practices. Remediation activities are a major focus for implementing the "polluter pays" principle within the treaty's operational measures, as the emergence of poorly designed polymers and non-recyclable products and their impact on areas without adequate waste management infrastructure is a symptom of an industry that has long shirked its responsibility while profiting. A Plastic Pollution Trust Fund should be established, funded by private sector levied fees and operating under the authority of the Parties, with provisions available to access financial support both for long-term remediation and clean-up projects, and to respond to large-scale plastic pollution events, such as pellet spills from container ships.

Moreover, urgent measures are needed to halt the dumping of plastic waste into the environment both land, oceans and waterways – and to decontaminate them. States must develop, fund and implement National emergency plans to halt the dumping and contamination of plastic waste in the environment – both land and water; to de-pollute and re-nature, including addressing micro- and nano-plastics pollution as a matter of urgency. Such plans need to be drawn and implemented in cooperation with local and regional governments; independent scientists and academia; trade unions and workers representatives; business; civil society – including environmental organisations; small-scale agriculture and fishing communities, and with indigenous people.

Such plans have an enormous potential to generate decent employment opportunities in highly skilled environmental services, solid waste collection and disposal; water treatment, land depollution and renaturing services - among others - and can turn the dramatic plastic waste crisis into a decent livelihood opportunity. The instrument should include the promote active labour market policies to generate decent employment opportunities in waste and related services to de-pollute and tackle the global plastic waste crisis. The labour-intensive nature of waste services and recycling provides major opportunities to generate decent, green quality jobs in waste and related public services, and to ensure the socio-economic inclusion of informal waste workers through their progressive formalisation.Waste service workers can become ambassadors of sustainability, educate, raise awareness and train their communities on how to halt plastic pollution and, re-use and recycle non-biodegradable materials.

12. Just Transition.
We support the inclusion of just transition provisions and note the need for the principle to be applied throughout the plastics value chain, including just transition for communities and workers experiencing the impacts of moving away from production and conversion of primary plastic polymers and their planned expansion.
As repeatedly noted in this submission, it is necessary be to refer to the Just Transition and Decent work concepts as per definition of the ILO. Also as noted above, it is absolutely necessary to frame any reference to job creation and formalisation within the concept of Decent work and respect for and compliance with the fundamental principles and rights at work agreed within the ILO, including ILO Recommendation 204.

We reclaim the labour nature of the concept of Just Transition and highlight its "imperative" character as recognised in the preamble of the Paris Agreement on Climate Change (UNFCCC), regarding "the imperatives of a just transition of the workforce and the creation of Decent work" as reinforced by the Silesia Declaration at COP24 highlighting the role of just transition as an exceptional opportunity to createDecent work and quality employment. The last International Labour Conference in June 2023 adopted a "Resolution on a just transition to environmentally sustainable economies and societies for all" which established a set of guiding principles among which I highlight:

"...A just transition is about promoting environmentally sustainable economies in an inclusive manner by creating decent work opportunities and reducing inequalities, leaving no one behind..... It should be based on effective social dialogue and respect for fundamental principles and rights at work, and be in accordance with international labour standards... A just transition is essential to achieve sustainable development in its economic, social and environmental dimensions and take into account the interactions between them. It is crucial to drive ambitious action on environmental and climate change and the achievement of the goals and commitments set out in the Paris Agreement and, as appropriate, other international environmental agreements relevant to a just transition..... Social dialogue must be an integral part of policy development and implementation. All relevant parties should be involved and consulted...Human rights and fundamental principles and rights at work must be respected, promoted and realized.... Gender equality, social inclusion and equity should be promoted, with special attention to indigenous and tribal peoples and groups in situations of vulnerability...".

The governments present at the conference agreed to take on the responsibility to: "formulate, implement, monitor and evaluate inclusive, integrated, coherent and gender-responsive just transition frameworks that are coordinated with relevant economic, social and environmental policies... promote full, productive and freely chosen employment and decent work as a central objective of a just transition... invest in sustainable infrastructure and quality public services that provide the basis for a just transition... ensure that people belonging to one or more vulnerable groups or groups in vulnerable situations, including indigenous and tribal peoples and rural communities, can participate in and benefit from the development of inclusive and gender-sensitive measures to achieve a just transition...;"

Finally, the conference gave the ILO, among others, the following responsibility: "strengthen its leadership role, as the only UN specialized tripartite body representing governments, employers and workers, in promoting just transition in the multilateral system, for example in the context of the UN climate discussions, as well as the Climate Action for Jobs initiative, to promote policy coherence for just transition, facilitate the participation of constituents in the UN system and other key cooperative mechanisms, and proactively promote the Policy Guidelines for a Just Transition to Environmentally Sustainable Economies and Societies for All in relevant forums, with particular attention to least developed countries and small island developing States"

On this basis, we understand that just transition plays a central role in the social outcome of this and any international agreement linked to environmental protection and deserves a full review of point 12, and to verify whether the guidelines are met in the remaining points of the draft.

So with regard to Part II, point 12, we support:
1) The creation of an Intersessional Expert Group to work to develop treaty wording in line with the above-mentioned principles.
2) The reformulation the wording of section 12: as "promote" and "incentivize" are verbs that impose obligations that are inferior to the imperative nature that arises from both the Paris Agreement and the ILO Resolution.
3) The broadening of the protected subject, which should be extended, in order to be consistent with other international instruments, to workers, their organisations and their communities, with a special focus on indigenous peoples, informal workers and groups in vulnerable situations. Based on this redefinition, the rest of the article should be reformulated in its entirety.

13. Transparency, monitoring, control and labelling.
The Workers and Trade Unions Major Group supports the provisions on transparency, monitoring, surveillance and labelling in the adoption of guidelines on harmonised requirements, urging that this be done at the global level to ensure consistency. This should include the right of workers and their organisations to be part of the discussion of such guidelines and for workers to be trained in their correct identification and to be part of the monitoring process for all chemicals, not just those considered toxic or hazardous.

PART III.
1. Financing
States need to allocate adequate levels of public funding to the transition and polluters must be held accountable for remediation. However, the draft does not contain any reference to funding directed to the public sector for services. Considering that the proposed objectives would include the remediation of existing and ongoing effects and that the responsibility for providing health and waste management services lies primarily with the public administration, the funding should consider as a primary obligation to provide the financial means to remediate existing and ongoing effects.

Moreover, the draft presents two options on the financial mechanism that could be considered individually or together: Option 1 - Specific newly created multilateral fund(s); and Option 2 - Existing multilateral fund, such as the Global Environment Facility. A dedicated multilateral fund will be needed alongside the new instrument to provide new, additional, stable, accessible, adequate, timely and predictable financial assistance, in particular for "enabling activities" and "incremental compliance costs", which should be funded on a grant basis. The dedicated multilateral fund should also adopt a "country programme" approach to ending plastic pollution, similar to that adopted in the proven Multilateral Fund for the Implementation of the Montreal Protocol, which is comprehensive in scope and tailored to national circumstances.

The draft does not include any reference to specific activities or requirements for financial assistance, unlike other instruments such as the Minamata Convention and the Montreal Protocol. It would be important that along with technical eligibility conditions, the implementation of just transition mechanisms and the generation of active Decent employment creation policies be considered as elements that make them eligible for financial support.

As for the plastic pollution fee, it should be placed in a specific multilateral fund operating under the authority of the Parties with civil society participation in its control, which would ensure that the fees are not used for projects that conflict with the objectives of the treaty, such as the recycling of chemicals. The discussion on a plastic pollution fee should focus on providing additional funds to assist with integrated waste management and remediation projects in recipient countries while discouraging investment in polluting projects. In terms of technology transfer, these should be aligned not only with the objectives of this treaty but also with those assumed by the parties to other international agreements of an environmental nature, especially the Paris Agreement.

A Just Transition also means expanding and adapting social security systems to ensure coverage for all of those affected, and the provision of adequate public funding and resources to:
- build modern, safe and efficient waste collection, management and disposal infrastructure, all while ensuring that polluters remediate the harm done to public health and the planet primarily based on corporate and investor taxation;
- recruit professionally trained and equipped waste and related public service workers
- Invest in the staffing and training of public water and sanitation utilities, including water quality laboratories so that plastic bottle pollution can be drastically reduced thanks to quality public water from the tap
- invest in the Research & Development (R&D) of new forms of sustainable, low-carbon, biodegradable and biocompatible packaging that can play a critical role in the Just Transition process;
- ensure the progressive formalization of waste workers towards Decent Work including training and re-deployment in related or other sustainable industries, all while ensuring the adaptation of their communities;
- raise awareness, promote, and facilitate the change in consumption habits towards sustainable livelihoods, in line with the objectives of the transition. On this Waste service workers can become ambassadors of sustainability, educate, raise awareness and train their communities on how to halt plastic pollution and, re-use and recycle non-biodegradable materials.

PART IV

1. **National Plans:** this text deals with national plans related to the management of plastic and the implementation of measures to reduce its environmental impact.

2. **Implementation and Enforcement:**
   In order to ensure state capacity to implement, it is necessary to require countries to adopt cross comparable data system to account for their waste management systems and related service workforce data (quantitative and qualitative) to ensure good policy design and monitoring of the advancement of targets and goals that the Instrument is meant to set. Besides, there is a need for an enabling rather than a punitive approach for implementation and non-compliance. It would be appropriate on this point to follow the Montreal Protocol mechanism to facilitate compliance.

3. **Progress Reporting:** Two options are presented for national communications: one detailing statistics on production, import and export of plastics and a more detailed one covering various stages of the plastic life cycle. It is of critical importance to report on primary plastic polymers, recycled plastics, plastic use, plastic waste management, trade in plastic waste, trade in plastic waste, marine sources, primary microplastics and chemicals added to plastics.

4. **Periodic Evaluation and Monitoring:** A periodic evaluation, at least every four years, of the implementation and effectiveness of the instrument is proposed. It is suggested to review the control measures, not only on a periodic basis, and to allow parties to propose amendments independently of the periodic evaluations.

8. **Stakeholder Engagement:** Reference is made to a discussion in Part II on specific programmes to implement stakeholder engagement in a joint action programme. The participation of representative workers’ organisations must be ensured in national plans as well as in international cooperation and action to uphold a Just Transition. The specific and very brief regulation of the just transition point 12, as it is in the zero draft, is not sufficient for this purpose.