

Plastics INC-1 Highlights Tuesday, 29 November 2022

The first meeting of the Intergovernmental Negotiating Committee (INC-1) to develop an international legally binding instrument (ILBI) on plastic pollution, including in the marine environment, convened online and in person in Punta del Este, Uruguay, for day two of its deliberations on Tuesday, 29 November 2022. Delegates gathered in plenary throughout the day, hearing general statements as part of discussions on elements of the ILBI. They convened in an innovative stakeholder dialogue to inform the negotiating process in the afternoon. Delegates also met in informal consultations on rules of procedure.

Preparation of an ILBI on Plastic Pollution, including in the Marine Environment

General statements: Several countries shared national measures to address plastic and marine plastic pollution. TÜRKIYE shared the country's marine litter action plan. LIBYA drew attention to its initiatives to raise awareness and conduct educational activities with youth. ICELAND highlighted that plastic waste and microplastics have been found widely in the Arctic, far from their sources.

TANZANIA, with many others, called for a transparent and inclusive process considering the entire lifecycle of plastics and, with PANAMA, COLOMBIA, and others, include waste pickers.

PANAMA prioritized addressing the entire lifecycle of plastic including production and called for a just transition for workers.

UK highlighted that the ILBI should restrain plastic demand, address plastic design, and, with TRINIDAD AND TOBAGO and ICELAND, establish a circular economy.

COLOMBIA noted links with the global decarbonization transition and prioritized a strengthening of national sustainable consumption and production plans. EQUATORIAL GUINEA called for the INC to consider the role of major plastic producers in addressing the scourge of plastic pollution.

ARMENIA, with TANZANIA, stated that the instrument should list a selection of hazardous plastic types and additives to be controlled and/or regulated. MONACO stated that the future ILBI should set out concrete outcome targets for different stages of plastic lifecycle, and strong regulatory measures as a priority for the most problematic plastic products. MALDIVES highlighted problematic and single use plastics, with GUINEA urging harmonizing efforts related to production and manufacture.

On means of implementation, TRINIDAD AND TOBAGO underscored the importance of financial and technical assistance, with COLOMBIA, and TÜRKIYE, as well as access to and transfer of relevant technology for developing country implementation. SAINT LUCIA called for the ILBI to: have a strong compliance mechanism and a sustainable financial mechanism; stick to the principles of human rights; and, have a gender-responsive perspective. KIRIBATI called for the recognition of the special circumstances of small island developing States (SIDS) and clear means of implementation for an instrument that is "implementable not only by the rich, but by

all." MALDIVES called for adequate financing from developed to developing states, especially for SIDS, and for research and development to seek alternatives.

BANGLADESH called for a new global framework for plastic pollution with, among others: binding obligations to regularly submit national reports; bans on single-use plastics; market promotion of recycled goods; and a dedicated global fund to support downstream countries. NIGERIA urged that the ILBI also consider regional and sub-regional approaches to address plastic pollution.

SYRIA stressed the need for a clear and transparent roadmap to get rid of all plastics by 2040. FIJI highlighted the protection of marine species and ecosystems from plastic and microplastic pollution. SINGAPORE raised the importance of recognizing the diverse circumstances of countries and facilitating universal participation in the negotiating process, and called for solutions on using plastics without harming societies. The REPUBLIC OF THE CONGO called for a dedicated fund to support vulnerable countries, modelled after the Congo River Basin Blue Fund.

SUDAN and NEPAL called for the ILBI to take into account the needs of Least Developed Countries (LDCs), with NEPAL urging building national capacities of LDCs and requesting that INC documents address the impacts of plastic pollution in the Himalayas and mountain regions. LIBYA asked for the socioeconomic and security situation of all countries to be taken into account in order to reach an implementable ILBI.

UKRAINE stated that the Russian invasion has endangered ecosystems and expressed the hope that the INC process will remain focused on substantive and technical matters. In a right of reply, the RUSSIAN FEDERATION stressed that, *inter alia*, multilateral environmental processes should not be politicized.

BASEL, ROTTERDAM, AND STOCKHOLM (BRS) CONVENTIONS SECRETARIAT highlighted the BRS conventions partnership with the INC Secretariat in developing areas of cooperation and pointed to discussions on listing plastic additives which are persistent organic pollutants under the Stockholm Convention. FOOD AND AGRICULTURE ORGANIZATION OF THE UN (FAO) shared that food packaging adds millions of tons of plastic pollution a year, underlining that agri-food value chains must reduce or encourage the reuse of plastic where possible. WORLD HEALTH ORGANIZATION noted intersections with the INC process, such as chemicals of concern; air pollution; food safety; water and sanitation; access to essential medicine; and tobacco control.

CHILDREN AND YOUTH MAJOR GROUP called for: intergenerational justice and bold strategies in the implementation of the ILBI, including stimulating a cultural paradigm shift sanctioning the biggest polluters; effective implementation of rights of children; a fossil fuel non-proliferation treaty; and contact groups remaining open to observer participation. IPEN called for the INC process not to use the UNEA Major Group structure, in order to facilitate greater stakeholder participation. The NGO MAJOR GROUP called such terms as "advanced recycling" self-serving and stressed they would judge the treaty "not by what it promises, but by what it actually does."

The INTERNATIONAL CHAMBER OF COMMERCE underlined the need for a global framework to guide and enable businesses to transition to a circular economy, particularly as regards the design, use and reuse of plastics. BUSINESS AND INDUSTRY MAJOR GROUP noted that business innovation is a proven solution to the issue of plastic pollution. The UN GLOBAL COMPACT called to recognize the role of the private sector in future INC negotiations.

IUCN pointed to the organization's Global Standards for Nature-based Solutions as having links with discussions on a circular economy. WOMEN MAJOR GROUP underscored women as the most affected by, and vulnerable to, the toxic and harmful effects of plastic; called for a specific treaty with obligations and access to information about the chemical substances in plastic; and urged against allowing lobbies to influence negotiations. INTERNATIONAL SCIENCE COUNCIL called for the establishment of a scientific assessment and advisory mechanism to assist in developing the ILBI.

GLOBAL ALLIANCE FOR INCINERATOR ALTERNATIVES (GAIA) prioritized a specific convention with binding global obligations, a just transition, and for civil society to access contact groups, urging against the perpetration of waste colonialism and the circulation of toxics in the economy. The GLOBAL ALLIANCE OF WASTE PICKERS emphasized a just transition oriented to the most vulnerable workers in the plastic value chain, including waste pickers, calling for dignified work and social justice, and funding to participate in the INC process.

Stakeholder Dialogue

Jyoti Mathur-Filipp, Executive Secretary, INC Secretariat, opened the Dialogue. Manuel Pulgar-Vidal, Champion of the Climate and CBD Action Agendas, moderated the first part of the Dialogue, highlighting that this discussion is unique during a negotiating process. Delegates then watched a video on the Multistakeholder Forum which preceded INC-1.

Sheila Agrawal-Khan, UNEP, presented on the Multistakeholder Forum, noting discussions on, among others: eliminating and designing for circularity; circularity in practice; and waste minimization and remediation.

Upstream and downstream approaches to plastic pollution: Zuhair Ahmed Kowshik, CHILDREN AND YOUTH MAJOR GROUP, underscored the need for young people to hold governments and corporations accountable; underlined the need for a tax on polluters; and highlighted the diverse role of young people in the fight against plastic pollution.

Underlining the need to reduce plastic production and use, Bethanie Carney Almroth, UNIVERSITY OF GOTHENBURG, stressed that because plastics are a product of fossil fuels containing harmful additives, there are no safe recycling technologies at the present moment.

Stewart Harris, AMERICAN CHEMISTRY COUNCIL, stated that the petrochemical industry is working to become more circular and to end plastic waste in the environment; and said that there is an opportunity to use plastic waste as an alternative feedstock.

Noting that there are more than 20 million informal waste pickers in the world, Soledad Mella Vidal, GLOBAL ALLIANCE OF WASTE PICKERS, called for a fair transition that recognizes their work. Yuyun Ismawati, NEXUS3 FOUNDATION, underscored that plastic is a marriage of carbon and chemicals and noted that, in reality, only 9% has ever been recycled, contrary to popular belief. Bernie Besebes, PALAU, stressed that SIDS are at the receiving end of plastic waste, calling on industry to remember that they have the power to ensure that what leaves their factories can be managed in an environmentally sound manner "when it washes up on our shores." Danny Rahdiansyah, INDONESIA, highlighted the importance of stakeholder participation throughout the INC process.

In the ensuing discussion, many participants called for a ban on cigarette filters, highlighting that this is an unnecessary use of plastic. Some also touched on the issue of the effects of alternatives to fossil-based products to food security and land use. Pointing to plastic pollution as a threat to human rights, several

called for a strong accountability framework that "puts people before profits" and discloses conflicts of interests.

Mid-stream stage of the plastic lifecycle: the panel was moderated by Anjali Acharya, WORLD BANK, who noted the need for collective behavior change to address plastic pollution. Erica Nuñez, OCEAN FOUNDATION, highlighted the role of civil society in creating the momentum for the treaty and elevating the voices of those in marginalised communities; called for mandatory NAPs, highlighting that voluntary mechanisms have not delivered results; and urged attention to a compliance mechanism.

Trisia Farrelly, MASSEY UNIVERSITY, underscored the need for science from those who are directly affected, including Indigenous and traditional knowledge experts, community experts, and informal workers; and suggested establishing an interim scientific body specifically for plastic pollution, before formalizing a science policy platform.

Jodie Roussel, NESTLÉ, supported a cap on and reduction of virgin plastic production; noted efforts to redesign packaging for recycling; called for a mandatory sustainable packaging system; and enabling conditions for reuse and refill.

Elaine Lucero, ECOWASTE, called for a prohibition on quick fix and false solutions being branded as recycling; highlighted the lack of manufacturer accountability for the toxic contents of recycled plastics; and noted its contributions through providing essential scientific data and demonstrating that genuine solutions exist.

Dominic Waughray, WORLD BUSINESS COUNCIL ON SUSTAINABLE DEVELOPMENT, stressed that accountability and action should be pillars for the work ahead, and suggested developing plastic equivalents to the GHG Protocol, a standard for corporate accounting and emissions reporting, and the nationally determined contributions that are part of the climate framework.

Addressing the significance of a stakeholder dialogue, Oliver Boachie, GHANA, emphasized the importance of engaging industry, science, and the informal sectors, whilst clearly defining the roles of stakeholders *vis-à-vis* governments in the ILBI; that all states need to understand EPR schemes and other measures; and the need to address legacy plastics.

In the ensuing discussion, participants highlighted the need: for a balance between the ambition called for by the public and the pragmatic actions proposed by industry; to ensure accountability in the new treaty; to address plastic medical waste in low-income countries; to urgently launch a cogent public awareness strategy; and to safeguard the interests of informal waste pickers. They also called for: including Indigenous Peoples in the process; common global rules and standards to ensure the reduction of plastic production; further interactive stakeholder dialogues throughout the INC process; and solid science to inform the INC.

Closing the session, Acharya and Pulgar-Vidal highlighted, among others, the need for a just transition, for science to inform policy, and to hold business accountable in order to conclusively address plastic pollution.

In the Corridors

On day 2 of the INC-1, delegates' enthusiasm had not waned. They spent the morning session sharing their experiences in curbing plastic pollution, creating a patchwork of examples of product bans, incentives, taxes, import regulations, and local actions to beat plastic pollution. Fissures, however, began to emerge, particularly among non-state stakeholders, with the question of "who should really have a seat at the INC table" seeming to pervade the corridors. "Should the polluters who caused this problem be allowed at the negotiating table," questioned one delegate, "Could this not encourage greenwashing?" Others were hopeful that with industry involvement in negotiating the new treaty, implementation "could be smoother," with some optimistic that some companies could provide alternative sources of implementation funding. The issue proved even more complex as the day wore on. "Industry actors are not all the same," shared one delegate, "we cannot lump those progressive companies working on plastics alternatives with virgin plastic producers." But several others welcomed the voices of all stakeholders, with one confident that, "we need all hands on deck to solve this crisis, especially at this stage."