



Geneva Cities Hub submission for INC-2

Name of country (for Members of the committee)	
Name of organization (for stakeholders to the committee)	Geneva Cities Hub, Switzerland
Contact person and contact information for the submission	Kamelia Kemileva Co-Director info@genevacitieshub.org 0041794611785
Date	January 12, 2023

I. Introduction

The international legally binding instrument on plastic pollution that will be considered and negotiated by Member States seeks to address the full life cycle of plastics, which involves a very broad range of stakeholders. Among them, **local governments (also called “cities” below)** represent stakeholders which have significant influence over various parts of the lifecycle of plastics.

While cities are responsible for a large part of plastic pollution worldwide, some local governments have also taken bold legal and/or voluntary measures to prevent and address the blight (e.g., prohibition of single plastic-use items in public events). They are also in touch with private actors dealing with plastic production and use. In most places, local governments are responsible for waste management including litter prevention and collection, recycling and preserving the local environment. Given their important role in preventing and addressing plastic pollution, the Geneva Cities Hub believes that local governments should be involved in the process related to the international legally binding instrument on plastic pollution. Involvement should translate as follows:

- During the negotiation process itself, local governments should be able to put forward proposals, to take the floor to present them directly, to comment on others’ proposals, and so on;
- In the text of the future instrument itself, reference should be made to local governments as implementing actors but also as decision-making entities when it comes to weighing on the full lifecycle of plastic (waste management, but also other issues and activities which are under the purview of local governments).

- The instrument should foresee a specific provision enabling local governments to demonstrate their political commitment to abide by the purpose and objectives of the instrument, regardless of the position of their central administration. This formal endorsement by local governments would ensure continuity of implementation, even if there are changes within the municipal administrations.

II. Substantive elements

1. Objective(s)

a) *What objective(s) could be set out in the instrument?*

Proposed Objective:

The treaty should call upon States to follow a “whole of government” and “whole of society” approach in addressing the full life cycle of plastics, in order to include all relevant stakeholders and ensure an effective response to plastic pollution. The role of local governments should be spelt out, as:

- Implementors, entitled to capacity building and resources, as appropriate, in each State;
- Decision-makers, according to a division of labor decided upon by each State;
- Entities encouraged to commit to the instrument at local level, through formal public commitment.

2. Core obligations, control measures and voluntary approaches

a) *What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?*

It would be relevant for the instrument to already acknowledge the specific responsibilities of various levels of governments (competencies, capacities and resources) in addressing plastic pollution. This would foster more effective implementation.

III. Implementation elements

1. Implementation measures

- How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)*
- How to ensure effectiveness of the instrument and have efficient national reporting?*
- Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).*

As mentioned above, in order to ensure effectiveness of the instrument, the latter needs to be as specific as possible in relation to the responsibilities of the various levels of governments.

Further, it could be useful to publish the “preparatory works” related to the instrument (or a more detailed commentary), as this might help provide guidance to all entities who will have to implement it.

In case the instrument foresees a monitoring mechanism (a “treaty body” mechanism), local governments should be able to benefit from advice and/or monitoring by this mechanism, in particular if they have declared political commitment to implement the instrument (see above, in introduction).

Specific reporting under the new instrument could add burden to the existing reporting obligations of States. In order to prevent this problem, the Geneva Cities Hub suggests to make use of other existing international mechanisms which already include reporting by States and local governments. Such mechanisms include the SDGs reporting process, the Paris agreements and other environment/climate- related instrument or even the Universal Periodic Review (UPR) held under the auspices of the Human Rights Council.

Various SDGs could be read as addressing the issue of plastic pollution and both Voluntary National Reviews by States and Voluntary Local Reviews by local governments could thus include information on how they implement the international legally binding instrument on plastic pollution:

- *SDG 11.6: reduce the adverse per capita environmental impact of cities, including by paying special attention to chemical and other waste management);*
- *SDG 12.4: achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment ;*
- *SDG 12.5: substantially reduce waste generation through prevention, reduction, recycling and reuse;*
- *SDG 14.1: prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution.*

In terms of human rights and the potential reliance on the Universal Periodic Review – which has so far ensured 100% compliance by Member States – the Geneva Cities Hub believes that the newly established human right to a clean, healthy and sustainable environment could provide a solid basis for reporting on the international legally binding instrument on plastic pollution in the framework of the UPR (see A/RES/76/300, PP9: “*the impact of ... the pollution of air, land and water, the unsound management of chemicals and waste, the resulting loss of biodiversity and the decline in services provided by ecosystems interfere with the enjoyment of a clean, healthy and sustainable environment and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of all human rights*”).

2. Means of Implementation

With respect to means of implementation, document UNEP/PP/INC.1/5 covers the following elements: capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance.

What measures will be required to support the implementation of the instrument?

- States might think about specific provisions of the instrument that are directly addressed to local governments and commit to providing the necessary capacities and resources at subnational level. Indeed, while States remain primarily responsible for treaty negotiation and implementation, including local governments both in the process and in the text of the instrument can only ensure more effective implementation, which also relies on the involvement of local governments!
- In order to directly involve local governments in the process, States could include representatives of local governments in their national delegations or provide them with an observer status to contribute to the process, as mentioned in the introduction above.
- If a monitoring mechanism is foreseen by the treaty, representatives of local governments could be invited to become members, so as to share experiences together with States. Such an inclusive body could be an innovative way to ensure effective implementation of the instrument.
- The new treaty could promote regular exchanges of experiences among States and local governments on specific issues related to plastic pollution, so as to disseminate good practices, foster partnership and apply local solutions to other contexts.
- A dedicated space on the website of the secretariat could be created, so that all interested cities may publish best practices, ideas and/or recommendations about the ongoing negotiation and implementation of the instrument.

IV. Additional input: Conclusion

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

Local governments are instrumental in any plastic pollution discussion, in particular with regard to the implementation of measures to address the blight. Plastics are everywhere and local governments are in most cases responsible for many of the collection points, for waste management and, more and more, they are on the frontlines of urban health, which is affected by the release of microplastics in the environment. Local governments are in contact with businesses dealing with plastic production/use and have a better grasp of the concrete reality. They are “the eyes, the ears and the hands” on the ground.

States will improve their capacity to the objectives of the instrument if they embrace local governments as partners from the very beginning of the process and provide them with a specific status to participate in the negotiations and implementation of the plastic pollution instrument. Negotiating together and implementing together is the only path to success!

