YOUTH FOCUS GROUP/COALITION FOR INC

Potential options for elements towards an international legally binding instrument on plastic pollution
Youth Constituency submission on the potential options for elements towards an international legally binding instrument on plastic pollution

Youth Focus Group / Coalition for INC
Chemicals and Waste Youth Platform, UN Major Group for Children and Youth

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0. Process of development of this submission

We are honored to share that the process for development of this submission entailed several weeks long processes with multiple rounds of consultations, written inputs and online meetings within the youth constituency. We are truly grateful to numerous young people that contributed their voluntary time and capacity, including during the festive season (observed by certain religions) at the end of the year. A brief timeline of our process is presented below:

- 16 December 2022: Written submission template shared by the INC Secretariat
- 18 December 2022: Online document launched within the youth constituency to add written inputs
- 21 December 2022: First online meeting to work on the draft
- 30 December 2022: Second online meeting to work on the draft
- 3 January 2023: Third online meeting to work on the draft
- 3 January 2023: Leads assigned to finalize the different sections of the document
- 6 January 2023: Fourth online meeting to work on the draft
- 12 January 2023: Fifth online meeting to finalize the draft
- 13 January 2023: Submission to the INC secretariat
1. Background and context

This submission has been prepared by the Youth Focus Group / Coalition for INC convened by the Chemicals and Waste Youth Platform - UN Major Group for Children and Youth (MGCY). (MGCY) is an inter-governmentally mandated and self-organized youth civil society constituency that engages in the process of the UN, ranging from environment to migration to economic affairs, among others. The Chemicals and Waste Youth Platform to UN convened by MGCY specifically coordinates youth engagement across the MEAs and bodies on chemicals and waste, including but not limited to SAICM, BRS, Minamata, and processes of the upcoming Science Policy Panel (SPP) on chemicals, waste and pollution prevention.

As member states decided for the work of INC to follow the Minamata Rules of Procedures (RoP) provisionally, superseding the UNEA Rules of Procedures, the Chemicals and Waste Youth Platform is pleased to support the Youth Focus Group / Coalition for INC. Given the unique and cross-cutting nature of the issue of plastic pollution especially in the context of sustainable production and consumption of plastics, the Youth Focus Group / Coalition for INC intends to bring together youth organizations and movements worldwide to contribute on this topic, including but not limited to participation from the various constituencies linked to the theme and topics covered in INC; ensuring that young people from organisations accredited to ECOSOC, MEAs, Conventions and also those from community-led and non-formal organizations are able to participate and engage.

For the first session of the INC (INC -1) in Punta del Este, Uruguay (28 November - 2 December 2022), the Focus Group facilitated the participation of 7+ funded youth delegates in-person and over 40+ youth delegates online together with development of policy inputs and interventions across all of the agenda items. We remain committed to ensuring meaningful engagement of youth throughout the forthcoming sessions of the INC and eventually within the instrument itself.

It is increasingly recognised that achieving sustainable consumption and production of plastics is a necessary precursor to ending plastic pollution. A fundamental reimagining of humanity’s relationship with plastics as materials – a ‘system change’ scenario – is required. Therefore, the upcoming treaty has a principal role to play when it comes to tackling the environmental and human health crises of plastic pollution, fostering true “Peace with Nature,” and safeguarding rights of the current and future generations. It is important that the upcoming treaty is effective, ambitious and takes a system-wide approach when it comes to tackling the problem of plastic pollution, leaving no one behind.
Through this submission, we are pleased to share potential options for elements towards an international legally binding instrument. Furthermore, in the last section of this submission under “Additional Inputs,” we have highlighted views on youth engagement and potential suggestions on how stakeholder engagement should be convened within the work of the INC and the instrument itself.

II. Substantive elements

1. Objective(s)

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

Objectives of the instrument should include, at the minimum:

- A rights-approach to protecting human health from plastic pollution, across all routes of exposure including impacts from hazardous chemical additives and microplastics;
  - Safeguarding and protecting children, youth and future generations - who make up the largest world population and are a particularly vulnerable stakeholder group - should be central to and clearly defined in the instrument.

- Transforming the entire life cycle of plastics into a toxic-free circular economy, starting from virgin (primary) production, to product design and packaging, to waste management and remediation; and

- Eliminating all forms of plastic pollution to the environment.

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?

Globally Harmonised, Time-Bound and Quantitative Targets

- Globally harmonised, time-bound and quantitative targets and standards should form the backbone of the instrument to: restrict virgin plastic polymer production, eliminate unnecessary plastic items/packaging, and reduce the volume of plastics (and
Their toxic chemical additives) entering the environment.

- These targets and standards must be scientifically-based and coupled with enforcement mechanisms and a clear strategy and indicators for measuring progress. Plastic pollution is pervasive and transboundary in nature: from macroplastics debris choking up sensitive aquatic environments, to microplastics detected in human lungs, blood and breastmilk, to toxic chemicals leaching out of plastics and moving up the food chain.

- As such, while National Action Plans could provide an important part of the implementation measures and means of implementation (discussed in Section II. Implementation elements), over-reliance on this method will likely lead to inefficiency as seen in the context of Nationally Determined Contributions (NDCs) in the Paris Agreement. Instead of a more fragmented, country-based approach, mechanisms for non-compliance should be included in the instrument such as in the Montreal Protocol.

- In development of these globally harmonised, time-bound and quantitative targets, consideration should be given to Principle 7 of the Rio Declaration, the concept of “Common But Differentiated Responsibilities” (CBD). The instrument must recognize that plastic pollution, like climate change and biodiversity loss, is a universal environmental and human health problem that requires urgent and ambitious action, but that countries and communities are not equally responsible nor have equal management capacity. As such, implementation support and capacity-building resources must be allocated accordingly.

- A globally harmonised system, with appropriate implementation support, should offer greater protection to the currently (and historically) most impacted Small Island Developing States (SIDS), developing economies and economies in transition. A country-based approach risks creating the unintended result of further shifting plastic pollution impacts and harmful industrial/manufacturing processes to already-overburdened countries and communities.

Transparency and Control of Chemical Pollution from Plastics

- Restrictions and bans on toxic additives such as Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS), chlorinated compounds and phthalates. This is a critical measure to protect human health and reduce the diversity and complexity of chemicals in plastic.
● Mandatory ingredient list reporting, requiring that plastic product and materials manufacturers publicly disclose the chemical content of products.

● A standardized, rigorous analytical testing component for new plastic products and polymers (such as chemical/microplastic leachability assessments) should be required before plastic products reach the market. Third-party certification can provide added security against inaccurate or incomplete self-reported data by industry.

● Parties and the Secretariat should develop a searchable database and information clearinghouse(s) to provide publicly accessible chemical content/human health risk data, which may be modeled after existing tools such as the European Union’s “Substances of Concern in Products (SCIP)” database.

● Reduce the diversity and complexity of chemicals in plastic production which can help to reduce the environmental and human health impacts of plastics. It is also important to carefully evaluate the potential health and environmental impacts of each chemical and to phase out the use of those that pose a risk.

III. Implementation elements

1. Implementation measures

   a) 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?)

   b) How to ensure effectiveness of the instrument and have efficient national reporting?

   c) 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).

● Each Party should establish National Focal Point(s) to coordinate the implementation of the instrument at the national level and submission of national reporting documents, share information with national agencies, institutions and the public, develop funded project proposals and capacity-building strategies.
   ○ Regional collaboration across National Focal Points/national agencies should be encouraged.

● Each Party should further establish an inter-institutional and multi-sectoral oversight committee, including CSOs/NGOs and academic institutions, with elections of committee members conducted through an open and competitive process. The
function of the committee will be to evaluate and report to the National Focal Point(s) and government agencies the progress and compliance in implementing the measures of the treaty and National Action Plans.

- The Secretariat shall prepare documents outlining the process and procedures of developing and submitting national reporting documents, including quantitative reporting on reduction of virgin plastic production, updates on implementation of national laws and regulations relevant to curbing plastic pollution and detailed descriptions of capacity-building and engagement of local communities.

- Parties or their designated agencies for plastic monitoring should conduct inspections and create a database on the regulation and enforcement of standards for plastic production and distribution. They should also monitor compliance with established standards and take appropriate action against any violations of laws related to plastic production and distribution.

- Based on information provided in national reporting documents as well as submissions by oversight committees and CSOs/NGOs, the Secretariat shall develop and regularly update an “International Plastic Pollution Information Clearinghouse” to track national and regional progress across targets, indicators and milestones. The Clearinghouse should be accessible online with translations available in the six official UN languages.

- Establish a multidisciplinary scientific advisory body to provide technical advice and support to Parties, ensure implementation of the instrument is guided by credible science and data, conduct horizon scanning and provide further recommendations to improve standardization of research into key environmental/human health impacts of plastics (including toxic additives and microplastics). The composition of the scientific advisory body should be made with attention to regional/gender balance as well as outreach/integration of early career researchers and scientists.

- The Secretariat should promote collaboration with and define the relationship between the plastics instrument and other UN agencies, conventions and MEAs, in particular UNFCCC; Convention on Biological Diversity; the upcoming SAICM Beyond 2020 Framework; upcoming Science-Policy Panel to contribute further to the sound management of chemicals and waste and prevent pollution; BRS Conventions; and WHO. Additionally, given the prevalence of lead in soft plastic toys and toy paint, collaborations can be established with the Global Alliance to Eliminate Lead Paint.
Dedicated Work Programmes for the Implementation of the Instrument

We also suggest taking an approach of having work programmes in the instrument that are aligned with each major industrial sector in which plastics are used. We are basing these recommendations inspired by the article published in the Perspectives Publication of the UNEP [here](#).

- Fishing Gear
- Agriculture Plastics
- Packaging
- Healthcare and Medical
- Transportation (automotive, aeronautic, marine)
- Textiles
- Construction

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.

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

- Develop financing mechanisms to support nations in the implementation of the instrument, development of National Action Plans and efficient national reporting.

- Establish a special fund to support the establishment and upgrading of waste management and recycling facilities in developing countries, including eco-innovation and waste management entrepreneurship programs for youth organisations.

- Develop a priority list of knowledge/research gaps and standardised research methodology manuals (e.g., data controlling for exposure effects on different categories such as age and gender from plastic chemical pollution and microplastics).

- Establish Plastic Pollution Research Center university-based grant program, developing a network of partner institutions across all regions that can guide technological innovation and fill gaps in country or regional monitoring (concept example: the United States’ National Institute of Environmental Health Sciences (NIEHS) Superfund Research Program). Data and reports produced through the grant program should be made available through public, open-source platforms, such as an “International Plastic Pollution Information Clearinghouse” maintained by the Secretariat as noted above.
- Local and indigenous knowledge should be valorized to address the plastic problem. Earmark and direct financing to academic institutions and local communities/“citizen science projects” to conduct monitoring and data collection (e.g. shoreline plastics monitoring) across geographical regions, particularly those regions currently underrepresented in published data.

- Target educational initiatives on the dangers of plastics to the environment and human health toward local businesses and citizens, particularly children, young people (see Section III. Additional Input) and women through the use of local examples and accessible language.

- The treaty should encourage environmental education to be prioritized in the curricula of all formal educational institutions. The development of society goes hand in hand with cross-cutting education, which is why, as the main mechanism for dissemination and compliance of the treaty, circular economy, sustainability, life cycle of plastics, and pollution should be taught in depth in schools and universities.

- A robust support system that includes the participation of local and indigenous people in decision-making should be established to address public complaints and reports of human health and environmental threats from plastic pollution.

- Alongside “closing the tap” of plastic pollution through ambitious legally-binding elements, remediation and restoration of already-degraded land and waterways should be encouraged through a special “clean-up fund.”

IV. Additional input

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).

We want to begin by recalling two principles of the Rio Declaration:

- Principle 10 regarding participation of all citizens; and
- Principle 21 - “The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.”
1. Youth participation and engagement

In recognition of youth as:

1) Uniquely vulnerable to the health and environmental impacts of plastic pollution, including hazardous chemical exposures from plastic; and

2) Agents of change in developing solutions across global environmental challenges, including plastic pollution

A targeted youth engagement model should be implemented on processes of treaty negotiations and implementation, including at the national level, and consist of:

**Meaningful Participation in the INC Process**

- Enhanced funding support should be made available to the youth constituency for meaningful engagement and in-person participation at the upcoming sessions of the INC. Young people, especially from countries of the global south, should be supported to join the INC sessions similar to the precedent set in the first session of the INC.

- Space should also be provided for hosting youth-led side events and presentations at the future sessions of the INC. We suggest that a youth exhibit booth should be allocated during the forthcoming sessions of the INC for the youth constituency to showcase its work and positions.

- Member states should be encouraged to include youth in their delegation and negotiation teams.

- We encourage the Secretariat to host meetings, webinars and similar programs to build awareness of a broader group of young people about the process and encourage their participation.

**Engagement in the Instrument Itself**

- The instrument must recognise youth as a designated self-organised constituency with rights to engage in all processes of the instrument (meetings, implementation efforts, etc). The youth constituency must be universal in nature.

- Designation of National Youth Focal Points to coordinate the effective and meaningful engagement of youth and youth-led organisations.
National government/Secretariat financial support for youth delegates to participate in annual Plastics Conference of the Parties (COP) meetings.

Organisation of topic and region-focused youth consultations and annual youth roundtables/workshops by the Secretariat.

Working groups and task forces established through implementation of the instrument should designate seats for youth.

Youth-focused education and knowledge-sharing mechanisms on plastic pollution, marine litter, human health impacts, and sustainable alternatives to plastic should be developed. These can be modeled after established toolkits and programs such as UNESCO’s Ocean Literacy for All: A toolkit and online Ocean Literacy Portal (oceanliteracy.unesco.org).

References must be drawn in the instrument to the best practices and precedents across existing MEAs and similar frameworks in the UN system on the designated and meaningful engagement of youth.

2. Regarding stakeholder engagement

We have taken note of the document prepared by the Secretariat in the lead-up to the first session of the INC on the proposed model of stakeholder engagement in the treaty.

As a departure point, we would like to advocate, based on the Principles and Barriers of the Meaningful Youth Engagement itself, that the stakeholder engagement model in the instrument should be rights-based, designated, mandated and accountable. This would entail a role from both the side of the UN and the stakeholder constituencies themselves. Furthermore, the engagement should be self-organised as a cornerstone of independent civil society engagement in the UN processes.

On Multi-stakeholder dialogue

In terms of timing for the multi-stakeholder dialogue, we do believe that having it intersessional would allow for the outcomes of the dialogue to be taken into account more meaningfully. This was also a recommendation in the UNEP We Want report earlier this year, where it was recommended that the MS forum for UNEA should happen several weeks before UNEA.
Such an intersessional multi-stakeholder forum however, should not compromise the ability and support for multi-stakeholders to be represented at the INC itself.

Furthermore, we suggest that the agenda of the multi-stakeholder dialogue must be designed in cooperation with stakeholders.

In terms of logistics of stakeholder engagement, we would like to ask for the stakeholder participation to not be relegated. For example, the registration period for stakeholders closed one month before the INC-1 while all the other categories were allowed to do in-person registrations as well. We request that this be modified for upcoming INCs.

Proposed model for stakeholder engagement

We want to advocate for equity in stakeholder engagement. The access of stakeholders should not be determined by the resources or size of that stakeholder group, but by their disposition.

We highlight that there is a difference between stakeholders and rights holders of the process. Children and youth, women and Indigenous Peoples are not just stakeholders but rights holders in any decision making process, and this should be recognised by the INC process and its member states.

Furthermore, we recommend that the instrument should include a provision for a designated Stakeholder Panel which should be elected (through self-organised processes) and should comprise 2-3 representatives of each of the different constituencies.

How should the stakeholder constituencies for the instrument be identified?

The development of constituencies for the instrument should take their inspiration from the existing processes and permutations of the Agenda 21 recognised major groups and the constituencies that participate in the allied processes such as the HLPF, UNEA, Sendai Disaster Risk Reduction process, etc.

The constituencies themselves should be required to be universal in nature, with the obligation to include all accredited and any further non-accredited interested stakeholders in the work of their constituency.
We would like to suggest for the following constituencies / stakeholder groups to be recognised in the instrument, and we are open for discussion with member states and stakeholders on the same:

- Children and Youth
- Women
- Indigenous Peoples
- Business / Industry
- Research and Academia
- Waste Pickers
- Indigenous Peoples
- Medical and health care group
- Agricultural / farmer group
- Trade Unions community
- Grassroots stakeholder group (as recognised in the HLPF process)
- Fishermen/Fisherfolk
- Textiles
- Any further groups to classify