

**Papua New Guinea written submission on the potential options for elements towards
an international legally binding instrument**

Papua New Guinea recognises the issue of plastic pollution and the potential threats plastic waste poses to human health and its pristine environment. According to a study that was conducted in 1995 by the Secretariat of the Pacific Regional Environment Programme, an estimated 100,000 tons of plastic waste from PNG was potentially leaked into the Pacific Ocean which equates to about 270 tons of plastic per day. This alarming statistic raises serious concerns for a country that manufactures and imports a significant number of plastic products and highlights the need for urgent actions to be taken at the national level including regional and global actions to address this problem. Papua New Guinea acknowledges the role of the INC Secretariat and the international community in taking steps to develop a plastic instrument and highlights at this infancy stage, some key options for elements towards an international legally binding instrument on plastics.

It is critical the global plastic treaty should have clear objectives and solutions in addressing plastics using a life cycle approach. The objectives of the instrument should be to protect human health and the environment from plastic pollution including in the marine environment. In addition, the objectives of the instrument should also be further broadened to address the entire life cycle of plastics including having controls and reduction measures across a range of products, process and industries where plastics is used and released as a waste material. Given the complexity of plastic and waste management, a need for gradual strengthening of the global treaty overtime is recommended. It is the responsibility of all parties to develop national action plans. The National Action Plans will outline the steps, baseline information and targets that a country is required to take to addressing the issue on plastics at the national level. The national action plans should also highlight resources including key stakeholders who are to be involved as well as the timeframe needed to address each action plan.

Effective implementation of the plastic instrument will require resources to implement including financial, technical and human resources. This will be complemented by institutional arrangements including; policy and legal frameworks; standards and guidelines and other sustainable financing mechanism such as levies and container deposit schemes. This will also include establishing effective monitoring tools to monitor and evaluate the effective implementation of the plastic instrument. Given the different capacities of countries, the need for technical and financial assistance to developing countries in particular will be important in assisting countries to strengthen their capacity in areas of plastic management. This will include exchange of relevant technology in assisting developing countries address their waste management issues.

The structure of the plastic instrument should be determined by the scope of the instrument however from the outset it should follow a specific Convention model with control measures either in the main body or in annex as opposed to a framework convention model. From experience at the national level, the process of ratifying to specific protocols is a lengthy process within governments requiring significant time and government resources to advance.

Effectiveness evaluation will be a key provision of the instrument for parties to evaluate the effectiveness of the instrument over a specific time frame specified by the COP. Financial and technical cooperation for example will be important areas for such evaluation to be conducted at the national level.

For a proper and fair evaluation of the instrument to be carried out, a need for comparable monitoring data should be provided and used in the evaluation. This process will require establishment of standards and guidelines to guide the evaluation process.

National reporting is also an important element of the instrument as it will provide the Secretariat an opportunity to assess implementation of the instrument by parties. While reporting formats will form an important component of reporting, it is crucial parties be assisted with capacity building programs to assist with timely and accurate reports. The lack of reporting by some developing countries under existing MEA's also appears to be a constraint given their limited institutional capacity and limited financial support. This should be addressed through providing financial assistance to parties to develop reports as a way forward in addressing the issue of non-compliance on reporting. Improving compliance should be a primary focus of the new plastic instrument. While a Compliance Committee will be established as part of the institutional arrangement with the INC Secretariat, the objective would be to ensure compliance. This will require Parties working with the Secretariat in improving and strengthening compliance. Punitive measures should be taken against parties for continued non-compliance and based on the severity of the offence.

In terms of implementation, we have seen from other instruments, examples of how developing countries can be assisted to develop policy, legal frameworks and institutional arrangements prior to entry into force of a new legal instrument. This approach is recommended at the initial stages prior to the new legal instrument entering into force and as a way to building capacity at the national level. For this to occur, a robust financial mechanism is needed similar to the Multi-Lateral Fund of the Montreal Protocol.

Finally, the core obligations and control measures of the plastic instrument will be centred around sustainable production and consumption and waste management activities. It is crucial that we prioritise putting in control measures on products and processes as well as the need to integrate waste management activities. This allows for the establishment of control measures for those obligations that are of priority while leaving those plastics that are less problematic for more longer-term solutions. For example, having to phase out certain plastics that are problematic within a certain timeframe and that are of potential harm to the environment and human health through introducing levies and taxes to discourage production. On the other hand, plastics products or processes that are not so problematic could be more adequately addressed through setting standards to improve product design and requirements such as setting labelling requirements for imports.