Submission on behalf of the Alliance of Small Island States (AOSIS) at the First Session of the Intergovernmental Negotiating Committee to develop a legally binding instrument on plastic pollution, including in the marine environment

Punta del Este, Uruguay
30 November, 2022

Agenda Item 4.3.a – Potential Elements including core obligations, control measures, and voluntary measures as well as national action plans.

1. The ILBI must be designed with collective global measures and individual national measures that address the full lifecycle of plastics. These measures will be a mixture of mandatory and voluntary actions, while ensuring that they are sufficiently ambitious to accomplish the Objective(s) of the ILBI.

2. AOSIS is of the view that sufficient flexibility and adequate support mechanisms shall be provided to developing countries, particularly SIDS, to facilitate their implementation of the core obligations, commitments and/or contributions under the ILBI, taking into account national circumstances and respective capabilities.

3. At a minimum, the ILBI shall require global collective measures on the following action areas:
   a. Reducing the production and consumption of problematic and unnecessary plastics, such as single-use plastics and plastics that are difficult to recycle, especially in sectors such as tourism, cosmetics, construction, textiles and the food service industry, while facilitating the development of sustainable alternatives to problematic plastics;
   b. Reducing and eliminating hazardous chemicals and additives which are harmful to the environment and human health and unfavourable to recycling, in the design and production of plastics;
   c. Scaling up the collection, safe disposal, deposit schemes and recycling of plastic waste and actions to prevent leakage into the environment;
   d. Promoting efficient and transparent cooperative arrangements for the trade of plastic waste with the primary aim to enable circularity and sustainability;
   e. Mechanism(s) for the remediation of plastic pollution in the environment, including the marine environment;
   f. Facilitate the development of a global harmonized system of design standards, methodologies, labelling and reporting to promote circularity of plastics; and
   g. Mechanism(s) to promote the development, dissemination and incorporation of technology, science, data and information on plastics (including in the areas of sustainable alternatives, design substitutes, and remediation actions and technologies).

4. While certain measures and actions should be self-determined, and strategically designed to fit national circumstances and contexts, such measures and actions shall include, at minimum, progressive national targets and measurable actions which address the main contributors to plastic pollution through:
   a. Sustainable design, production and consumption of plastics;
   b. Development of a comprehensive and environmentally sound and sustainable waste management infrastructure;
   c. Circularity considering resource-efficiency and recyclability of plastics;
   d. Educational and awareness raising programmes on plastic pollution, including those aimed at behavioural change;
e. Development and sourcing of safe and sustainable alternatives to plastics;
f. Public sector capacity building to strengthen relevant knowledge and skills;
g. Development and implementation of innovative instruments and tools, including Extended Producer Responsibility (EPR) and incentive schemes, to prevent, reduce, and eliminate plastic pollution;
h. Promoting, encouraging and incorporating action, by all stakeholders to address plastic pollution, including the private sector, informal plastics waste sector, indigenous peoples and local communities to, among other things, facilitate pro-environment behaviour and regulate consumption patterns through non-regulatory and non-price means;
i. Development of appropriate policy, legislative frameworks and institutional infrastructure toward the achievement of the objectives of the ILBI;
j. Promoting and development of green jobs in a circular economy; and
k. Development of quality infrastructure services for the circular economy for sustainable alternatives to plastics.

5. While AOSIS continues to consult on the form and design of a potential action plan framework under the ILBI, at minimum, the ILBI will require sufficient provisions for support and guidance in both the design and implementation of NAPs, flexible reporting, and a progressive list of binding and non-binding measures and actions which might be considered to be included in the formulation of NAPs.

6. As it relates to monitoring and reporting, AOSIS is of the view that the instrument needs to establish minimum transparency arrangements on the following matters while recognizing SIDS’ implementation on transparency will depend on adequate support and flexibility in this regard:
   a. Periodic reporting on national actions implemented as a means of achieving the common objective(s) and measuring effectiveness,
   b. Periodic reporting on support for implementation provided to developing countries, particularly SIDS, as a means of achieving the common objective(s) and measuring effectiveness,
   c. Monitoring and verification of sources, levels, and impacts of plastic pollution on a regular basis, particularly in the marine environment, while taking into account the importance of regionally disaggregated data and information, and
   d. Periodic reporting on national sources and levels of plastics being produced, imported and exported.

7. Critical to the implementation of the ILBI is the development, dissemination, and incorporation of technology, science, data and information on plastics, as well as the incorporation, in a rights-based manner, of traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems including from local communities relevant to understanding and addressing plastic pollution, including in the marine environment.

8. AOSIS sees value in the design and establishment of a subsidiary body, such as a scientific, technical and economic body, to provide guidance and support in the implementation of obligations, control measures, voluntary approaches and national action plans.

9. Finally, AOSIS takes this opportunity to emphasise the importance of complementarity, coordination and cooperation within the international legal framework for the design and implementation of both the substantive and procedural obligations under the ILBI, as appropriate.