

End plastic pollution: towards an international legally binding instrument
Comments from Brazil prior to INC-1

Starting with the overarching structure of the instrument, Brazil would favour, in principle, a convention format plus annexes inspired by other chemicals and wastes EMAs, such as the BRS and Minamata Conventions. Nonetheless, Brazil understands that it is important not to prejudge the INC negotiations, which may decide that a different structure would better fit the scope of the future agreement on which the Parties agree.

We advocate an ambitious instrument that encompasses the life cycle of plastics, from production to consumption and trade to waste management, taking into account national circumstances and capabilities.

In order to achieve a practical and implementable agreement, but also an ambitious one, it is crucial to ensure adequate means of implementation concerning financial resources, technical assistance, including sharing and co-development of new technologies, as well as capacity-building mechanisms aimed at developing countries.

The INC should establish a dedicated multilateral fund to enable the implementation of the new instrument by developing countries, which should rely on new, additional and predictable resources from different sources in the developed world, and be accessed on concessional terms. In this context, there also should be targets for developed nations with regard to the provision of means of implementation.

Discussions on means of implementation should take place simultaneously with the debate on objectives, targets and key provisions of the new instrument to make it effective. To that end, it is also critical to account for phasing-out and just transition mechanisms.

Tackling plastic pollution should be approached from the perspective of Sustainable Development; thus, the text of the agreement should reflect the Principles of Rio, particularly that of Common But Differentiated Responsibilities. It should also adequately balance the environmental, economic and social dimensions of the challenge before us, reflecting and anchoring concepts enshrined in the 2030 Agenda for Sustainable Development. It must avoid one-size-fits-all solutions.

The negotiation process should be evidence-based, including socioeconomic assessments, inter alia, on raw materials, sources of production, production processes (including the use of chemicals), alternative components, product design, consumption patterns, trade, transboundary movements of plastic wastes (including illegal traffic flows) and environmentally sound waste management. The capabilities and needs of developing countries should draw special attention throughout the process.

The text needs to consider ways of cooperating with other environmental multilateral agreements and intergovernmental organizations in the area of chemicals and waste to find complementarities, thus avoiding duplication of mandates and efforts. In this regard, the new agreement would highly

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benefit from the expertise of the Basel and Stockholm Convention regional centres in providing technical assistance and capacity-building activities in developing countries.

With respect to compliance, the INC needs to create mechanisms that help countries implement the new agreement through a facilitative and cooperative approach. The same applies to national reports and action plans, which should not only demonstrate the progress made by countries under their new obligations but, more importantly, serve as a means of support for the collection and processing of evidence-based data, as well as translating them into national policies, according to local circumstances and capabilities.