

## Submission of Chile

### Follow up of the Open-Ended Working Group for the Intergovernmental Negotiating Committee to Develop an International Legally Binding Instrument on Plastic Pollution

Chile refers to the letter sent by the Executive Director of the United Nations Environment Programme, Ms. Inger Anderssen, on 24 June, inviting to present submissions as the follow up of the Open-Ended Working Group for the Intergovernmental Negotiating Committee (INC) to Develop an International Legally Binding Instrument on Plastic Pollution.

In this framework, Chile suggests the following aspects to be considered in the future negotiations of the INC:

#### i. Sequencing and organization of INC

- Given that the timeframe considered for the outcome of this negotiation is brief, we suggest that the Secretariat proposes a general structure for the legally binding instrument *in advance* of the first meeting of the Committee, or INC – 1, based on the experience in the negotiations of relevant MEA, particularly the ones related to chemicals and waste. In this way, negotiations on substantial aspects can start from the first parts of the process, instead of using relevant negotiation time on formal aspects.
- Plastic pollution includes industrial, economic, transboundary, environmental, and cultural aspects that are interrelated but sometimes lack a relationship between them. Therefore, and to avoid duplications, we suggest taking the example of the negotiation of Minamata Convention, where great subjects are divided in chapters. In this context, the new plastic instrument may be structured in chapters, where each one of them is destined to a particular subject in the list of the resolutions, such as: circular economy, plastic design, marine plastic litter, microplastics, international cooperation, raising awareness and education, health and pollution, information exchange, effectiveness, and compliance, among others.
- Considering different national and logistical realities of countries participating in this process, we suggest that the Secretariat informs member States on the time and place of each INC at least 8 weeks in advance. It is essential that full hybrid participation is allowed for negotiation, including interventions and active participation of virtual participants in the negotiation process. We also suggest that meeting documents are made available to participants at least a month in advance of each meeting.
- We suggest that the Secretariat shortens the limit of national statements to 2 minutes, so that time is destined to negotiations of the sections of the instrument.
- To ensure a wide acceptance of the outcomes of the negotiation and the new legally binding instrument we suggest that the Secretariat allows and promotes in person and hybrid participation in equal conditions of all interested parties, including NGOs, industry, academia, other international organizations, among others.

- We suggest incorporating gender equality and regional considerations as a rule in the expert groups and subsidiary bodies that may be established on the framework of this process, including 50/50 gender parity and equal participation for all regional groups.
- We express our preference on a 2/3 rule for decision-making and approval of the contents on the new international legally binding instrument.
- For the development of national action plans, Chile suggests evaluating the option of developing a problem-solving tool like the IOMC Internet-based Chemicals Management Decision-Making Toolbox<sup>1</sup> (IOMC Toolbox). Depending on the resources available for each the country (low, medium, or high), the tool allows to identify the most appropriate and efficient national actions to address specific national problems related to plastics management.
- We suggest that the actions contemplated in this new environmental agreement for the prevention, monitoring, and control of plastic pollution, marine litter and microplastics, consider the promotion and implementation of innovative technologies such as artificial intelligence, data science, etc. as they could help interested parties to promote and support research, knowledge sharing, create startups and new job opportunities for developed and developing countries, among other matters.
- We highlight the lack of an international risk assessment framework that considers the multidimensionality of plastic and microplastic particles. There is potential to support scientific research and promote the exchange of knowledge, to assess the impacts of plastic, marine litter and microplastics on coastal ecosystems (e.g., mangroves, seagrass, and corals), the marine environment, food security and human health.

ii. Substantive issues which would contribute to preparation of documentation

- Considering the large number and specificity of negotiation issues, we propose that expert groups are created from INC-1 onwards to work online during the intersessional period on specific topics. Some of the relevant areas of work include, but are not limited to:
  - Definitions
  - Plastic monitoring
  - Financial measures
  - Risk assessment
  - National action plans
  - Plastics design criteria
  - Effectiveness and compliance

The expert groups may prepare technical reports that serve as a starting point for the following negotiating committees.

- Microplastics require special and specific attention in this new agreement, since microplastic can enter through multiple pathways to the terrestrial and marine environment. The environmental and health risks, and impacts that it can generate are still unknown. Reports on the state of art of scientific knowledge in this relevant matter would be useful for all interested parties.

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<sup>1</sup> <https://iomctoolbox.org>