

**Japan's submission to the INC process of an international legally binding instrument
on plastic pollution, including in the marine environment**

1. Sequencing and organization of INC

Japan would like to highlight the necessity for all member countries to complete work of intergovernmental negotiating committee on an international legally binding instrument on plastic pollution, including in the marine environment (“the Instrument”) by the end of 2024. From this perspective, it is essential to proceed each phase of negotiation efficiently by establishing subsidiary organs as follows:

- The Plenary meeting of the INC (“the Plenary”) is the decision-making organization on the Instrument negotiation, and the subsidiary organs (“the Organs”) are subordinate clusters of the Plenary. In relation to the Organs, the Plenary basically has functions such as a) establishing the whole picture of the Instrument, b) clarifying discussion points to be elaborated at the relevant Organs and their aims and mandates, and c) giving directions and guidelines on difficult discussion points to facilitate negotiations in the Organs.
- Parallel discussions in several organs, as shown in 1-1. Structure of the Organs, makes the process efficient. We believe that meetings in the Organs should be held in a hybrid manner to maximize the outcomes within a limited timeframe and secure the wider participation of member countries.
- Informal meetings of the Organs in the intersessional period should be considered as an option when necessary, to further promote the negotiation process, especially in case the progress of their discussions is deemed not sufficient.
- During INC1, it will be effective to focus on the following points: a) objectives of the Instrument, b) structure of the Organs and c) elements of the Instrument shown in 2. The substantive issues below. Since we believe that these points are fundamental issues throughout the five INCs planned ahead, relevant discussions should be kicked off at the earliest stage.

1-1. Structure of the Organs

- We suggest that the structure of the Organs should cover the elements of the

Resolution 5/14 (“the Resolution”) comprehensively.

- The Organs should be established as shown in *Table 1*, based on the substances of the Resolution. The proposed structure makes it possible to proceed discussions of the Instrument with focus on full life cycle of plastic while securing efficient work of the INC. If the Plenary decides to establish sub-Working Group(s), to facilitate the discussion on topic(s) within a Working Group (“WG”), the sub-WG(s) can be established. The result and progress of sub-WG(s) should be reported to the WG and discussed in the WG, if necessary.
- We believe that horizontal issues including paragraph 4(a), (c), and (h) of the Resolution would not need to establish each dedicated organ. These issues need to be discussed in appropriate organs based on respective mandate dedicated by the Plenary.

Name of Subsidiary Organs	Applied paragraph of Resolution 5/14	Items to be dealt with
Working Group 1: Objectives, national action plan, assessment , full life cycle approach and measures	3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 3(g) and 3(h)	WG1 consists of two sub-WGs: 1.1 and 1.2. As discussion elements in both sub-WGs are closely connected, WG1 should manage each progress of discussion with promoting interactive communications within the sub-WGs.
Sub-Working Group 1.1: Objectives, national action plan and assessment	3(a), 3(d), 3(e), 3(f), 3(g) and 3(h)	Sub-WG1.1 is to specify the objectives of the Instrument and develop national action plans as well as relevant mechanisms. They need to reflect country-driven approaches and ensure regular improvement of countries' actions while considering the important role played by plastics in society. The following points should be discussed: - To specify the objectives of the Instrument and develop national action plans reflecting the objectives - To specify national reporting - To periodically assess the progress of implementation of the Instrument - To periodically assess the effectiveness of the Instrument
Sub-Working Group 1.2: Full life cycle approach and measures	3(b) and 3(c)	Sub-WG1.2 is to develop the full life cycle approach of plastics. The followings should be discussed: - To specify approaches and measures that address both the full life cycle of plastic and every phase of plastic's life cycle, within the national action plan If necessary, establishing subgroups under sub-WG1.2 divided by each phase of the life cycle such as upstream, midstream and downstream can be considered. However it should be noted that sub-WG1.2 will have the mandate to discuss result and progress of the subgroups to gain balanced progress of the discussions in alignment with the spirit of life cycle approach indicated in the Resolution.
Working Group 2: Scientific and socio-economic assessment	3(i), 3(o), 4(d), 4(e) and 4(f)	- To consider how to incorporate scientific and socioeconomic assessments and promote relevant researches - To consider measures that should be reflected in the Instrument to share the useful existing knowledge and best practice, in view of the importance of scientific knowledge - To collect as much expertise as possible by collaborating with existing international organizations and other related stakeholders
Working Group 3: Arrangement for capacity building and assistance and compliance	3(c), 3(j), 3(l), 3(m),3(n),3(p) , 4(b), 4(d) and 4(e)	- To specify arrangements for capacity-building and technical and financial assistance for countries most in need - To specify arrangements of compliance terms
Working Group 4: Crosscutting issues Stakeholders, public relations, legal and institutional issues	3(k), 3(p) and 4(g)	- To promote cooperation and coordination with relevant regional and international conventions, instruments and organizations If necessary, sub-WGs specifically for a) stakeholders and public relations and b) legal and institutional issues can be established.

Table 1. Structure of Subsidiary groups proposed

2. Substantive issues

2-1. Objectives

- Clear objectives are imperative to develop the Instrument in a swift manner. It is worth highlighting that avoiding overlaps with relevant multilateral agreements is important especially in the context of chemicals in the agreements. We note that updated measures and actions on plastic waste under Basel Convention should be updated among others.
- We strongly suggest to kick off the discussion on objectives with "Osaka Blue Ocean Vision (OBOV)," which is a globally shared vision aiming to reduce additional pollution by marine plastic litter to zero by 2050. The OBOV has been shared by 87 countries and regions so far. We believe this vision can be easily understood by people worldwide, who are one of the key actors to end plastic pollution.
- Since most of the plastic litter is eventually flowing into the oceans, we are convinced that achieving zero additional pollution into the oceans will guide our actions to tackle plastic pollution in all environments, and thus should be pursued. In this respect, the OBOV would be the best discussion base to identify the objectives of the Instrument.

2-2. National action plan

To formulate an effective instrument, we believe that national action plans will be key factors for all member countries to take appropriate actions based on the full life cycle approach.

- The instrument should establish a mechanism to achieve effective and progressive measures to deal with plastic pollution based on national action plans. As a cycle of the implementation, the mechanism should incorporate reviewing national action plans, stocktaking overall progress of the instrument, and updating and improving the national action plans. And these elements of the mechanism should be legally-binding under the Instrument.
- We understand that development and utilization of scientific knowledge is important to formulate national action plans and review the progress while underscore the need to consider the important role played by plastics in society.

- The plan should cover life cycle of plastics comprehensively. Its progress and relevant data should be measurable so that they can be compared chronologically among all member countries.
- Applying uniform regulations or measures based on specific approach unique to a limited countries or areas would not be effective for national action plans since appropriate actions differ depending on circumstances in each member country.

2-3. Scientific and socio-economic knowledge

- We recognize that scientific data and socio-economic knowledge of plastic pollution are still limited and therefore, it would be crucial to take advantage of data and knowledge possessed by international, regional and national research institutions in close cooperation.
- We suggest to conduct comprehensive monitoring of the current situation of plastic pollution including its distribution, volume, transport and forecast and enrich scientific knowledge regarding its ecological impacts. To establish common methodology, harmonizing the guidelines of monitoring would be necessaryⁱ.
- It is necessary to develop a continuous reporting mechanism to which member countries continuously report their plastic litter to evaluate the progress of the instrument and compare plastic emissions among countries. The common inventory guidelines would also be required here to ensure comparability of data.

2-4. Technology

- As one of the solutions, promoting product design, development and standardization of materials such as marine-biodegradable plastics that are harmlessly broken down to carbon dioxide and water, and technological innovation by private sector would also be significantⁱⁱ.

2-5. Multi stakeholder

- It is essential that multi stakeholders, including international organizations,

industries, civil society, academia and other related parties, engage with the INC and provide inputs.

- It should be noted that measures on how to promote engagement from the stakeholders and reflect their opinions need to be elaborated in the meetings of the INC.
- In general, from the viewpoint of avoiding prolonged and complicated discussions potentially caused by the participation of various stakeholders in the negotiation sessions, the eligibility of stakeholders should be determined in accordance with the rules based on the Resolution.

3. Content and considerations for the preparation for the forum as set out in the OEWG information document

- We believe that methodology of collecting and monitoring data as well as analyzing ecological impacts should be included as potential agendas of forum.
- The forum should be a place to share existing voluntary actions to combat plastic pollution as good practices.
- Strengthening scientific, technical and technological knowledge on methodologies for data collection and monitoring should be primary at the forum for the sake of their harmonization and comparability among countries.
- In light of OEWG/1/INF/4, we believe that local governments should be involved in the multi stakeholdersⁱⁱⁱ.

ⁱ In this sense, Japan has formulated and announced the guideline in 2019 and revised it in 2020, and also is working on database of microplastics. See the detail:

<https://www.env.go.jp/content/900515659.pdf>

ⁱⁱ To evaluate the usefulness, risk and impact of technologies, common understanding of the definitions of technology, among others, is needed.

ⁱⁱⁱ Japan has taken a collaborative initiative called Local Blue Ocean Visions with sub-national governments to tackle the marine litter issue. As an example, the projects in year 2021 can be found here:

<https://www.env.go.jp/en/headline/2522.html#:~:text=MOEJ%20launched%20the%20Local%20Blue%20Ocean%20Vision%20against,and%20effectively%20further%20develop%20countermeasures%20against%20marine%20litter.>