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CONTRIBUTIONS OF PERU TO THE PROCESS OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE (INC)

I.- PERU'S VISION ON A LEGALLY BINDING INTERNATIONAL INSTRUMENT TO END PLASTIC POLLUTION

The government of Peru is well aware of the devastating effects of plastic pollution on the loss of biodiversity, ecosystem services, and the worsening of the climate crisis.

In this sense, Peru has taken several measures to address this problem, among which are regulations related to the comprehensive management of solid and single-use plastic waste and disposable packaging, as well as circular economy roadmaps in the sectors of the fishing industry and processing and the promotion of clean production agreements, within the framework of the National Competitiveness and Productivity Policy. Peru also promotes this issue in various regional forums.

Like many environmental problems, plastic pollution is a transboundary issue that cannot be addressed by individual actions alone.

In that spirit, in 2021, **Peru, together with Rwanda**, and a group of like-minded countries, **presented a draft resolution** aimed at ending plastic pollution, initiating negotiations for a legally binding global instrument to address this serious problem. The draft resolution was supported by more than 60 countries from different regions of the world and allowed the adoption, during the last summary session of the United Nations Environment Assembly (UNEA 5.2), of the resolution entitled "**End plastic pollution: Towards an international legally binding instrument**", which establishes the Intergovernmental Negotiating Committee (INC) with the mandate to achieve an international legally binding instrument to combat plastic pollution.

In Peru's vision, the future legally binding international instrument should be as ambitious as possible. This new instrument must be based on a **comprehensive approach** to prevent and reduce pollution by plastics and microplastics in the environment, by **promoting a circular economy and addressing the full life cycle of plastics**, from design, production, and consumption. to the management, prevention, and environmentally sound management of waste.



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The future treaty must have a **transversal approach** to the problem of plastics, which also has an impact on **climate change**, the **loss of ecosystem services and biodiversity**. It must also consider the needs of small island countries, such as the **elimination of existing plastics in the marine environment**.

It is also important to ensure a **system that involves responsible and sustainable production of plastics**, as well as making the general population aware of **responsible consumption**, considering the environmental, social and economic impacts of its use.

Plastic pollution disproportionately affects developing countries and socio-economically challenged communities working in **informal and cooperative settings**. Therefore, we need a strong treaty with ambitious goals, but equally ambitious **means of implementation, that considers the needs of developing countries**.

The treaty will need a **robust institutional framework**, through a **financial mechanism dedicated specifically to the instrument** (in the style of the existing mechanism in the Montreal Protocol), which will allow **stable and predictable financing**.

Likewise, it is important that the future instrument considers the **experience of the Conventions on chemical substances and hazardous waste** (Basel, Rotterdam, and Stockholm, and Minamata), both in the negotiation process and in the preparation of the text – to complement them and not replace or duplicate, on the contrary, create the necessary synergy to achieve the goal that we all hope for—. However, Peru is aware that the future instrument must cover aspects that go far beyond the provisions of any existing Agreement.

Peru also believes that the international community must listen to different perspectives to achieve a truly ambitious and, at the same time, achievable treaty. All relevant stakeholders must be heard and must join forces to identify and adopt concrete measures to **reduce the production of virgin plastic, establish measures to eliminate single-use plastic, as well as the use of certain substances harmful to human health and the environment, promote recycling and ensure the safe and proper disposal of existing plastic waste, especially in the marine environment**.

The shared goals of the future instrument, as well as the development of national action plans, must be strongly **informed by science**. It is crucial that science and its new developments support and guide us in this process. Likewise, we will promote that the



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future treaty encourages **transparency** throughout the supply chain, regarding the type of plastics as well as other chemicals and additives that are used.

The new treaty must also have a **human rights approach** to truly achieve its goals. We need to understand that plastic pollution has a significant impact on a wide range of human rights, including the rights to life, health, science, housing, and a healthy environment.

In this sense, Peru considers it important to have an **open, inclusive, and transparent negotiation process** that allows the participation of civil society, the private sector, academia, governments, consumers, and the scientific community.

II.- PRELIMINARY RECOMMENDATIONS ON THE INC NEGOTIATION PROCESS

1. Bureau of the Intergovernmental Negotiating Committee

In line with Peru's firm commitment to international efforts to combat plastic pollution, after the adoption of the historic resolution, Peru announced its legitimate and motivated aspiration to join the Bureau of the Intergovernmental Negotiating Committee and presented the candidacy of the former **Foreign Minister Gustavo Meza-Cuadra to preside over the Bureau.**

Former Foreign Minister Meza-Cuadra has twice chaired the Security Council and has co-chaired the United Nations Open Process of Informal Consultations on Oceans and the Law of the Sea (UNICPOLOS) for three years, in which the problem of plastic and microplastic pollution in the oceans.

Peru is confident that, with his vast multilateral experience, former Foreign Minister Meza-Cuadra will know how to lead the negotiation process with the aim of reaching an ambitious and binding agreement.

2. Participation of all relevant actors

For this negotiation process to be successful, it is necessary for the process to be **open, inclusive, transparent and participatory**, which also allows civil society, the private sector and the scientific community to be heard. Only with the involvement of all



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stakeholders can we have an ambitious instrument with a global scope and rapid implementation.

In this sense, the participation of all States is fundamental, therefore, the **financing of the United Nations must be ensured for the participation of developing countries, of at least two (2) delegates per country.**

Also, while the nature of the Committee is intergovernmental, we believe that **all plenary meetings of the Committee should be held in public**, to the greatest extent possible.

The **contribution of civil society, the private sector, the scientific community, and workers' unions will be essential** to understand the concerns of the different sectors and listen to the proposals to better confront plastic pollution. That is why a space should be given in the INC so that they can carry out interventions.

Likewise, in addition to the forum open to all interested parties for the exchange of information and activities related to plastic pollution that will take place before the first meeting of the INC, Peru recommends that an **online platform** be enabled where data can be collected. the different contributions of the interested parties. The holding of **online public hearings** in the intersessional period will also allow the contributions of all interested parties to be known and have time for said contributions to be duly analyzed by the States prior to the INC meetings.

3. Calendar and subsidiary bodies

Regarding the work calendar of the INC, Peru considers that having 5 sessions of the INC between 2022 and the end of 2024 will allow to have substantive sessions on a regular basis but leaving enough time to prepare each INC in advance.

However, just five meetings will not be enough to negotiate such an important treaty. That is why Peru believes that intersessional work will be fundamental. In this sense, the INC must establish **working groups or contact groups that encompass the main negotiation blocks** (“building blocks”), so that they can work, intersessionally, and advance with the preparation of substantive inputs for the consideration of the INC.

It should be avoided, as far as possible, that the subsidiary bodies meet at the same time and, if applicable, **avoid that more than two subsidiary bodies meet at the same time.**



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4. Grouping (“clustering”) of topics

Peru considers it important that the first session of the Intergovernmental Negotiating Committee (INC-1) can have an understanding on the grouping of the provisions listed in paragraphs 3 and 4 of UNEA decision 5/14 for the work of the INC. These **areas of work** should cover relevant aspects of the **whole life cycle approach**, including the "upstream" and "downstream" dimensions, innovative solutions to address plastic pollution, including existing plastic pollution in the marine environment, compliance with provisions, legal aspects, and the financial mechanism and means of implementation, such as capacity building and technology transfer.

Due to the complexity of the issues to be addressed, as well as the transversality of several of the issues, Peru will support a **flexible approach in the organization of the work**.

The Secretariat should prepare, before INC-1, a **document on possible alternatives for grouping topics** as well as **options for the structure** of the future instrument to guide the discussions during the first meeting of the Committee.

III.- PARTICIPATION OF PERU IN GLOBAL AND REGIONAL INITIATIVES TO ADDRESS PLASTIC POLLUTION

Peru shares the international concern regarding pollution by plastics and microplastics that end up in the sea. Within the framework of the International Maritime Organization (IMO), Peru adopted Annex V of the International Convention to Prevent Pollution by Ships – MARPOL, which prohibits the discharge of garbage into the sea from ships. Likewise, Peru is one of the 87 States Parties to the London Convention and its Protocol. Similarly, in May 2020, Peru was the first South American country to sign the Plastic Ocean Charter, committing to more sustainable approaches to producing, using, and managing plastic.

Between 2015 and 2017, Peru co-chaired the United Nations Open Informal Consultation Process on Oceans and the Law of the Sea (UNICPOLOS), and promoted the treatment of issues related to the relationship between oceans and sustainable development, climate change and the oceans, especially the problem of marine debris: plastics and microplastics in the oceans. On that occasion, the importance of promoting an international agreement on the matter was highlighted.



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Likewise, in 2018 Peru signed the New Plastics Economy Global Commitment, promoted by the Ellen MacArthur Foundation and UNEP, which brings together companies, governments, and other organizations around common objectives to address pollution from waste generation. plastics.

In 2019, during the fourteenth meeting of the Conference of the Parties, Peru supported the adoption of Decision BC-14/12 of 2019 under the Basel Convention, by which Annexes II, VIII and IX were amended to improve the control of transboundary movements of certain types of plastic waste, the same ones that entered into force in 2021.

Similarly, Peru is part of the Global Alliance on Circular Economy and Resource Efficiency (GACERE), the Group of Friends to Combat Marine Plastic Pollution in New York, and the Group of Friends in Nairobi to Combat Marine Litter and Plastic Pollution, which brings together countries with the interest and commitment to make progress in the fight against marine litter and plastic pollution worldwide. In addition, Peru is a member of the High Ambition Coalition to End Plastic Pollution, an initiative that will support the work of the INC and promote ambitious and urgent actions to protect human health, biodiversity, and the climate, within the framework of the negotiations of the future instrument. international.

At the regional level, Peru participates in various forums on circular economy, such as the Circular Economy Coalition of Latin America and the Caribbean, with the subject of plastics being one of its prioritized lines of work, constituting a specific working group. Currently, Peru is part of the Steering Committee of said platform.

Similarly, during its Presidency in the Pacific Alliance in 2019, Peru led the signing of the "Presidential Declaration on the Sustainable Management of Plastics", in which the member countries expressed their concern about the increasing generation, dispersion and accumulation in the environment of plastic and microplastic waste, as well as the associated risks to health, biodiversity, the environment and the economy.

Within the framework of the Permanent Commission of the South Pacific (CPPS), Peru, together with Panama, Colombia, Ecuador, and Chile, adopted the Regional Program for the Comprehensive Management of Marine Litter in the Southeast Pacific, whose update is being evaluated in the context of the Regional Plan of Action of the CPPS.



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Peru also participates in the voluntary non-profit network REMARCO "Research Network on Marine Stresses - Coastal in Latin America and the Caribbean", which has the support of the International Atomic Energy Agency (IAEA), and which uses nuclear and isotopic techniques for peaceful use, to address environmental problems of the marine-coastal ecosystems of Latin America and the Caribbean, thus contributing to the fulfillment of Sustainable Development Goal 14: Life Underwater. In March 2022, Peru became part of the Executive Committee of the Network, under the theme of contamination by microplastics.

Peru has also been selected as one of the 20 partner countries of the GloLitter Partnerships Project. He is accompanied in the region by Argentina, Colombia, Ecuador, Nicaragua, and Panama. GloLitter is a project funded by the Government of Norway and implemented by IMO in partnership with FAO, which aims to help developing countries prevent and reduce marine plastic litter from the shipping and fishing sectors, and identifies opportunities to reduce the use of plastics in these sectors.

Similarly, Peru actively participated in the preparatory meetings and in the Ministerial Conference on Marine Litter and Plastic Pollution in September 2021, co-organized by the governments of Germany, Ecuador, Ghana and Vietnam, with the support of the Program of the United Nations Environment Program (UNEP). Peru expressed its support for the Ministerial Declaration adopted within the framework of the conference.

Currently, the Peruvian Sea Institute (IMARPE) is participating in the research project "Reducing the impacts of plastic waste in the Eastern Pacific Ocean (Ecuador-Peru-Chile)", with six universities in Chile, Ecuador, Peru and the United Kingdom, and which aims to reduce plastic dumping in the Eastern Pacific. Researchers from Peru and the United Kingdom co-lead the component related to "Understanding the impacts of microplastics on commercial fish species and products."

Since 2021, Peru has been participating in the Working Group on Marine Litter and Microplastics in Latin America and the Caribbean, whose objective is to establish a regional cooperation and coordination mechanism to address the issue of marine litter and microplastics, through the exchange of information on good practices, the evaluation of technologies, capacity building and institutional strengthening.



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IV.- ADVANCES IN PERU RELATED TO THE FIGHT AGAINST PLASTICS POLLUTION AND THE TRANSITION TOWARDS A CIRCULAR ECONOMY APPROACH

At the national level, Peru has been implementing a series of actions to change production and consumption practices related to plastics, including the transition towards a circular economy approach. In 2016, Legislative Decree No. 1278, the Law on Comprehensive Solid Waste Management, was published, which establishes five principles that are applicable to the comprehensive management of solid plastic waste, these being: circular economy, waste recovery, extended responsibility of the producer, shared responsibility and protection of the environment and public health.

Between 2018 and 2019, Law No. 30884 was approved, the Law that regulates single-use plastic and disposable containers or containers, and its regulations, whose purpose is to contribute to the realization of the right that every person has to enjoy a balanced environment suitable for the development of their life, reducing the adverse impact of single-use plastic, plastic marine, river and lake waste and other similar pollutants, on human health and the environment. In addition, through its implementation, it is sought that the consumption and production of single-use plastic goods migrate to reusable, recyclable, or biodegradable plastic goods, promoting the transition towards a circular economy in said industry.

In July 2019, the National Competitiveness and Productivity Plan 2019 - 2030 was approved, which articulates the efforts of the public and private sectors in order to promote economic growth, and has among its objectives "to promote environmental sustainability in the operation of activities economic", for which three guidelines have been agreed: generate the conditions to move towards a circular economy; create capacities and instruments for the enhancement of natural resources and ecosystem services; and generate sustainable and cleaner solutions for productive development.

Along these lines, in February 2020, the Roadmap towards a Circular Economy in the Industry Sector was approved, which incorporates actions to promote circularity in the plastics industry and the implementation of Law No. 30884. Work is also being done in Circular Economy Roadmaps in the artisanal fishing and aquaculture sector; as well as in the agricultural and irrigation sector.

In June 2021, Peru established its first completely marine protected natural area called the Dorsal de Nazca National Reserve, which allows the conservation of approximately



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8% of the country's marine surface and part of the chain of underwater mountains Dorsal de Nazca, which has important characteristics of biological diversity and ecological processes, maintaining the artisanal fishing productive activity in said area.

Similarly, in July 2021, the Peruvian Ministry of the Environment approved the Provisions for the Management of Eco-efficiency in the Entities of the Peruvian Public Administration, incorporating the concept of circular economy and the responsible consumption of plastic in the public sector.

At the local level, local governments (municipalities) are promoting the recovery of organic and inorganic solid waste, including plastic waste, through the Incentives Program for the improvement of municipal management. This program contemplates a goal with specific incentives for recycling. By 2021, there were 745 municipalities that participated in this benefit, which has contributed to improving the management of solid plastic waste nationwide.

Finally, Peru has been working on a regulatory instrument that includes the principle of extended producer responsibility (REP) in container and packaging waste -with an emphasis on plastic waste- with the aim of improving its management, from the design of the products until their handling in the post-consumption stage. Through this initiative, the aim is to promote the eco-design of plastic packaging, the inclusion of plastic waste as inputs in other production processes, as secondary raw materials, with the aim of facilitating the transition to a circular economy, in addition to promote their responsible consumption.