

**Follow-up to the OEWG plastic pollution  
Written submission from Switzerland  
14 July 2022**

**I. INC Process**

- The UNEA mandate is to develop an international legally binding instrument on plastic pollution. To this end an **inter-governmental** negotiating committee was established. Switzerland is of the view that the examples we have in the existing MEAs (namely the Vienna Convention/Montreal Protocol, Basel, Rotterdam and Stockholm Conventions and the Minamata Convention) provide us not only with a dynamic model that would be effective and allow for a high level of ambition, but also good practice and efficient process on which to draw. Given the extremely tight timelines that were set out for the negotiation by UNEA, we should be guided by **good practices from similar past processes and depart from precedents only when warranted**.
- The focus of our work is the **development of obligations and measures** that Member States will then have to implement.
- The inputs and expertise from **stakeholders** will be essential to support this work. Therefore, the Multi-Stakeholder Forum should support and strengthen this core substantive work of the INC, but should not divert resources and attention.
- It also means that the agenda for INC 1 (and following INCs) needs to prioritize **time for negotiations** in a variety of format.
- As mentioned in the UNEA resolution, UNEP's Executive Director also has a mandate to continue supporting other initiatives such as the Global Partnership on Marine Litter. This is distinct from the INC process.
- The scope of the future international legally binding instrument on plastic pollution is comprehensive. To support negotiators to devise obligations and other measures of the instrument, the INC Secretariat will have to draw on relevant expertise and ensure it has the necessary competence. The **INC Secretariat cannot work in a silo** – its work will be facilitated by close synergies with all relevant UNEP Divisions, other IGOs and MEAs in Paris, Geneva, Rome and Nairobi – formal cooperation arrangements should be established as appropriate. This requires a physical presence from the INC secretariat in all these UN duty stations and active outreach from UNEP to relevant International Organizations and MEAs, in particular the BRS secretariat, to find ways of meaningful collaboration and cooperation.

**II. Proposed organization of work of the INC plastic pollution**

**General considerations:**

- The structure of the work of the INC needs to be carefully considered. It needs to allow and facilitate discussion on the substantive provisions of the future instrument.
- Having a well-designed organization of work of the INC will also allow Members States and relevant stakeholders to provide targeted essential inputs and make sure relevant experts can best contribute to the different work streams/contact groups.
- The issues of the number of contacts groups and the issue of parallel work are two distinct issues. Some contact groups might not start their work immediately.
- The contact groups would benefit from different dedicated co-facilitators. It will be up to the INC Bureau to create the groups and appoint the co-facilitators. It also implies that the suggested clustering is not for INC 1 but for following INCs
- At INC 1, there will be a need to discuss strategic issues such as scope and objectives.
- It is also important to allow for some flexibility to ensure that the INC can adapt its organization of work to the specific needs and pace of the negotiations.

**Clustering of the work**

- Building on previous similar negotiations, Switzerland is of the view that a **legal group** and a **financial resources/technical assistance group** should be established.

- From previous experience, Switzerland believes it is key to have a dedicated contact group to discuss “**implementation and compliance**” issues. This could notably encompass reporting, monitoring and national action plans. It should not be left for the end but work closely with contacts groups dealing with control measures.
- On the **control measures/obligations** part, Switzerland is of the view that several options are possible to organize the work. It is important to have a structure that facilitates the discussion on all relevant issues. Dividing the work will enable governments but also stakeholders to engage meaningfully as not all issues require the same expertise.
- One option could be to organize the work into contact groups/working groups that represent the different stages of the lifecycle of plastics such as:
  - o Reduction of plastic production and consumption (promotion of sustainable consumption, discussions on provisions such as ban, phase out and reduction of certain types of plastic products, harmful substances as well as intentionally added microplastics and other possible policy options such as taxes).
  - o Design of plastics and other products (could include discussions on traceability, labelling, minimum recycled content, recyclability).
  - o Waste management (including discussions on collection and recycling targets, extended producer responsibility, clean-ups of polluted areas).
- Another option could be to focus on the type of control measures/obligations:
  - o Prohibitions/phasing out of certain types of substance and products.
  - o Product requirements and design standards (traceability, labelling, minimum recycled content, recyclability, etc.).
  - o Implementation and compliance of measures.
  - o Etc.

### **Way forward**

- As there was no time to discuss the clustering issue at the OEWG in Dakar, it might prove useful for the Secretariat to organize consultations in advance of INC1.

### **III. Documentations to support the INC process**

- Switzerland believes that the Secretariat should use to the extent possible existing reports and research and avoid duplication. For example, some research is carried out and reports are being elaborated under the Basel Convention’s Plastic Waste Partnership and should also be of use in the context of the INC process.
- Switzerland would like to make two proposals with regard to the list of documents proposed by the OEWG to the INC:
  - o On the issue of “priorities, needs, challenges and barriers, especially in developing countries, along with an overview of national measures” – Switzerland is of the view that it would be beneficial for the INC process to have a document that would identify the different regulatory approaches taken at the national level covering different regions and level of developments (including technical information on the effectiveness, impact and costs of such measures).
  - o On the issue of “plastics science – monitoring, sources of plastic pollution, chemicals used in manufacturing...” – Switzerland is of the view that it would be helpful for negotiators to have a compendium containing all relevant facts on plastics to allow negotiators to devise priorities and control measures based on facts and science. It would be for example useful to have information on the main sources of plastic pollution by region, information on the main sectors (food, agriculture, textiles, automotive, etc.), information on which plastic product categories are deemed to pose a high risk of being released into the environment and which are the most harmful substances in plastics. Furthermore, information on best-practices and technical advances of marking, sorting and recycling facilities of the most common types of plastics is needed.