

## End Plastic Pollution: Towards an International Legally Binding Instrument

### Written submission from the United Kingdom on recommendations for the INC's organisation of work

#### **Sequencing of work**

The UK is conscious of the ambitious timeline for negotiating the new international legally binding instrument on plastic pollution. The following recommendations are intended to put the committee in the best position to finalise a functional instrument by the end of 2024.

#### **Clustering**

At the end of INC5, the Committee needs to have agreed, at a minimum, the foundational treaty text that can be built on during subsequent Conferences of the Parties. To ensure all essential aspects of the text are negotiated as a priority, the UK recommends using the report "*Possible elements of a new global agreement to prevent plastic pollution*" published by the Nordic Council of Ministers as a basis to structure the negotiations. A suggested breakdown of clusters is included below. These have been inspired by the report but divided in a practical way to ensure the topics under discussion in each cluster are similar in size.

The first three clusters are divided into the three main stages of the lifecycle. Microplastics and plastic pollution in all environmental compartments should be considered under clusters 1-3, as well as potential international implementation measures and contributions to the treaty vision and targets.

1. International measures – upstream, including production, manufacturing and chemical hazard reduction.
2. International measures – midstream, including consumption and movement of plastics, such as trade.
3. International measures – downstream, including waste management and end-of-life.
4. National-level actions, including the consideration of national action plans, industry engagement, sustainability criteria, sustainability standards for plastic products, domestic regulatory measures to manage plastics sustainably, and domestic market-based instruments to influence industry and consumers.

5. Supporting mechanisms, including:

- a. Science and knowledge-building, including a science-policy interface, monitoring, and research.
- b. Measuring progress, including reporting national performance, verification of national reporting, and the option of a Global Review.
- c. Education and awareness raising, funding and capacity building.
- d. Institutional arrangements, such as the structure of the instrument (including arrangements for a governing body, a secretariat and subsidiary bodies), Rules of Procedure, synergies with existing multilateral environmental organizations, and industry and civil society partnerships.

On the topic of working groups, we agree that these will be necessary to progress work as efficiently as possible during the time available. Therefore we propose having two concurrent negotiation tracks. However, we have concerns that more than two concurrent working groups will prove counterproductive, as many small delegations will not be able to participate, and identical negotiations may reoccur during plenary.

**INC agenda**

It is important to avoid using INC 1 as a general information sharing session, as this is not the most efficient use of the limited time available. Instead, Member States could prepare and share submissions ahead of INC 1 outlining their priorities and vision for the final treaty, to create a common understanding ahead of INC 1 of different country positions and avoid lengthy statements on ambitions for the treaty at INC 1.

Similarly, we invite the Secretariat or pre-Bureau (noting it will only become official once agreed at INC 1) to establish informal subsidiary groups and potential co-facilitators prior to INC 1 informed by the responses to the submissions by Member States on the priorities for INC1, to ensure that initial discussions on each substantive element of the treaty can take place during the first INC meeting in subsidiary groups if required. These discussions can guide the co-facilitators to produce a meeting summary that can be built upon at INC 2. We welcome views on whether the zero-draft treaty text should be produced by the INC Secretariat or be a collation of the co-facilitators' meeting summaries.

At the closure of INC 1, we could expect the following outputs:

- Summary of discussions provided by co-facilitators, which can be used as the basis for the zero-draft text (either by the Secretariat or a collation of co-facilitator summaries)
- Agreement on clustering and working groups for the rest of the INC process.
- Agreement on prioritisation of discussion points at INC 2
- Agreement or provisional schedule on intersessional processes

The meeting summary or zero draft text should be presented at INC 2 and formal negotiations should begin in agreed working groups. Life cycle measures could form the

basis of these first negotiations, to allow time for discussion on substantive issues. While agreement may not be reached at INC 2, having a foundational understanding of where consensus is forming will be required to make substantive decisions on the supporting mechanisms, including science and knowledge-building and measuring progress.

A legal drafting group should also be formed at INC 2, to ensure that all iterations of the text have the required legal input.

The agendas for INCs 3 to 5 should be flexible to ensure time is allocated depending on the fluctuating needs of the Committee. However, while we predict that there will be key areas of contention within discussions on life cycle measures, it is important that negotiations on essential procedural elements of the treaty and supporting measures are not neglected and can be agreed upon by INC 5.

We also encourage the INC Bureau and Secretariat to consider how non-governmental stakeholders could be engaged meaningfully during the INC process to inform discussions and that the Secretariat consider how attendance from key stakeholders such as the informal sector can be facilitated.

## **Next steps**

We recommend that the Secretariat commissions submissions from Member States outlining their vision for the final instrument to inform discussions at INC 1 and support the establishment of a zero-draft treaty text after INC 1.

We recommend that the Secretariat organises informal virtual meetings ahead of INC 1 to allow countries to present the content of their written submissions on the INC programme of work and vision for the treaty. This will allow time for discussions that were not held at the Open-Ended Working Group without using up valuable time during INC 1.

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