

Submission by the United States of America
July 15, 2022

(i) The sequencing and organization of the INC

The United States welcomes the opportunity to share our thoughts on the sequencing and organization of the intergovernmental negotiating committee (INC) in preparation for INC 1, recognizing that final details of the organization of work will be determined by the INC through its first and subsequent meetings, including the organization of contact groups, informal groups, subsidiary organs, and/or legal groups.

On the agenda and organization of work for INC 1, we suggest that the INC start with broad and robust plenary discussions on all issues relevant to the mandate of the INC, as contained in UNEA resolution 5/14, paragraphs 3 and 4. After these initial discussions, countries should consider the mandates and organization of any contact groups or informal groups based on those discussions, including the total number of groups and any clustering of issues. We would prefer not to see any clustering of issues on the provisional meeting agenda of INC 1 as the INC should hold initial discussions regarding the formation of contact groups and clustering. Our early thinking on prioritization and organization of issues is below.

On prioritization of issues, after an initial plenary discussion, we believe the INC should focus on issues where it is most likely to make progress. We see value in having early discussions on many of the topics, recognizing that the INC may not be able to conclude discussions on some issues until there is progress on related issues. For example, it would be helpful to hear detailed thoughts on the potential objectives of an instrument, noting discussions on this topic may not be able to be fully concluded until there has also been robust discussion on possible substantive obligations, among other issues.

As stated above, the United States believes that the organization of groups should only be determined after robust plenary discussions on all issues relevant to the mandate of the INC. We offer the following early thoughts on clustering of topics given that the establishment of any such groups could take place as early as INC 1. For example, in our view, any future contact groups could initially be organized around the provisions called for in paragraph 3 of UNEA resolution 5/14. We would be concerned about orienting initial groups around topics not outlined in the resolution, such as on specific parts of the lifecycle of plastics, which could hinder progress on developing the global agreement. We also recognize that there will likely be a need to revisit the organization of groups as discussions in the INC progress. Initial groupings could possibly entail some or all of the following:

1. Objective; Promoting sustainable production and consumption of plastics and national action plans [paragraph 3 (a), (b), (d) & (e)]
2. Promoting national and international cooperative measures; and promoting cooperation and coordination with relevant regional and international conventions, instruments and organizations [paragraphs 3 (c), and (k)]
3. National reporting, periodic assessment of the progress of implementation of the instrument, and periodic assessment the effectiveness of the instrument in achieving its objectives [paragraphs 3 (f)-(h)]
4. Scientific and socioeconomic assessments and promoting research and development [paragraphs 3 (i) and (o)]
5. Awareness-raising, education and the exchange of information, encouraging action by all stakeholders, and initiation of a multi-stakeholder action agenda [paragraphs 3 (j) and (l)-(m)]
6. Arrangements for capacity-building, technical, and financial assistance [paragraph 3 (n)]
7. Compliance [paragraph 3 (p)]

(ii) Substantive issues which would contribute to preparation of documentation for INC 1, in particular, regarding potential elements of the future instrument as well as priorities, needs, challenges and barriers and overview of national measures

We appreciate the substantial efforts that the Secretariat will undertake to prepare for INC 1, including the development of documents that will help countries undertake robust preparations and come ready to engage in substantive discussions at INC 1. We see the purpose of these INC 1 documents as enabling countries to begin negotiations based on a common understanding of the relevant information pertaining to plastic pollution and multilateral agreements. We also reiterate our understanding that these documents are not meant to produce draft text of the global agreement, but rather to provide a broad overview of concepts related to the potential structure and elements of a global agreement that will enable countries to start the negotiations from a common understanding.

We would encourage the Secretariat in preparing documents for INC 1 to draw from relevant materials that have been previously developed through discussions under UNEA and other international organizations. We also encourage the Secretariat to consider a range of multilateral environmental agreements, beyond those focused on chemicals and waste, when preparing documents for INC 1. This information could provide insights into broad options for the structure of the instrument and potential elements, based on provisions in paragraphs 3 and 4 of UNEA resolution 5/14, as well as descriptions of standard articles on final provisions.

The glossary of key terms does not need to be exhaustive, but it could include terms that will be helpful for countries to reach common understanding of how to describe the lifecycle of plastic. However, we urge the Secretariat in the INC 1 documents to avoid defining terms where countries might have differing interpretations or where there is not international agreement on the definitions, such as: circular economy, plastic, problematic, avoidable, essential, and necessary/unnecessary.

Regarding the request for an overview of national measures, the United States is sharing a non-exhaustive list of measures to combat plastic pollution at these sites: <https://www.state.gov/u-s-actions-to-address-plastic-pollution/> and <https://g20mpl.org/partners/unitedstates>.

(iii) The content and considerations for the preparation of the forum as set out in the OEWG information document entitled ‘Preparations for the forum’

The United States appreciates the Secretariat’s efforts to enhance stakeholder engagement during the OEWG and welcomes the opportunity to provide input into the development of the multi-stakeholder forum for INC 1. We strongly support enhanced stakeholder engagement during the INC process and see value in providing a forum to support such engagement by stakeholders who have interests and equities in combating plastic pollution. We support the Secretariat’s proposal to hold the forum one day in advance of INC 1 and urge the Secretariat to provide ample time in the schedule for countries and stakeholders to attend.

We agree that the forum should be open to a broad set of stakeholders that have interests across the lifecycle of plastics and should include perspectives from national and sub-national governments, the private sector, and civil society. We generally support the Secretariat’s suggestions for the forum’s agenda as contained in document OEWG/1/INF/4 but believe that it may be difficult to meet all the objectives proposed in paragraph 8 of the document. The dialogue at the OEWG was very useful, and we see potential value in continuing such forums at the future INCs and believe such forums will be especially helpful in developing a vision for the multi-stakeholder action agenda and will be a complement to side events. We are interested in hearing from other countries on their interest in continuing such forums at future INCs.

We offer a few suggestions on the organization of the forum for INC 1 that may help facilitate discussions among stakeholders and government representatives.

- We suggest the Secretariat consider hosting an exhibition or showcase that can enable stakeholders to share information about their activities to combat plastic pollution. This could be done by displaying stakeholder posters or other interactive exhibits.
- We think an important aspect of the forum is providing time for informal discussions and encourage the Secretariat to provide opportunities for informal networking, which could be done by building in breaks and not having several discussion sessions in parallel, and possibly providing additional opportunity for this through a reception after the forum.
- We would welcome the agenda including a discussion of how different actors might best contribute to the multi-stakeholder action agenda the INC will design, and discussion of different approaches to measuring the collective impact of all stakeholders in addressing plastic pollution, including in the marine environment.
- We think that the forum should provide an opportunity for stakeholders to announce commitments that include all actions that will help combat plastic pollution and suggest the Secretariat consider a broader framing about the type of announcements that would be appropriate for the forum. We would also encourage the Secretariat to share these announcements of commitments in its report to INC 1.