



## Written submission from WWF on recommendations for the organisation of work of the INC to develop an international legally binding instrument

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In order to ensure both productiveness and comprehensiveness in organising the work of the Intergovernmental Negotiating Committee (INC), WWF recommends an action-oriented analysis of the goal, scope and non-exhaustive elements and provisions of the new legally binding instrument as mandated by UNEA Resolution 5/14, to identify areas of work and consider potential options to structure them.

Firstly, regarding the goal and scope, Resolution 5/14 specifies the development of an international legally binding instrument to eliminate **plastic pollution**, including in the marine environment, based on a **comprehensive approach that addresses the full life cycle of plastic**. The INC should take a science-based approach to break down the problem into specific categories, identify areas where common and harmonised global rules can have the largest impact, and prescribe the most appropriate combination of measures and obligations to address specific problem categories.

Reaching the goal of ending plastic pollution in the most effective and cost-efficient manner would require adopting measures and obligations at the stage of the life cycle that maximises their effect. This would differ vastly from one plastic category to the other. Breaking down the problem of plastic pollution into specific categories and subcategories would enable such deliberations.

Measures and obligations can be clustered into three distinct groups based on the specific results in phases of the plastic life cycle they are expected to deliver: a) Elimination and minimisation of the total volume of high-risk and leakage-prone plastic products and materials, b) circulation and creation of closed loops for necessary plastic products, and c) the safe collection, management and disposal of plastic products at the end of use.

Based on this, three overarching areas of work for the INC can be outlined:

1. To identify and consider the characteristics (including leakage risks, pathways, and potential harms to health and environment) of specific plastic materials and products that are found as pollutants, or at high risk of becoming pollutants

*This area of work could be substantially conducted and/or supported by the Secretariat, through comprehensive review and analysis of available evidence. WWF recommends that this area of work pays particular attention to the critical challenges of single-use plastic items and packaging, microplastics, and fishing equipment.*

2. To identify and consider the implementation potential, impactfulness and cost-efficiency of harmonised global measures that may be taken in a comprehensive approach that addresses the full life cycle of plastic

*This area of work could include the task to formulate specific core provisions on control measures in the instrument. To further structure discussions, WWF recommends establishment*

of three technical working groups, following an action-oriented framework of measures targeting phases of the plastic life cycle:

- a. **To minimise high-risk plastic production and consumption**, through global bans or phase-outs of their production, sale and trade (**Elimination and minimisation**)
  - b. **To minimise leakage risk across the value chain**, through global requirements on designs and standards—including labelling, design for recyclability, traceability, minimum recycled content; and accountability mechanisms—including deposit-refund schemes, recycling targets, and reporting (**Circular approach**)
  - c. **To minimise the mismanagement of plastic waste** through global disposal restrictions and waste management standards (**Safe management**)
3. To identify a methodology, or criteria framework, to determine the most appropriate, implementable, impactful and cost-efficient measure or combination of measures for each of the specific (group of) materials and products found as pollutants, or at high risk of becoming pollutants

*This 3<sup>rd</sup> area of work completes the last step in formulating core provisions on control measures, through defining which specific parts of the problem would be targeted by which specific measures. WWF recommends that this area of work be conducted by and in parallel with the three aforementioned technical working groups.*

Secondly, the provisions and elements outlined in paragraph 3 and 4 of Resolution 5/14 further inform the areas of work to be conducted by the INC. These provisions can be categorised into two main groups:

**Group 1:** Core provisions: Obligations and measures on sustainable production and consumption, product design, environmentally sound waste management and circular economy development

*This group of provisions on control measures will specify what States must do in a harmonised manner to tackle plastic pollution across the plastic life cycle. WWF recommends that the discussion and formulation of these provisions follow the action-oriented framework as described above, and is accomplished through the three concurrently-running technical working groups (**Elimination, Circular Approaches, and Safe Management**)*

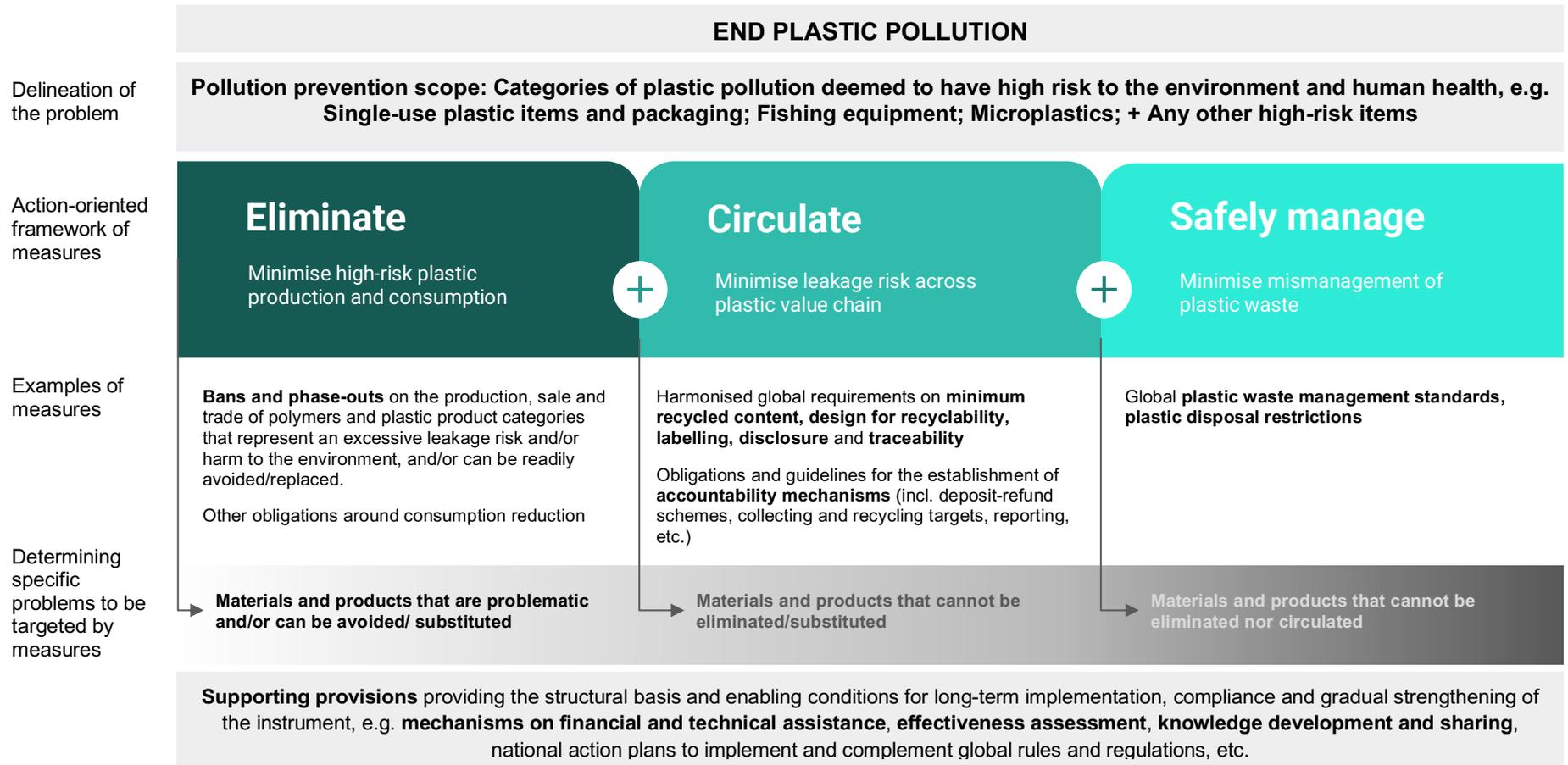
**Group 2:** Supporting provisions: Objectives<sup>1</sup>; definitions; research, development and sharing of knowledge; assessment of implementation and effectiveness of the treaty; mechanisms to provide assistance to implementation, including financial and technical support, and technology transfer; national action plans and reporting; cooperation and coordination measures; measures to address compliance and non-compliance, etc.

*This group of provisions provide the structural basis, specific directions and necessary conditions for the long-term implementation and further development of the instrument. WWF recommends that the work on this group of provisions is conducted in one cluster, and in parallel with the works for Group 1. Discussions can take a phased approach, in regards to its various content, throughout the negotiation process (e.g. discussion and formulation of provisions on objectives should be prioritised at the beginning of negotiations process, whereas assessment of implementation can be specified at a later stage).*

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<sup>1</sup> Objectives can help provide further details to specific directions and ambitious aims of the instrument. However, the main areas of control measures (core provisions) can already be identified with the adoption of the goal to “end plastic pollution” and the “comprehensive approach that addresses the full life cycle of plastic.”

Figure 1. Structuring areas of work required for delivering the treaty's overarching goal and scope



This recommended structure provides considerable flexibility for the INC, its Chairs and Bureau, in prioritising topics of discussion through allocation of dedicated time to each topic during each INC, while ensuring that the negotiation can productively progress through all elements of the treaty, as well as all control measures that cover the full life cycle of plastics. However, WWF believes that the INC should hold no more than three simultaneous groups, to allow for effective participation by all States and stakeholders—especially for delegations with limited size.

WWF understands that it would be a considerable task for the Bureau and Secretariat to effectively organise all these areas of work within the limited timeframe of negotiation, taking into consideration to balance many different challenges. For the particular challenge of conducting simultaneously-running working groups, WWF proposes a phased-approach to time-allocation for these discussions, for the INC’s consideration. Below is a suggested example of how this approach could be operated:

Figure 2. Example of a phased-approach to allocating time for different topics of discussion

	INC-1	INC-2	INC-3	INC-4	INC-5
Group 1	Overall discussions on three areas of work for core provisions on control measures, organise technical working groups and assign intersessional	Eliminate	Eliminate	Eliminate	Eliminate
		Circulate	Circulate	Circulate	Circulate
		SM*	Safely Manage	Safely Manage	Safely Manage
Group 2	Vision, objectives, targets, definitions	National action plans and reporting, Assistance to implementation, Compliance	Knowledge development, Cooperation and coordination, Implementation and effectiveness assessment	Revisiting outstanding texts	Revisiting outstanding texts

\*Safely Manage

**For more information, contact:**  
 Eirik Lindebjerg  
 Global Plastics Policy Lead  
 elindebjerg@wwf.no