Response to the Zero Draft text of the international legally binding instrument on plastic pollution, including in the marine environment (UNEP/PP/INC.3/4)

The Scientists' Coalition for an Effective Plastic Treaty (Scientists' Coalition) extends sincere gratitude to the Chair and the Secretariat for their meticulous efforts in formulating the Zero Draft (ZD) as the foundation for forthcoming negotiations. In preparation for the third session of the Intergovernmental Negotiating Committee (INC-3), we hereby present our reflections and contributions on the ZD.

KEY REQUIREMENTS

The Scientists' Coalition highlight the following five key requirements:

1. **Time-bound, legally binding primary plastic polymer reduction targets for each Party** to ensure the attainment of **a global aggregate reduction target.**
2. **Safety, sustainability, essentiality, and transparency criteria** for bio- and fossil-based feedstocks, chemicals, polymers, alternatives, substitutes[1], products, technologies, and systems/services (using group and hazard-based approaches where appropriate), in addition to chemicals and polymers that are particularly concerning.
3. **Initiation of sector-specific strategies and work programmes** across the plastics supply chain.
4. **A dedicated multilateral fund, plastic pollution fees and mandatory Extended Producer Responsibility** to provide financial resources for upscaling reduction and safe and sustainable reuse and facilitating a just transition to closed loop systems that eliminate non-essential production and consumption.
5. **An independent, trusted science-policy interface including expert committees under the Governing Body of the instrument** that takes a central role in the development, review and update of targets, assessment criteria, guidelines, protocols and procedures for monitoring and reporting, and subsequent lists in the annex of the treaty. This body should include experts from the natural, material, and social sciences as well as indigenous[2] and local expertise.

[1] See more in the Scientists' Coalition Policy Briefs: The Global Plastics Treaty: What is the role of bio-based plastic, biodegradable plastic and bioplastic? & Bioplastics, biobased plastics, and plastics with biodegradable properties 101

[2] See more in the Scientists' Coalition Fact Sheet: A global plastics treaty guided by indigenous Pacific wisdom

EXECUTIVE SUMMARY

Our general endorsement lies with 'Option 1' as the starting point for negotiations for most provisions, given their higher ambition and better suitability to achieve the mandate of resolution 5/14 to achieve sustainable production and consumption of plastics. These provisions must be grounded in the zero waste hierarchy, and embody the principles of prevention, precaution, polluter-pays, and non-regression.

We endorse the broad adoption of three key components from the Montreal Protocol. Firstly, **the concept of 'essential use',** which involved the phased elimination of ozone-depleting chlorofluorocarbons except for certain 'essential' uses, and which defined the concept of 'essential use' in Decision IV/25. The two elements of an essential use are that it is "necessary for health, safety or is critical for the functioning of society" and that "there are no available technically and economically feasible alternatives." Secondly, we support **a time bound global reduction target for the production of primary plastic polymers with globally agreed national targets.** Thirdly, we propose that a **dedicated, independent and trusted scientific body/science-policy interface (SPI)** should have the mandate to formulate such targets and effective mechanisms for their implementation.

Criteria for **safety, sustainability, essentiality, and transparency** - distinct yet reinforcing requirements - should be developed by independent experts to assess bio- and fossil-based feedstocks, chemicals, polymers, alternatives, substitutes, products, technologies, and systems/services. **We recognize the potential of a hybrid regulatory approach consisting of prohibited, restricted, and permitted lists for these groups**, and underscore the imperative for alternatives and substitutes to undergo consistent and comprehensive assessment in alignment with this framework. We welcome the development of assessment criteria to determine annex listings, and strongly advocate **prioritizing criteria development during the intersessional period and beyond.**

There is a pressing need for a rigorous monitoring, reporting and evaluation framework coupled with clear and measurable time-bound targets that can be overseen and reviewed. To ensure responsiveness to emerging scientific knowledge, criteria and respective lists need to be updated regularly by a **dedicated SPI including expert committees under the Governing Body of the instrument**. This includes Parties' requests for exemptions, which need to be rigorously assessed on a case-by-case basis based on globally-agreed criteria with clear time-bound targets and phase out strategies. We support the addition of a provision that would allow countries to propose new listings in the annexes independent of periodic assessments.

We support sector-specific approaches and strongly urge a provision to enable Parties to develop **dedicated sectoral strategies and work programmes for each major industrial and economic sector across the plastics value chain.** These are imperative to foster sufficiently comprehensive and tailored regulatory approaches, and should be supported by a dedicated multilateral fund combined with a plastic pollution fee (Part III.1.9) and mandatory Extended Producer Responsibility (EPR, Part II.7.1) to provide fiscal incentives for upscaling zero waste, plastic-free and re-use products, systems and services globally.

Lastly, we reiterate the importance of effectively and urgently **responding to plastic pollution as part of a complex set of mutually reinforcing planetary threats**, including climate change[3] and biodiversity loss in a manner that does not further threaten, but rather protects, supports and improves human and environmental health, human and non-human rights and social equity and justice. This should be better reflected in the preamble and integrated throughout the ZD text

[3] See more in the Scientists' Coalition Policy Brief: Climate change impacts of plastics.

PART I

The Scientists' Coalition advocates for the instrument's objective as follows: *"to end plastic pollution and protect human health and the environment, guided by a comprehensive approach addressing the full lifecycle of plastic*." This formulation combines aspects of Option 1.1 and Sub-option 2.1.2. We believe this provides a broad scope that captures all facets of the mandate without compromising the ongoing and intergenerational obligations of the global community to collaboratively end plastic pollution.

4. Principles

We recommend refraining from negotiating specific articles related to principles. Instead, we encourage Committee members to seamlessly integrate principles directly into the ZD, where salient, drawing from established international ethical, legal, scientific, and social principles. This approach better leverages limited negotiation time to enhance the direct application of these principles in formulating effective control measures. For a more comprehensive exploration of principles to incorporate during this process, please refer to the 'Scientists' Coalition Submission B' to INC-3.

5. Scope

UNEA Resolution 5/14 mandates Parties to adopt a "*comprehensive approach"* encompassing the *"full life cycle of plastics*,*"* with the aim of achieving "*sustainable production and consumption*." The 'full life cycle' of plastics begins at the feedstock sourcing stage through to the removal of plastics from the environment and the remediation of contaminated ecosystems. For guidance on what plastic pollution and full life cycle entails, please refer to the Scientists' Coalition's 'Definitions relevant to the scope of the plastics instrument'.

PART II

1. Primary plastic polymers and Annex A, I

We support legally-binding reduction targets for the production of primary plastic polymers for each Party to ensure the attainment of a global aggregate reduction target (Option 1). These targets should remain in annex A rather than the main body to ensure necessary flexibility in the face of rapidly-evolving scientific knowledge.

Reduction targets should apply to all phases of plastic production, and we propose expanding the scope of Part II.1 to cover all key actors in the production phases of the plastics supply chain. This should include the extraction of fossil-based and bio-based plastic feedstocks as well as the production of other chemicals intended for the production of plastic polymers, materials, and products. To address this, the SPI should have a clear mandate to formulate such time-bound targets and effective mechanisms for their implementation.

Additionally, we propose replacing ambiguous language such as "prevent or mitigate" with "eliminate", to improve clarity and facilitate implementing a legally binding instrument. "Supply" is also a vague concept; instead, we propose using production and consumption and applying "consumption" as defined by the Montreal Protocol: "consumption = production + imports - exports". Producers, transformers and recyclers should be obliged to transparently divulge production volumes of primary plastic polymers to enable Party reporting obligations.

2. Chemicals and polymers of concern and Annex A, II

We support the elimination of globally agreed chemicals and polymers of concern[4] laid out in an annex (Option 1), explicit consideration of the full life cycle of these chemicals, and a consistent adoption of a group-based approach to regulation. We support a hazard-based approach to develop the criteria and identify chemicals and polymers of concern in Annex A (and Annex B) as more protective of human health and the environment, as opposed to a risk-based approach which adds regulatory complexity, cost, and delays in achieving the instrument's objectives. The SPI should develop the criteria for identifying and grouping chemicals. We also welcome inclusion of the word "safe" before "environmentally sound management," and assert that this should be clearly defined and inclusive of the full life cycle.

The following important aspects that are currently underrepresented or missing in Part II 2:

Moving beyond only regulating chemicals and polymers that are particularly concerning. Accordingly, we recommend the inclusion of provisions that promote the safe and sustainable design and simplification of the chemical composition of plastics. These are prerequisites to designing better products (Part II 5), creating regulatory certainty, and fostering innovation.

Lack of consideration of non-intentionally added substances. These chemicals are abundant in and inherent to plastics, representing a major challenge in terms of safety and sustainability and impede transition to a safer and more sustainable circular economy.[5] For these reasons, Part II 2 should cover the "use or presence of chemicals, groups of chemicals and polymers" listed in part II of annex A.

The utilization of prohibited, restricted, and permitted lists could enhance the safety of plastics, and encourage innovation. We recognize the limitations of 'permitted' lists in providing absolute safety due to the demanding burden of proof, which is currently not available and poses technical challenges to generate. The SPI should regularly assess and update the criteria for and listings of chemicals and polymers of concern.

3. Problematic and avoidable plastic products and Annex B

We support globally agreed sector-based restrictions for groups of products listed in an annex (Option 1), including its scope for specific timelines for phaseouts. We also welcome the general phase out of intentionally added microplastics, and emphasize the imperative need to include nano-sized particles with very limited exemptions requiring substantive burden of proof.

The phrase 'short-lived' and/or 'single-use' must include all products designed to remain in use for short periods of time, including those designed for their disposability or planned obsolescence. While there is a need for clear definitions of 'short-lived', 'intentionally added', 'single use', 'product' as well as other key terms, we do not support separate workstreams dedicated to definitions in the intersessional period. Instead, we recommend workstreams consider the strengths and weaknesses of UNEP definitions and those in other MEAs alongside the latest scientific consensus in their deliberations.

Science-based essentiality, safety, and sustainability criteria considering a full life cycle approach will be needed. These must include criteria for safe and sustainable design, reuse, repair, repurpose, remanufacture, and recyclability, particularly for products intended for food contact materials, children's toys, and multilayered and composite products. The instrument could also take inspiration from existing regulatory initiatives, such as the European Union's Single Use Plastics (SUP) Directive for annex listings.

We propose to consolidate the terms 'avoidable' and 'problematic' within scientifically assessable 'safety', 'sustainability', and 'essentiality' criteria, with 'non-essential' replacing 'unnecessary'. Alongside additional transparency criteria, this consolidation facilitates the phased elimination of products that do not meet these criteria, as determined by the SPI.

[4] See more in the Scientists' Coalition Policy Brief: Role of chemicals and polymers of concern in the global plastics treaty

[5] See more in the Scientists' Coalition Policy Brief: Transitioning to a Safe and Sustainable Circular Economy for Plastics

5. Product design, composition, and performance and Annex C

We support the text contained in Option 1 for Part II 5a, b, c and d. With necessary development, these subsections are better suited to support essential elements of the new instrument, including legally binding and globally agreed: (i) safety, sustainability and essentiality design and performance criteria, including sector-specific criteria, (ii) labeling and certification with broader transparency assessment criteria, and (iii) targets for reduction, reuse, refill and repair, repurpose, remanufacture, and recycling prioritized according to the zero waste hierarchy.

We welcome the specific provisions on safe, sustainable closed loop systems which prioritize reuse and refill but also the right to repair, refurbish, and remanufacture. To ensure efficacy, minimum design criteria for safe, sustainable, essential, and transparent closed loop systems that prioritize high-impact sectors will be required. Reuse and refill systems, in particular, also deserve further prioritization and prominence in other areas of the instrument, such as Part II.7 (EPR) and Part II.12 (just transition), as essential elements to support national implementation (Parts III and IV).

It is unclear why there is a separate article on 'alternative plastics and plastic products', as this is a departure from the agnostic approach to alternatives and substitutes taken so far in the process, including in UNEP/PP/INC.2/4. Safety, sustainability, essentiality, and transparency criteria require indiscriminate and universal application to all plastics and substitutes, irrespective of type or carbon source to avoid regrettable substitution and problem shifting. Leveraging the International Standards Organisation (ISO), the World Customs Organisation, Harmonised System (HS) codes or other standards bodies is endorsed. However, these should conform to, rather than replace, globally agreed minimum requirements (i.e., assessment criteria and associated guidelines and regulatory approaches) established under the instrument.

Of particular concern is recycled content, where we advise extreme caution, particularly for products such as toys, food packaging (and other food contact articles) and textiles, which can directly expose humans to nano- and microplastics and chemicals of concern that accumulate or are generated during recycling processes. Similarly, we advise against 'downcycling' plastics (e.g., into roads) as the potential release of hazardous byproducts during the degradation process and the limited lifespan of such applications pose substantial long-term risks to ecosystems and human health.

7. Extended producer responsibility and Annex B

We endorse the implementation of mandatory Extended Producer Responsibility (EPR) with modalities specified in an annex (Option 1). However, it is crucial for the text to underscore the imperative for EPR to go beyond merely funding recycling and perpetuating existing models of non-essential, unsafe, and unsustainable production and consumption. Instead, it should prioritize activities high up the zero waste hierarchy, including systems, material and product redesign for prevention/reduction of plastic pollution including safe and sustainable reuse and refill systems. These should be closed loop systems, which are characterized by lower material, carbon and water footprints, with relatively higher employment opportunities[6], and the absence of chemicals of concern. EPR fees should contribute towards infrastructure improvements, market development, improved waste management including to support informal waste workers/waste pickers, safe and sustainable removal of legacy plastics, remediation of polluted ecosystems, and compensation for loss and damage.

This transformative agenda necessitates globally agreed EPR criteria, incorporating eco-modulation of fees, and ensuring clear alignment with minimum requirements for reuse products, systems, and services.

[6] Llorente-González and Vence (2020). How labour-intensive is the circular economy? A policy-orientated structural analysis of the repair, reuse and recycling activities in the European Union. Resour Conserv Recycl, 162, 105033.

This strategic approach is foundational for the reduction of material footprints to align with the overarching mandate of the instrument, which strives for sustainable production and consumption.

A textual revision is proposed, replacing "take into account" with "ensure that the measures taken contribute to" just transition (Part II.12). This revision reinforces our global commitment to transformative change. Furthermore, we strongly advocate for the explicit inclusion of "informal waste pickers" from UNEP/PP/INC.2/INF/4 III.A, recognizing their indispensable role in the transition to a more equitable and restorative reuse economy.

EPR systems should be overseen by independent management, free of conflicts of interest, and co-designed and governed in a collaborative multi-stakeholder manner.

8. Emissions and releases of plastic throughout its life cycle

We emphasize the need to understand plastic pollution broadly, encompassing negative effects and emissions resulting from production and consumption of plastic materials and products across their entire life cycle[7]. In addressing the intricate challenge of plastic emissions across the lifecycle, we underscore the imperative for sector-specific strategies and dedicated work programs (e.g. fishing gear, shipping, agriplastics, packaging, textiles, automotive, electronics, etc). Such strategies would meticulously identify the necessarily tailored policies and initiatives orchestrated by both state and non-state actors along the entire value chain. Through guideline development and incorporation into national and regional plans, these strategies are paramount in ensuring that all sources are adequately addressed and mitigated.

In relation to Part II.8.2, we endorse the development of guidelines for best practice handling for plastic pellets, powders, flakes, and chemicals throughout the supply chain, including during transportation.

9. Waste management and Annex F

We support global sectoral targets for minimum safe and environmentally sound collection, sorting, recycling and disposal rates covering plastic waste generated at the production, distribution, use and end-of-life stages.[8] 'Safe and environmentally sound management' has yet to be defined, even within the Basel Convention, and is therefore open to interpretation. We strongly advocate for the development of science-based criteria provided in the annex to define prohibited, restricted, and permitted waste management practices and technologies.

This section must be clearly linked to Part II.7, Part II.12 and Part III.1 to promote safe and sustainable circular business models through plastic pollution fees paid by polymer producers and EPR for plastic waste management on a sectoral basis. The text should promote the establishment of a waste disposal classification system at country level as a basis to support socioeconomic and environmental baseline studies, and the monitoring, reporting and evaluation necessary for national and regional plans and regular reporting to the instrument's Secretariat.[9] This classification system must clearly illustrate the extent to which Parties' waste management reflects the zero waste hierarchy, and be linked to Part IV.3 and 4 of the draft.

We appreciate the inclusion of a dedicated provision for fishing gear, recognising the necessity for tailored governance for this significant source of plastic pollution. However, effective governance must extend across the entire lifecycle of fishing gear including land and sea-based activities and associated plastic products, encompassing material, and toxicological and biosecurity (i.e. propensity to mobilize pathogens and invasive species) aspects. The current placement of the provision within waste management inadvertently downplays the importance of these imperative upstream measures, and also with respect to the need for removal and remediation (see section 11 below).

[7] Please refer to Definitions relevant to the scope of the plastics instrument for a more comprehensive discussion.

[8] See more in the Scientists' Coalition Policy Brief: Waste Management

[9] For example, Appendix I of MARPOL 73/78 and Art. 8-10 of Annex III of the Protocol on Environmental Protection to the Antarctic Treaty).

These provisions should also address plastics from shipping activities due to gaps in the current MARPOL framework, for instance, by enhancing ship retention and port reception facility capacities[10] to ensure that ships can prevent disposal and leakages at sea and that adequate facilities in ports receive plastic waste of all types (including derelict fishing gear). Adopting a single-fee system (as in HELCOM) is needed to incentivise port disposal while defining strong measures for non-compliance to effectively prevent ocean dumping, in line with provisions of existing treaties.

10. Trade in listed chemicals, polymers and products, and plastic waste

We recognize the significance of this section, but emphasize the necessity for a precise definition of "plastic waste." We suggest integrating Basel Convention codes B3011, Y48, and A3210 for coherence and efficacy as their absence may impede progress. We also advocate for the incorporation of plastic materials such as textiles and rubber, which are not listed in the Basel Convention annexes, into the instrument to better prevent the transboundary movement of plastic waste.

Article 10b references authorization and monitoring, which mirrors the approach of the Basel Convention. While this approach is effective in theory, it has proven ineffective in practice. The instrument needs to go beyond this strategy and clarify its enhancements. Likewise, although the phrase "content control" may sound appealing and lead to a de facto ban, an accurate definition is required as it may not be practical and could lead to fraudulent practices.

The suggested control mechanism in Part II.10b.3b has the potential to go beyond Prior Informed Consent, which can be considered as a de facto ban because it is almost impossible to determine the additive content of a mixture (e.g., Y48). To a certain extent, this provision corresponds to the strength of Annex A. The greater the number of chemicals of concern included in Annex A, the more difficult importing substances containing these ingredients becomes. However, it is conceivable that content identification may indicate "unknown content" or "unidentified content," creating a loophole for exports. The text should therefore contain a clear statement that "unknown" is not an option that can be used to comply with this requirement. The clear language employed must effectively ban the movement of transboundary plastic waste.

11. Existing plastic pollution, including in the marine environment[11]

While we support a dedicated focus on ecosystems that are highly polluted, we acknowledge that plastics and associated chemicals are ubiquitous. As such, the terms "hotspots" and "accumulation zones" should be replaced by terminology such as "ecosystems with high levels of plastic pollution" to use environment-centric language that facilitates addressing the issue more holistically. The establishment of assessment criteria for removal and remediation technologies and activities to determine annex listings must be based on the best available independent scientific consensus and carried out as described in the executive summary. As much as possible, removal should be carried out as close to the source as possible as this is the most effective and environmentally sound approach.

The notion of “existing” plastic pollution, as understood in this provision, must include chemicals associated with plastics and aggravating impact on biodiversity loss and climate change and apply to all removal and remediation options and technologies. The same level of scrutiny must be applied to areas both within and outside of national jurisdictions.

Remediation and restoration of ecosystems polluted by plastic, while critical, should not be used as a way of legitimizing continued primary production through off-setting schemes. Prior emphasis on technological solutions and community clean-up efforts have failed to address plastic pollution and will continue to do so without a determined focus on upstream interventions.

[10] For example, Regulation 12, Annex 1 of MARPOL 73/78 as well as Article 9 of Annex IV to the Protocol on Environmental Protection to the Antarctic Treaty which covers ship retention capacity and reception facilities.
[11] See more in the Scientists' Coalition Fact Sheet: Plastic Removal Technologies 101

12. Just transition

We welcome treaty articles on the just transition[12] for affected workers and communities, but propose several changes. As important actors with specific needs and challenges, waste pickers in informal and cooperative settings should be explicitly mentioned as per the options paper (UNEP-PP-INC.2/4), as should Indigenous peoples.

In the provision of skills and job opportunities, the zero waste hierarchy should be followed, prioritizing jobs in reuse, refill, and repair (including for waste pickers). Safety at work should be a prerequisite for formal as well as informal workers in the plastics value chain, and trade unions and workers' organizations mentioned as relevant stakeholders to be consulted by coordinating bodies; consultations should not only be national in scope.

Regional and international transition bodies should be established that can evaluate and respond to local considerations, such as the unique challenges of small island developing states. We also underscore the importance of extending the scope of just transition initiatives across the entire plastics supply chain, emphasizing the need to address the impacts of escalating and toxic plastics production on environmental and human health, including its ongoing expansion, particularly for affected communities and workers.

Clarity on how the just transition policies will be financed and otherwise supported is also needed. EPR fees should not be used only for improved infrastructure for waste workers, but also for infrastructure (especially safe and sustainable reuse systems), development, compensation for loss and/or damage, safe and sustainable removal of plastics from the environment, and remediation measures (including health) for populations impacted by plastic pollution, particularly in low and middle-income countries.

13. Transparency, Tracking, Monitoring, and Labeling

We appreciate the intent for disclosure of chemicals, polymers, products, technologies, systems and services across the plastics lifecycle, including plastics alternatives and substitutes, in the context of other provisions, particularly Part II.2, 3, 4, 5, 7, 8 and 11.

To ensure this provision achieves its goal, the guidelines to be adopted by the Governing Body should ensure incorporation of specific transparency criteria for all stages of plastics lifecycle, including disclosure of chemical and particle release for all plastic products regardless of the listings adopted as Part II.8, Annex E. Some of the information that should be disclosed for plastics and plastic products may include chemical composition, polymer type, recycled content, durability standard met, and information about safe use and management.

Additionally, where these future Guidelines may rely on the current models such as the Globally Harmonized System for Hazard Communication, it is imperative that no exemptions be granted for commercial sensitivity or confidential business information. This holds particularly true when the disclosures required by the Guidelines bear relevance to safety and sustainability for chemicals, polymers, products, systems and technologies. A parallel can be drawn with the Stockholm Convention, which unequivocally states that "information on health and safety of humans and the environment shall not be regarded as confidential." Thus, there should also be no potential for exemption from transparency pursuant to Part II.4.

Following our recommendation for the instrument to fully adopt and embody the precautionary principle, it is the responsibility and cost-burden of the producer or manufacturer to demonstrate the safety of the product, technology or service/system rather than the responsibility of public authorities to show harm.

[12] See more in the Scientists' Coalition Policy Brief: Towards a Just Transition Away from Plastic Pollution

PART III

1. Finance; 2. Capacity-building, technical assistance and technology transfer

We support a dedicated multilateral fund as a means to provide adequate and stable financial and technical assistance (Option 1). While the new fund is being established, we support arrangements between the governing body and an existing multilateral fund(s) to provide financial assistance under an expedited process for enabling activities in less developed countries. We also support a 'plastic pollution fee' proposed in the draft text, but like EPR fees, believe that such costs should be allocated independently of a multilateral fund to focus on waste management, remediation, and infrastructure development to support prevention/reduction through reuse systems and product redesign.

PART IV

2. National Plans

Establishing a standardized format for National Plans (NPs) is crucial, as is ensuring consistency and clarity in their structure and content while considering national capabilities and financial resources. While governments should take the lead in formulating their respective NPs, a collaborative approach, such as through regional dialogues and plans, is key to allowing inputs from diverse sectors and stakeholders. Reporting on progress and ensuring accountability should be directly linked to NPs and regional plans (RPs), emphasizing their central role in the implementation process.

We emphasize the need for financial and technical support and capacity building for countries in developing and implementing NPs and RPs that ensure all Parties meet their obligations to the instrument while allowing limited flexibility such as with exemptions and time bound targets, acknowledging common but differentiated responsibilities. We advise prioritizing National Implementation Plans over National Action Plans and National Determined Contributions given their stronger legal basis and comprehensive outline of how a country intends to fulfill its obligations under the instrument, which must define global targets. This includes specific policies, legislations, and regulations crucial for effective implementation.

3. Reporting on Progress; 4. Periodic assessment and monitoring of the progress of implementation of the instrument and effectiveness evaluation

The imperative of reporting and monitoring must extend beyond a mere procedural obligation. It serves as a critical mechanism to demonstrate the efficacy of measures, and to instill accountability, responsibility, transparency, and access to information among both state and non-state actors in order to enhance future decision-making. The overarching goal should be to evaluate progress in pursuit of sustainable production and consumption of plastics, and materials and products that might be used as alternatives and substitutes to plastics. Consequently, we advocate the adoption of Option 1 for Part IV.3 as the point of departure for negotiations due to more detailed specifications regarding reporting timelines, submission processes, content, modalities, and review procedures.

Central to periodic effectiveness evaluations will be the essentiality, safety, sustainability, and transparency assessment criteria previously discussed, which alongside the guidelines, protocols and procedures (including quality assurance and control for monitoring, assessment and reporting) must be determined by the SPI. These should be undertaken every three years, following the approach taken in the Strategic Approach to International Chemicals Management (SAICM). We suggest a minimum of three components for these assessments. For national-level reporting, this should include:

1. Assessing the shift to safer and more sustainable approaches to plastics, employing indicators such as production volumes of fossil and bio-based plastic feedstocks, of plastic chemicals, primary plastic polymers and the production and consumption of plastic products. Waste management practices, the composition, use and fate of plastic products, and the import and export of plastic waste will also need to be monitored in coordination with the Basel Convention. The phase out of chemicals and polymers of concern and phase-in of replacements represents another monitoring need, as does the adoption of materials and products that demonstrably offer safer and more sustainable alternatives and substitutes to plastics.

2. Monitoring of sources and volumes of plastic emissions, utilizing indicators including waste management practices across the lifecycle based on a harmonized classification system (see section II.9 above), plastic waste trade, primary and secondary microplastic use and emissions from all sectors of the global economy (including fisheries-related and agricultural plastics). A sector-specific approach would facilitate this (see section 8 below). Member states should report volumes of plastics waste and litter collected in the different sectors outlined, and evaluate the quantities released to the air, water, and land.

Additionally, we advocate that resources are made available through a multilateral fund (see section III.1 above) or other mechanisms for global environmental monitoring especially in areas beyond national jurisdiction. Such information will offer insights into the presence and impacts of plastic pollution beyond what national reporting provides, facilitate informed conclusions regarding the necessity for further interventions, and evaluate the overall effectiveness of the instrument over extended periods, guiding future priorities and actions. This would include:

3. Monitoring plastic pollution in various environmental compartments, including land, sea, the atmosphere, and biota. This should include monitoring of remote areas, such as polar and deep sea, freshwater, alpine and desert ecosystems and the built environment. Key indicators should include quantities of micro- and macroplastics, plastic chemicals, and bioindicator species. Such monitoring should be based upon globally harmonized approaches, developed by the SPI.

Moreover, we strongly endorse granting the SPI a central role in interpreting monitoring data to assess progress relative to the instrument's objectives. This role should be clearly articulated in the draft text. The achievement of a comprehensive assessment and monitoring necessitates a systemic approach to indicators and data reporting. Coordinating institutions should explicitly outline information needs and gaps, and delegate monitoring roles to sectoral stakeholders capable of providing this information on a national scale. Auditing is essential for self-monitoring and self-reporting to authenticate reported data to the Secretariat.

8. Stakeholder engagement

A major omission of the current text is that it only refers to the importance of Indigenous, traditional and local knowledge and communities in a cursory manner. Waste pickers are not mentioned in the zero draft and yet civil society and members state submissions emphasize the value of waste pickers in reducing plastic pollution and the need for their full and meaningful participation in implementation measures.

The first draft will also need to recognise key sectoral contributions to plastic pollution and the concurrent need for formal and informal sector-specific approaches to address plastic pollution associated with, inter alia, fishing gear, shipping, agricultural plastics, packaging, textiles, automotive, electronics, etc). We strongly urge Parties to consider the development of dedicated strategies and work programmes for each major industrial and economic sector across the plastics supply chain. This will enhance the overall feasibility and impact of the proposed measures, fostering a more comprehensive and tailored regulatory approach. In addition to the above, for an indicative list of sectors for initial consideration, see UNEP/PP/INC.2/INF/4.[13]

[13] Please note that this represents a starting point based on Party submissions and requires significant development.