

gW, GAIA and #BreakFreeFromPlastic submission for considerations to the INC1 process on plastic pollution

groundWork, Friends of the Earth South Africa, is a non-profit environmental justice and developmental organization, working in South Africa and across Africa seeking to improve the quality of life of vulnerable people and assisting civil society to have a greater impact on environmental governance. We place particular emphasis on assisting vulnerable and previously disadvantaged people, who are most affected by environmental injustices. Our current campaigns are climate and energy justice, coal, waste and environmental health. We also host an environmental justice school annually. groundWork is the African coordination hub of the [#BreakFreeFromPlastic](#) movement and the zero waste alliance known as [GAIA](#).

We recommend that the following elements of the instrument structure, key concepts, procedures, and mechanisms are needed for an effective international instrument on plastic pollution:

1. **A robust and coherent structure:** common definitions and methodologies, robust and binding transparency requirements, reporting and monitoring requirements, no deceptive accounting (no neutrality or credits) and a common scientific body. The instrument's effectiveness will also largely depend on an enforcement mechanism.
2. **Cap, reduce and ban:** UNEA resolution 5/14 mandates negotiations to set up an international instrument with the goal to "end plastic pollution". The instrument's structure, elements and targets must therefore be ambitious enough to support this goal. Therefore, a common, global production and use ban can be considered. Bans can be implemented gradually through a cap-and-reduce approach, and with attention to industry and regional specificities. Caps on plastic production and use can be introduced at first, with consideration for the agreement on phase-downs at the same time, followed by targets and timeframes that are incrementally strengthened, towards complete bans. Regulation can be multifaceted, with emphasis on specific polymers, additives or uses at different times, in order to progress towards reduced plastic production and use overall.
3. **Common binding standards for toxics limit levels and testing,** with specific emphasis on the risk of toxics concentration in recyclate
4. **National Action Plans that:**
 - **support reuse** as the most sustainable alternative to single-use plastic products from an overall environmental perspective through infrastructure, resources and incentives, anchoring controls on plastics within the broader circular economy
 - **guarantee just transition for waste-pickers and associated workers,** the new international instrument should recognize and support waste-pickers, as well as establish measures for a just transition for waste-pickers, following the ILO's framework, including requirements to involve waste-pickers in the elaboration of

legislation that affects their livelihoods, and guarantees for their fundamental rights. Such provisions could also be amplified through National Action Plans.

5. **Dedicated fund to support developing countries' compliance and action on legacy plastic and toxic pollution**, prioritizing environmental justice communities. A dedicated fund can ensure fairness by giving developing countries the financial means to comply with treaty obligations. Action on legacy plastic pollution in the environment and associated toxic pollution can also be financed through a dedicated fund, with priority for environmental justice communities, particularly given the environmental persistence of plastics in the environment and associated toxic pollution. The fund could be resourced with contributions from the petrochemical industry, shifting the financial burden which is currently borne by local governments with no say on production and design decisions that shape the plastics economy and the cost of plastic waste management and pollution clean-up. However, this should not be the only source of funding and consideration/provision should be made for the inclusion of public finance.
6. **A subsidiary scientific body, free of conflicts of interest, that responds to queries and requests from the parties.** This body should incorporate both science as well and Indigenous and traditional knowledge practitioners.
 - It could develop harmonized testing methodologies for plastics and associated toxics in human bodies, which are key to avoiding the circulation of toxics in the plastics economy and their concentration in recycled products.
 - Scientific research and data can also help assess the **environmental impacts of different plastic waste-management technologies and processes**, and the **extent to which they displace virgin plastic production**. Therefore, the instrument must only support waste-management technologies that minimize harm to human health and the environment, are resource-efficient and support the circular economy, and exclude technologies that harm the environment, human health, and waste resources.
 - To date, studies show that:
 - The **thermal treatment of plastic waste and so-called “chemical recycling” of plastics are toxic, carbon-intensive, and materially inefficient.**
 - **Incinerator ash is a source of microplastics.**
 - Recycling has a valuable role to play in **delaying the final disposal of plastic waste but cannot prevent it** and can have its own toxic impacts.
 - Recycling **cannot be assumed to displace virgin plastic production** - it can simply increase the total plastic feedstock supply.
7. The new international instrument must implement the **principle of proximity** that the Basel Convention has enshrined but failed to operationalize and implement. Developed countries remain the top per-capita consumers of plastic and generators of plastic waste, and have the responsibility to curb their plastic production, use, and waste exports to developing countries and countries in transition.

We further recommend the following organization of work for INC1:

8. **Negotiation time allocation should follow the waste hierarchy**, giving the priority to upstream limits on production and uses (including the sourcing of feedstocks for plastic production), and **uses** (including limiting applications such as for disposable products, and policy support for reuse), followed by design requirements, and waste-management (including waste-pickers' rights to recognition and just transition). Negotiations must address pollution issues, including plastic, toxic and climate pollution, as they occur at each of these stages (production, use, waste-management, legacy plastic pollution).
9. **Financial and interpretation support in all negotiation spaces (not limited to plenary) and beyond the UN languages, depending on the groups participating** should be made available with special attention to waste-pickers, fenceline and frontline communities and Indigenous and Traditional communities, and women who must be able to participate effectively in negotiations if they choose to, and their inputs must be adequately reflected. Resources should be allocated for a process to specifically engage Indigenous communities and waste-pickers and ensure that those communities are able to shape their engagement process.

-END-

The logo for 'groundWork' features the word 'ground' in a black, lowercase, serif font, followed by 'Work' in a green, uppercase, serif font. A thick, horizontal green brushstroke underline is positioned beneath the 'Work' portion of the text.

groundWork