

## **Call for written submissions – Proposed response template on the potential options for elements towards an international legally binding instrument**

On 9 December 2022, the Executive Secretary of the INC Plastic Pollution Secretariat sent a notification inviting written submissions from members of the committee and from stakeholders. The template below is intended to provide guidance to members of the committee and stakeholders in structuring the written submissions.

As requested by INC-1, written submissions will inform the secretariat in the preparation of a document with potential options for elements towards an international legally binding instrument, for consideration at the second session of the INC, without in any way prejudging what the committee might decide regarding the structure and provisions of the instrument. The document is to be based on a comprehensive approach that addresses the full life cycle of plastics as called for by UNEA resolution 5/14, including identifying the objective, substantive provisions including core obligations, control measures, and voluntary approaches, implementation measures, and means of implementation.

The template below is meant to assist Members and stakeholders to prepare their written submission as a guide. A number of documents prepared for INC-1 are of relevance, notably UNEP/PP/INC.1/5 on 'Potential elements, based on provisions in paragraphs 3 and 4 of United Nations Environment Assembly resolution 5/14, including key concepts, procedures and mechanisms of legally binding multilateral agreements that may be relevant to furthering implementation and compliance under the future international legally binding instrument on plastic pollution, including in the marine environment'.

The template is divided into three sections:

- Substantive elements
- Implementation elements
- Additional input

All written submissions must be sent to [unep-incplastic.secretariat@un.org](mailto:unep-incplastic.secretariat@un.org). The statements received will be compiled and made available the INC webpage.

Please note that it is not required for all fields to be answered in the template for submission.

### **Deadline for submissions:**

- 6 January 2023 for written submissions from stakeholders.
- 10 February 2023 for written submissions from Members of the Committee.

## TEMPLATE FOR SUBMISSIONS

Name of country (for Members of the committee)	Japan
Name of organization (for stakeholders to the committee)	
Contact person and contact information for the submission	<p>Kotani Tomoe Position: Deputy Director Office: Global Environment Division, International Cooperation Bureau, Ministry of Foreign Affairs Email: tomoe.kotani@mofa.go.jp</p> <p>Koike Shinya Position: Deputy Director Office: Resource Efficiency and Circular Economy Division, Industrial Science and Technology policy and Environmental Bureau, Ministry of Economy, Trade, and Industry Email: koike-shinya@meti.go.jp</p> <p>Ichikawa Tomoko Position: Deputy Director Office: Office of Policies against Marine Plastics Pollution, Environment Management Bureau, Ministry of the Environment Email: TOMOKO_ICHIKAWA@env.go.jp</p> <p>Nagaosa Daisuke Position: First Secretary Office: Embassy of Japan in Kenya, Deputy Permanent Representative of Japan to UNEP Email: daisuke.nagaosa@mofa.go.jp</p> <p>Yorita Yume Position: Second Secretary Office: Embassy of Japan in Kenya, UNEP Focal Point Email: yume.yorita@mofa.go.jp</p>
Date	13 <sup>th</sup> February 2023

## I. Substantive elements

### 1. Objective(s)

a) *What objective(s) could be set out in the instrument?*

#### I Premises:

Due consideration should be given to the following points when we discuss substantive elements of a plastic treaty (an international legally binding instrument on plastic pollution);

- Plastic pollution in marine and other environments needs to be tackled through a full-life-cycle approach, taking into account national circumstances.
- Engagement by both plastic consuming and emitting countries is a key factor for effectiveness on the treaty.
- Insufficiency of established scientific data on concrete negative impacts and risk of plastic pollution on human health and the environment, and of appropriate methodologies for monitoring.
- Technological and scientific characteristics of plastics and the utility of certain plastics in the socio-economic context
- Avoiding overlapping with other international environmental agreements or regulations.

#### II Objective:

- A treaty must have general and simple objectives centered around the mitigation of adverse impact by plastic pollution to the marine and other environments and biodiversity, and to protect human health from potential risk, while recognizing the important role of plastics for society. Plastic is useful and can be reused and recycled.
- Related risks of plastic pollution to human health should be carefully considered based on the future progress of scientific knowledge and evidence.
- To attain the objectives, we need to set a global common goal to reduce additional plastic pollution particularly in the marine environment to zero by a certain year. The Osaka Blue Ocean Vision is now shared by more than 80 countries and regions. Though the Vision's target year is 2050, now there is growing support to the target year 2040. We need to negotiate an ambitious goal agreeable to all Members.
- The instrument should be facilitative, encouraging and promotional for society as a whole, actively engaging various stakeholders towards ending plastic pollution.

### 2. Core obligations, control measures and voluntary approaches

a) *What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?*

- Members must establish an appropriate mechanism in the whole society to promote circular economy on plastic and control plastic leakage into the marine and other environments.
- To this end, Members must take necessary measures to promote plastic circularity measures such as reduce, reuse, recycle and renewable measures in society, covering every stage of plastic lifecycle, such as production, sales, consumption, waste management and disposal, taking into account national circumstances. The approach of addressing every stage of plastic lifecycle is the most viable and effective to prevent plastic pollution.
- Changes need to be made on demand side as well as on supply side. If the mindset and behavior of people at the distribution and consumption stage change for example by awareness-raising, actions of production side will change accordingly, responding to the demand side's need. The instrument should encourage such demand side management in addition to measures on the supply side to keep plastic production within sustainable levels.
- In such way, promotion of circular economy at every stage of the plastic lifecycle should bring about nexus by mutual efforts. That said, when there are insufficient substantive measures taken to prevent the leakage of plastics into the environment, fundamental measures such as waste management should be given priority as an effective response.
- The following illustrative effective measures for plastic circularity and its leakage prevention must be reflected in National Action Plans which covers measures at every stage of plastic lifecycle, with a concrete roadmap on the measures to attain the global goal until a target year by strengthening Members' efforts over time, according to national circumstances.
- Members' efforts and their achievement should be reported and reviewed periodically. In addition, checking the global progress made by all Members should be conducted.
  - Production stage
    - Reduce plastic use out of the loop of plastic circularity, including single use plastic
    - Enhance sustainable product design for the environment by production improvement such as volume reduction, simplification of packaging, ensuring long life of plastics, reuse of parts, use of mono materials, making it easier to break apart, sort out and transport for ease of recycling
    - Promote evaluation of plastic product footprints on the environment, sharing information on product materials, cooperation between stakeholders, and standardization of product design and guideline
    - Develop and encourage use of substitute materials
    - Avoid production and use of plastics which are difficult to be collected and unable to be recycled, also known as problematic plastics, and promote the shift to substitute materials
    - Collect and recycle used plastics by production sectors (promotion of reuse, improvement of recycling rate of plastics)
  - Distribution/consumption stage

- Reduce single-use plastics
  - Collect and recycle used plastics by distribution/consumption sectors (promotion of reuse, improvement of recycling rate of plastics)
  - Raise awareness about the problem of global plastic pollution and the importance of our behavioral changes in plastic use
  - Waste management and disposal stage
    - Develop national sound waste management policies based on the appropriate priorities of waste management
    - Ensure nation-wide sorting, collection and recycling systems for plastics
    - Enhance recycling capacity in light of current usage levels and future projections to ensure environmentally sound waste management
    - Prevent illegal dumping and littering, avoid open dumping and implement sound waste disposal
    - Collect discharged plastics into the marine and other environments
  - Others  
(International/ Regional Cooperation, and other measures that can be adopted by future Conference of Parties (to be considered in light of scientific and socio-economic assessments and technological development))
- The National Action Plans should include targets, actions and relevant indicators in the medium term as well as long-term strategies towards the realization of the global goal and objectives of the instrument.
- Technical research and development should be promoted to foster more innovative solutions to prevent plastic pollution, in broad relevant areas, including material recycling, chemical recycling, effective waste disposal, usage of biodegradable substitute plastics which do not harm the environment.
- In addition to requirements for National Action Plans, the instrument should adopt a set of technical guidelines for sustainability for the purpose of harmonizing definitions, improving product designs, measuring and reporting on progress, as necessary.
- Measures with regard to the production or use of plastics should not be one size fits all restrictions such as imposing a blanket ban. Such measures need to take into account national circumstances and its socioeconomic impacts including its effectiveness. The necessity to introduce this type of restrictions should be carefully examined based on solid scientific evidence and through discussions among experts including stakeholders.

## II. Implementation elements

### 1. Implementation measures

- a) *How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)*
- b) *How to ensure effectiveness of the instrument and have efficient national reporting?*
- c) *Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).*

#### **National Action Plans**

- National Action Plans will constitute the most essential part of the instrument particularly with regard to accelerating country-driven actions to end plastic pollution, in addition to monitoring and evaluating implementation and progress.
- A transparent and robust PDCA (Plan Do Check Action) mechanism for assessment of members' actions should be introduced, based on standardized and periodic reporting and peer review. The mechanism should ensure the continued strengthening of actions of individual countries and their collective achievement over time towards the global goal. Assessing the global collective progress by Members should also be conducted every 5 years.
- As mentioned above, the National Action Plans should include targets and actions in the medium term as well as long-term strategies towards the realization of the global goal and objectives of the instrument.
- Ensuring transparent assessment of progress by Members, visualization of implementation should be realized by using objective data and its evidence on measures in National Action Plan. Such data and its evidence include numerical information on production and consumption, leakage along the value chain, waste generation, collection of waste, recycling (quantity/rates), collection of discharged plastics from the marine and other environments, policy targets and goals reflecting the global goal, detailed roadmap towards the realization of the targets and goals, and their achievements.
- In this regard, it is important for each Member to strive towards visualizing domestic flows of plastic in the plastic lifecycle and losses to and accumulated stocks in the environment as shown in Figure 1 of UNEP/PP/INC.1/7. Such visualization would highlight priority areas for reducing plastic pollution taking into account national circumstances.

### 2. Means of Implementation

With respect to means of implementation, document UNEP/PP/INC.1/5 covers the following elements: capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance.

a) *What measures will be required to support the implementation of the instrument?*

- Measures to support the implementation of the instrument should be targeted to those most in need in relation to objectives and obligations of the instrument, taking into account the effectiveness of the assistance.
- To end plastic pollution, engagement by all stakeholders is critical to implement necessary measures and mobilize financing they entail. It is important to utilize the existing public financial mechanism and resources from private sector as well to broaden the donor base.
- Sharing information among Members on best practice for technical methodologies to address plastic pollution is effective and efficient to find viable solutions.
- For instance, under the G20 Implementation Framework for Actions on Marine Plastic Litter, more than 50 countries have been submitting reports on their actions on an annual basis since 2019. Information sharing and continued updating with peer learning helps identify areas where further action is needed. Another example for sharing experience is the Regional Knowledge Center for Marine Plastic Debris (PKC-MP) which is also collecting good practices in the ASEAN+3 region.
- G20 report on Actions on Marine Plastic Litter: <https://g20mpl.org/>
- The Regional Knowledge Center for Marine Plastic Debris (PKC-MP): <https://rkcmpd-eria.org/>
- MARINE Initiative: [https://www.mofa.go.jp/ic/ge/page25e\\_000317.html](https://www.mofa.go.jp/ic/ge/page25e_000317.html)
- Such existing initiatives and regional hubs for information sharing could assist the implementation of the instrument at the local, national, regional and international levels. Examples of the functions may include: database and knowledge hubs, training center for capacity building, and expert review on reporting activities.
- Targeted assistance is required to make the most of limited resources. The assistance should be targeted for the most effective measures for the recipient, for example, waste management, disposal or recycling system whose scale and method are well-planned according to the national or regional needs, examined in advance and regarded as the most effective and cost-efficient. The effectiveness of assistance is a key to tackling the plastic pollution.
- There are various existing multilateral and bilateral support that can complement the support under the instrument. Japan is providing infrastructure development, through policy making, technical and capacity building on waste management and recycling.
- The accumulation of scientific knowledge is the foundation of all measures. Enhancing scientific and technical capacities on monitoring of plastics in the environment and identification of sources should be an essential element in the provision of support to ensure measurable progress at the national, regional and global level.
- As part of an existing suite of tools and techniques for comparable monitoring, there are guidelines for harmonizing methodologies of plastic monitoring in the environment, along with a training program based on the guidelines provided by Japan.

Guidelines for Harmonizing Ocean Surface Microplastic Monitoring Methods:  
(<https://www.env.go.jp/content/900515659.pdf>)

### III. Additional input

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

#### **Accumulation of scientific knowledge**

- Gathering and sharing scientific knowledge is crucial in considering the nature of the new instrument and how to ensure its effectiveness. Definition on fundamental terms is necessary including a common ground on the scope of this instrument.
- There are various fields of scientific knowledge that must be involved, for example, on monitoring and/or quantifying of the amount of discharged plastics, on environmental and human health impact, and on technological innovation. It is necessary to consider how such fields relate to the instrument in order to determine the most appropriate system for accumulating said field of knowledge and how to conduct its assessment, while avoiding duplication with existing scientific bodies under relevant treaties, e.g. the Stockholm Convention and its POPRC.
- Ensuring availability and periodical update of scientific knowledge is vital for informed decision making and implementation of appropriate actions. One example of such information is the existence and density of microplastics in the ocean. The instrument could build on Japan's online database and mapping system for ocean surface microplastics generated by globally collected data based on the harmonized guidelines, which will soon be available online.

#### **Expert group**

- Japan proposes establishing a technical expert group on plastic that may provide recommendations to the Intergovernmental Negotiating Committee.
- The expert group will make necessary analysis including socio-economic aspect on plastic by dealing with usage of plastic in different environments, scientific evidence, and existing regulations, among others.
- The group should consist of experts, scientists, academia and other stakeholders such as industry sectors.
- The recommendations could be utilized by INC to consider definition, standards and criteria in the instrument.

#### **Engagement by multi-stakeholders**

- Sharing views by multi-stakeholders is important to implement measures against plastic pollutions, taking into consideration the wide usage of plastic products today.
- We need an ambitious and effective approach to decide on the necessary measures so that a broad range of stakeholders can be engaged in their efforts to prevent plastic pollution and scale up their actions over time.



- The existing and evolving actions by stakeholders towards many environmentally friendly approaches to end plastic pollution cannot be underestimated, and rather should be promoted to expand as quickly as possible.
- In this sense, Japan supports the process of engagement by stakeholders including governments, scientists, civil societies through multi-stakeholder forums, submissions, seminars and side events as well as the participation to an abovementioned expert group to seek their proactive involvement.

**Other items**

- Japan would like to further contribute to discussions among Members by providing more inputs on other items accordingly.