

Proposed response template on written submissions prior to INC-3 (part b)

Potential Areas Identified by the Contact Groups

At its second session, the intergovernmental negotiating committee (INC) requested the secretariat to invite written submissions on:

- Any potential areas for intersessional work compiled by the co-facilitators of the two contact groups¹, to inform the work of INC-3.

The template below was prepared by the secretariat, in consultation with the Chair, and is meant as a guide to assist Members and Observers in preparing their written submissions.

All written submissions must be sent to unep-incplastic.secretariat@un.org. The submissions received will be made available on the INC webpage.

Please note that not all fields in the template need to be answered in the submission.

Deadline for submissions:

- I. By **15 August 2023** for written submissions from **observer organizations**.
- II. By **15 September 2023** for written submissions from **Members of the Committee**.

¹ Contact Group 1 focused on Section A: Objective(s). Section B: Substantive Obligations; Contact Group 2 focused on Sections C: Means of Implementation. D: Implementation measures. E: Additional matters as contained in part II of the Annex to document UNEP/PP/INC.2/4.

TEMPLATE B FOR SUBMISSIONS

Name of country (for Members of the committee)	The Islamic Republic of Iran
Name of organization (for observers to the committee)	Ministry of Foreign Affairs
Contact person and contact information for the submission	Mr. Gholamhossain Darzi, Director General for International Affairs of Environment and Sustainable Development gdarzi@yahoo.com & irfocal@yahoo.com
Date of submission	1 November 2023

**Input on the potential areas of intersessional work to inform the work of INC-3
(following the lists compiled by the co-facilitators of the two contact groups)**

Potential areas for intersessional work

The list of potential areas for possible intersessional work compiled by the co-facilitators of the two contact groups at INC-2 is set out below. Members and observers may wish to provide input on one or more of these areas.

Contact group 1:

1. Information on definitions of, e.g. plastics, microplastics, circularity
2. Information on criteria, also considering different applications and sectoral requirements, including:
 - a. Chemical substances of concern in plastics,
 - b. Problematic and avoidable plastic polymers and products and related applications
 - c. Design e.g. for circularity, reuse
 - d. Substitutes and alternatives to plastic polymers and products of concern
3. Potential substances of concern in plastics, problematic and avoidable plastic polymers and products
4. Potential sources of release of microplastics (applications and sectors).

(Please note: A longer list is included in the co-facilitators report on discussions in contact group 1². Submissions may also include input on any of the items in that longer list, such as, amongst others, the development of criteria to prioritise problematic and avoidable plastics; the development of targets for the reduction, reuse and repair of problematic and avoidable plastic products; or the guidelines on EPR)

² The report can be accessed here: <https://wedocs.unep.org/bitstream/handle/20.500.11822/42621/CG1.pdf>.

It is strongly viewed that many proposals contained in the documents UNEP/PP/INC.2/4 of 13 April, UNEP/PP/INC.2/INF/4 of 23 May 2023 and UNEP/PP/INC.3.4 of 4 September 2023 Concerning Chemical substances of concern in plastics, Problematic and avoidable plastic polymers and products and related applications, Substitutes and alternatives to plastic polymers and products of concern, Potential substances of concern in plastics, problematic and avoidable plastic polymers and products as well as Potential sources of release of microplastics (applications and sectors) aim beyond the objectives of the instrument and shift the focus of discussions from plastic pollution to upstream restriction and prohibitions. Such proposals do not give due regard to the followings:

- the vital role of polymers in the world economy and trade;
- the importance of polymers for food security and public health;
- concerns over industry-wide disruptions due to trade measures incompatible with rules of the World Trade Organization (WTO) and preferential trades agreements;
- large variety of national circumstances and capacities.

Concurrently, the scope of the instrument should exclude the stages of extraction and processing of primary raw materials as well as the stages relate to virgin polymer production, since no plastic pollution s generated at these stages of production and raw materials can be used for production of other mom plastic products. Therefore, the following substances and materials should be left outside of the scope of the future instrument due to their absence in the scope of negotiating mandate on plastic pollution provided in the UNEA Resolution NO. 5/14:

- raw materials, such as hydrocarbons and their derivatives,
- intermediate products, such as virgin polymers, which have to be further processed for serving end uses,
- any dual-use items.

Contact Group 2:

1. To consider the potential role, responsibilities and composition of a science and technical body [to support negotiation and/or implementation of the agreement]
2. To consider potential scope of and guidance for National Action Plans [including optional and/or suggested elements]
3. To identify current provisions within existing MEAs [and other instruments] on cooperation and coordination that could be considered
4. To consider how other MEAs provide for monitoring, and suggest best practice
5. To consider options to define 'technology transfer on mutually agreed terms
6. To further consider how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]
7. To identify options to mobilize and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF))
8. To map current funding and finance available [to address plastic pollution] and determine the need for financial support for each Member
9. To identify capacity building and training needs for each Member.

Inputs relating to potential areas for intersessional work. Please identify clearly which area your input relates to.

1. On potential role, responsibilities and composition of a science and technical body to support negotiation and/or implementation of the agreement:

- Establishment of a science and technical body to support implementation of the instrument by member states is of many benefits.
- As a subsidiary body, this organ shall be open-ended and representatives of all Member States of the instrument will participate in its meetings.
- This body would meet once a year or as being decided by the COP of the Instrument.
- This subsidiary body shall discuss and review issues of scientific and technical nature in particular those mandated by COP.
- The decisions of this body shall be adopted through consensus and would be forwarded to the COP for its consideration and final approval.
- Representatives of stakeholders including private sector, civil societies, NGOs and Intergovernmental organizations could participate in the meetings of this subsidiary body as observers.

2. Regarding potential scope of and guidance for National Action Plans [including optional and/or suggested elements]:

- Countries have ownership and sovereign right over National Action Plans, its design, scope, adoption and implementation arrangement and measures, taking into account their national circumstances, capacities and capabilities. Therefore, preparation, implementation and

submission of NAPs shall be optional and subject to national capacities, capabilities and decisions, and nothing could bind or limit the sovereign right of member states in this respect.

- Accordingly, it would be up to the member states to define the scope and targets of their NAPs.
- Guidelines by COP of the instrument should be optional for parties and to facilitate preparation and implementation of NAPs and promote their comparability across parties while allowing for their nationally appropriate nature.
- Countries shall also decide on the need to review and to update their National Action Plans, taking into account their capacities and the potential options for generally applicable guidelines developed by the COP.
- The parties could include in their NAPs the following information:
 - the national strategies, policies, laws and regulations as well as the measures to reduce plastic pollution
 - the ways and means designed/established to improve efficiency of the measures in recycling and reuse of plastic wastes
 - measures to enhance research and development of environmentally sound alternatives to hazardous plastic products and their application.
 - measures to reduce toxic emissions from plastic wastes.
 - the policy, laws, and measures to enforce "Extended Producer Responsibility" established at the national level.
 - any program and/or measure to minimize the impacts of plastic pollution including on marine environment.
 - any information on financial, technical and technological needs and requirements for execution of NAPs.
 - any financial resources mobilized from domestic resources as well as financial, technical and technological support received from other countries, organizations and Multilateral development banks for implementation of their NAPs.
 - any challenge or barrier which restricts or prevents developing country parties to access financial, technical and technological support required for implementation of their national plans.
 - communication of national action plans by Developing country parties to the Secretariat should be optional and upon availability and accessibility of financial, technical and technological support to these countries.
 - NAPs could be periodically reviewed and updated if necessary by the submitting parties.
 - In addressing issues related to the implementation of the future instrument, neither the Secretariat nor any party shall evaluate, assess, or consider matters that relate to the implementation and compliance with the provisions of the future instrument by individual parties.
 - A mechanism including a committee to facilitate implementation of the future instrument by the parties would be established. However, in carrying out its tasks, the committee shall strive to avoid duplication of efforts, shall neither function as an enforcement or dispute settlement mechanism, nor impose penalties or sanctions and shall respect national sovereignty. This committee shall protect the confidentiality of the information received in confidence. The committee shall be facilitative, expert-based in nature and function in a manner that is non-intrusive, non-adversarial and non-punitive and shall pay particular attention to the respective national capacities and capabilities of parties at all stages of the review process. The committee

shall also consider and provide flexibilities for the developing country parties in the light of their capacities and capabilities.

The supreme body of the future instrument also will consider the reports of this committee and advise if necessary its guidelines and/or recommendations in a manner that is facilitative, non-intrusive, non-adversarial and non-punitive and shall pay particular attention to the respective national sovereignty and capacities and capabilities of parties.

3. On cooperation and coordination mechanisms advised by existing MEAs and other instruments:

- No Comment at this stage.

4. In regard to monitoring, and best practices suggested by other MEAs:

- No Comment at this stage.

5. On options to define 'technology transfer on mutually agreed terms':

- Concessional and preferential terms should be considered to facilitate transfer of new and state of the art technologies and know-how to developing countries for efficient plastic wastes recycling and reuse;
- A special body being established under the Instrument could consider and advise various ways and means to facilitate and to enhance relevant innovation and transfer of technology to developing countries including through FDI and grants, concessional finance such as soft loans, long term finance, blended finance, financial incentives, as well as provision of information on new technologies, promoting public-private partnerships, access to venture capital, establishment of international and regional alliances, measures to improve recipient country absorptive and technological capacity, and south-south cooperation.
- Provision of educational and technical support, research and equipment support, provision of preferential market access for technology intensive products and equipment, improving technical standards and certificate systems for recycling, reuse and smart packaging could also form the options to ease and facilitate access of developing countries to the required technologies and know-how.

6. On how a potential financing mechanism could work [including a new standalone mechanism, a hybrid mechanism, or an existing mechanism]:

- A new independent and standalone financial mechanism should be established.

7. Regarding options to mobilize and align private and innovative finance (including in relation to matters at 24(e) and the proposed Global Plastic Pollution Fee (GPPF)):

- No Comment at this stage.

8. To map current funding and finance available [to address plastic pollution] and determine the need for financial support for each Member:

- No Comment at this stage.

9. To identify capacity building and training needs for each Member:

- capacity building and training support should:
 - address the needs at the national and regional and sub-regional levels;
 - address the specific needs and requirements of countries to enable them for preparation and implementation of their action plans at the national and regional and sub-regional levels;
 - be extended through financial and technical contribution to developing countries;
 - take place regularly/periodically;
 - include educational, empowerment and awareness raising activities and public participation in management of plastic pollution.