

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 observers. The template below is intended to provide guidance to members of the committee and observers 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 Observers 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:

- I. Substantive elements
- II. Implementation elements
- III. Additional input

All written submissions must be sent to 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 observers.
- 10 February 2023 for written submissions from Members of the Committee.

TEMPLATE FOR SUBMISSIONS

Name of country (for Members of the committee)	Bosnia and Herzegovina
Name of organization (for observers to the committee)	Federal Ministry of Environment and Tourism
Contact person and contact information for the submission	Mr. Mehmed Cero mehmed.cero@fmoit.gov.ba
Date	08.02.2023

I. Substantive elements

1. Objective(s)

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

Proposed Objective:

1. End plastic pollution in environment
2. Reduce high-risk plastic production by banning the single use plastic and using the biobased, biodegradable and compostable plastics as alternatives to currently dominant, conventional plastics
3. Reducing the amount of plastic waste generated by promoting the use of more sustainable materials and packaging solutions
4. Improve research activities and capacity-building on plastic impact environment, strength the scientific and technical cooperation and further, exchange of best practices and technical expertise, and improve innovations on the solutions for alternative materials in industries
5. Establish the assessment of microplastics in products and environment and ban microplastics from hygiene products in industries and markets
6. Encourage proper disposal of plastic waste and improve plastic management and recycling through regulations according to needs and possibilities of every country; strength the efforts by Governments, non-governmental organization, international organization, industries in sustainable approach of plastic management through national, regional and international action plans and initiatives.
7. Develop, improve and strength the science-policy interfaces in global plastic pollution on the environment
8. Strength the cooperation and coordination among local and national stakeholders
9. Develop measures to reduce the risks to ecosystem and human health and improve one health approach
10. Promote and implement sustainable and innovative approach, methodologies and technology in industries
11. Introducing penalties for countries and/or companies that do not comply with the provisions of an instrument.
12. Addressing the plastic pollution through education and involve plastic pollution issues in the

school curriculum

Explanatory Text:

Most of objectives above are align with the UNEA 5/14 resolution, but also here are proposed new ideas such as the strengthen the one health approach, education changes in school curriculum and proposal materials for currently dominant plastics/microplastics.

Almost 50% percent of all produced plastics is recognized as a single-use plastic. This indicates the urgent action for reducing / banning single-use plastics and searched for new solutions. In this aspect, the biobased plastic is made of biomass which is mainly origin from plants as a biodegradable material (material designed to decompose), and it could be used as one of the alternative materials of currently dominant plastics and reduce almost 50% percent of all produced plastics globally. This could not only provide a health ecosystems and human health but also stimulate the creation of jobs and improve socio-economic development of each country, especially countries with low level of employment.

Since the management of plastic issues in not address and manage on same level in all countries, there is urgent need to improve current regulations and measures in plastic production and consumption, and engage multi-stakeholders to address it on sustainable and innovative approach. Thus, it should develop criteria for production requirements for plastics. Furthermore, the administration obligations are not same structured in countries, and it all further regulations and measures should be manage according to the needs and possibilities of each country. However, working on innovative approaches, methodologies and solution are urgent for addressing the plastic pollution globally, including in marine environment as one of the most endangered areas.

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?*

Understading the complicated and demanding issues in addressing the plastic pollution globally, it is important to emphasize that not all countries have same need to involve same new obligations and measure, however, there are main initiative and activities that are urgent and necessary for all. Furthermore, plastic pollution affects not only environment and health, but also the social-economic development. The instrument should present a tool rooted on synergy between core obligations, control measures and voluntary approaches.

The core obligations:

- **Develop, improve and strength the corporation and coordination between multi-stakeholders**
All parties should create a functional system of communication, corporation and coordination with key stakeholders for their engagement in addressing the issues plastic production and consumption. Furthermore, all parties should corporate in developing and implementing strategies.

- **Improve and strengthen the regulations and measures to address plastic pollution on national, regional and intranational level.**

Each party should adopt legal and administrative measure into national legislation, and further to be engaged and act in regional and international initiatives and actions. Develop national action plan and setting national targets with the aim to reach the objectives of the instrument, but to align and incorporate it with national context.
- **Develop and use the Extended produce responsibility (EPR) approach**

Implement extended producer responsibility schemes for plastic waste that oblige producers to finance the collection, treatment, and disposal of their products
- **Labeling and traceability**

Requirement of clear labeling of plastic products to indicate their composition and recyclability, as well as traceability mechanisms to facilitate tracking the fate of the plastic waste.

Traceability mechanisms should include source identification, tracking movement from origin to final disposal, establishing a clear chain of custody for plastic waste (in order to prevent illegal dumping), improving data collection (e.g. by combining physical and digital systems such as barcoding, GPS tracking, electronic data exchange systems - specific mechanisms depend from the type of waste).
- **Collection and recycling**

Establish the infrastructure for separate waste collection (door-to-door collection, improve collection process)

Establish mandatory systems of separate collection of plastic waste, with a focus on reducing dumping and incineration.
- **Tackling marine litter**

Introduce obligations for states to identify, assess and tackle the sources of marine litter within their jurisdiction.

Introduce regulation on the use of fishing equipment (nets and ropes) and boating activities in coastal areas.

Introduce obligatory, management and control of plastic waste from ships, including the reduction and proper disposal of plastic waste generated by the shipping industry, fishing equipment and waste from transport, by establishing regulations and best practices for the maritime industry.

The introduction of the obligation to clean the dams of the waste that is accumulated, and the competent institution/organization has the obligation to regularly monitor and report on the amount of waste, the type, and the manner in which that waste is further treated.
- **Compliance and enforcement**

Establishing mechanisms to enforce compliance with the provisions of an instrument, including penalties for non-compliance.

Introducing a system of licensing and permits to control the production, import, export and use of plastic products.

Control measures:

- **Reporting**
Parties should report on use of plastic in industries and markets and incorporate reporting into the national context.
- **Regulation of microplastics**
Mandatory labels on packaging for products containing microplastics.
- **Conducting research and monitoring**
Research on the level of plastic pollution in order to better understand its impacts and to contribute to evidence-based decision-making.
- **Regulation on pollution hot spots in every country**
Parties should identify pollution hotspots among the country, to act, monitor, and create plan activities for deal those areas.

Voluntary approach

- **Raising awareness through different awareness campaigns**
Implement and offer different activities in order to raise awareness, including following:
 - Workshops and trainings,
 - clean up actions,
 - promote plastic-free products
 - including schools and youth organizations in awareness campaigns
 - create media campaign
- **Strengthen the approach of Reduce, Reuse, Recycle among citizens**
 - Avoid single-use plastics
 - Recycle plastic material
 - Include smart solutions for citizens such as plastic recycling machines in cities or similar
 - Use of alternative materials
- **Encouraging companies, government and other stakeholders to enter into voluntary agreements to reduce plastic waste and pollution (e.g. low plastic events, etc.).**

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).*

In order to ensure implementation of the instrument at the national level, every country should:

- **Improve and strength research, scientific and technical cooperation and capacity-building**
In order to have a good quality data through assessments or monitoring, it is important to strength the scientific and technical corporation, improved qualifications, knowledge and skills of experts and employees. Implement capacity building activities on reporting, practice and management of plastic pollution issues.
- **Development of National Action Plans that are aligned with the goals and obligations of the instrument and that can provide a road map for the implementation of the instrument at the national level.**
- **Competent authorities to monitor the placement of plastic products on the market and compliance with the obligations brought by the EPR system.**
- **Strength the corporation and coordination between multi-stakeholders**
Engaging stakeholders such as government agencies, businesses, civil society organizations and communities to encourage cooperation in tackling plastic pollution (consultations, workshops, establishment of networks, e.g. industrial associations - clusters, provision of incentives and awards, establishment of platforms).
Cooperation with other countries and international organizations to share information, best practices and support that can help improve the implementation of the instrument.
- **Allow and provide financial support for developing countries and countries with economy in transition for national action plan implementation**
- **Raising public awareness**
Raise public awareness in plastic pollution to encourage individuals to take action and support government efforts to implement a legally binding instrument

In order to ensure effectiveness of the instrument and have efficient national report, every country should:

- **Establishing clear, measurable, and realistic goals can help ensure that the instrument achieves its goals and commitments.**
- **Development and implementation/improvement of consistent, standardized data collection and management systems can help ensure reliability and comparability of data and reporting.**
- **Involving stakeholders, including government agencies, businesses, civil society organizations and communities, in the monitoring and reporting process can improve transparency and accountability.**
- **Allow smart waste management by creating the waste management informative system**

Collect data on plastic production, consumption and use, plastic waste management, plastic pollution in the environment and allow detecting and tracking the plastics in environment.

- **Identify best practice in last 10 years and create framework for waste management and plastic pollution**
- **Increase and adopt sustainable solutions**
Sustainable solution provides healthy ecosystems that are essential for human health. Use alternative material in single used plastics or encourage citizens to minimize plastic pollution by providing them a smart solution.
- **Identify and categorized plastic products**
Various plastic products are available in markets, and all of them should be identify and categorize in different types such as: single-used plastic, pharmaceutical and medicine waste that contain plastics and similar. Especially due to pandemic uses, the pharmaceutical and medicine waste increase the plastic pollution in marine environments.
- **Undertake proper monitoring on plastic production, consumption and use, plastic waste management, plastic pollution in the environment that include following components:**
 - Present and concentration of microplastics in the environment
 - Bioindicator species
 - Plastic waste management, including pharmaceutical and medicine waste
 - Identify the amount of lost fishing gears
 - Human and ecosystem risk assessment
 - One health approach

Beside the financial support that has main role in implementation, the priorities on implementation measures should be human capacity building for technical and expert support.

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?*

Understanding that plastic pollution is global concern that require action in all countries. However, not all countries are developed to provide effectiveness of all key elements (capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance) with their current capacities. The key elements should include following:

Financial Mechanism

- Parties should develop mechanism to provide financial resources and technical assistance for implementation of this instrument, including the technology transfer to developing countries and countries with economies in transition.

Capacity building and technical support

- Parties should cooperate and provide proper and needed capacity-building and technical assistance to developing countries and countries with economies in transition.
- Strengthen cooperation and coordination on national, regional and international level
- Engaging all stakeholders from the sector, establishing joint cooperation at the state level (government agencies, businesses, industries, civil society organizations, communities).

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).

Key relevant proposals that should be more elaborate are following:

- A One Health perspective of the impacts of microplastics on animal, human and environmental health
- Identify and categorized plastic products and identify priorities among them
- Include plastic pollution issues in education, including the school curriculum
- A clear and concise introduction describing the purpose and scope of the instrument can provide the basis for effective implementation.
- Supporting research on plastic pollution and its impacts can help form effective implementation of the instrument and identify new solutions.
- Establishing institutional arrangements, such as a secretariat or commission, can help ensure a coordinated and efficient approach to implementation.
- Provisions outlining the parties' roles in the implementation and review of the instrument can help ensure accountability and promote effective implementation.