

# Submission by the Federated States of Micronesia

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## I. Substantive Elements: Objective and Core Obligations

### **1. Proposed Objective:**

To end plastic pollution in all global environments, including by limiting production and consumption of plastics to sustainable levels and products; promoting a circular economy for plastics, and; remediating existing plastic pollution where possible, particularly in the marine environment.

### **2. Core Obligations and Control Measures**

To ensure that plastics are addressed across their full life cycle, core obligations and control should be specifically targeted to address each stage of that life cycle, specifically:

#### **Sourcing/Extraction:**

Upstream regulation of plastics has the potential to not only help minimize plastic pollution in all environments downstream, but can also play an important role in limiting demand for the fossil fuels that are accelerating the global climate emergency and exacerbating food security and human health challenges. The two most potent climate-forcing agents globally are carbon dioxide, which is emitted from refining and burning fossil fuels, and methane, which is emitted from extracting and transporting them. The third most potent climate-forcing agent is tropospheric ozone, which results from the breakdown of atmospheric methane. Tropospheric ozone is also very harmful to agricultural crops and human health. Demand for fossil fuels for plastics therefore helps drive a number of severe impacts on the global climate system, the global food system and on human health worldwide. The extraction, refinement and use of the fossil fuels causing these interrelated global harms should be rapidly phased down across all uses, including plastics production.

In addition, policies and measures to address plastics sourcing can help to minimize the unsustainable use of non-fossil fuel plastics inputs, such as crops and ocean resources, as well as the use of other harmful chemical inputs.

#### **Chemical Phase/Polymerization:**

Restrictions on the use of virgin polymers and resins will be critical for ending plastic pollution worldwide. The chemicals phase of plastics production is also the one in which the majority of greenhouse gases from the plastics life cycle are emitted. Therefore, measures taken at this phase (including phase outs of certain polymers and chemicals targeted for elimination and phase downs of other polymers and chemicals to sustainable levels) present the opportunity to

eliminate and reduce the use of polymers and other chemical additives that are harmful to human health and ecosystems and lead to significant greenhouse gas emissions. The Montreal Protocol is widely considered the most successful multilateral environmental agreement because, in large part, it addressed virgin ozone-depleting substance (ODS) production.

### **Product Design and Use:**

Plastics product design and use must be tailored to minimize eventual plastics pollution and the harms that it causes. This includes avoidance of harmful chemicals and designs that allow long-term use and recyclability so as to help promote a circular economy.

### **Waste Management:**

In addition to reducing virgin plastic production and promoting a circular economy through means such as improved product design and use, policies and measures will also be needed to promote the environmentally sound management of plastic waste, in particular separate collection and recycling, prevention of leakage and restrictions on dumping, landfilling, etc.

### **Remediation:**

Policies and measures must also be put into place to address the legacy plastic pollution that already exists in the environment, prioritizing those locations and pollutants that cause the most harmful impacts on human health and ecosystems, with particular attention to existing plastic pollution in the marine environment (including in marine areas beyond national jurisdiction) and focusing especially on small islands/atolls.

## **II. Implementation Elements**

### **1. Implementation Measures**

The actions that will be necessary to achieve the proposed objective across the various stages of the life cycle of plastics described above, will likely include those listed below, among others.

- Actions to be taken to address virgin plastics production (supply)
- Actions to be taken to address virgin plastics consumption (demand)
- Actions to phase down or phase out certain plastics, feedstocks and or additives (polymers, chemicals, etc.)
- Actions to promote improved design of plastics (e.g., for durability, recyclability)
- Actions to promote reuse of plastics
- Actions to reduce plastics use and manage plastic waste, including emissions

- Actions to address and remediate existing plastics pollution, particularly in the marine environment
- Actions to ensure robust reporting and compliance, including provision of comprehensive data regarding inputs, levels of production and consumption, implementation of core obligations, such as the actions above, and the support provided for implementation.
- Impacts on marine life and ecosystems, particularly the fragile island ecosystems.

## **2. Means of Implementation: Dedicated Financial Mechanism (Multilateral Fund)**

Ending plastic pollution worldwide will require robust support to developing countries, including provision of means of implementation for control measures and related activities through a dedicated fund, as well additional support from other complementary sources.

A dedicated finance and technology transfer mechanism should provide the principal international vehicle for supporting finance, technology transfer and related assistance, including stable, predictable and additional financial assistance under the treaty for enabling activities as well as agreed incremental costs on a grant basis. In addition, access to concessional finance should also be made available, either directly under the dedicated multilateral fund or via other multilateral financial institutions.

### **The Multilateral Fund**

The treaty should establish a dedicated financial mechanism or Multilateral Fund for the provision of necessary financial resources and means of implementation to eligible countries in order to carry out their obligations, commitments and/or contributions under the agreement.

At a minimum, the success of the treaty will require the provision of necessary means of implementation for small island developing States (SIDS), least developed countries (LDCS) and other vulnerable countries, including for any core obligations, along with support for enabling and monitoring and reporting activities, addressing barriers to recycling, and developing sustainable alternatives.

Finance, capacity building and technology development and transfer support provided under the regime and shall be new, additional, adequate and predictable, with priority access for SIDS, LDCs and other vulnerable countries. Parties may need to evaluate ways to ensure the specific needs and special situations of SIDS, LDCs and other such vulnerable countries are taken into consideration.

Countries determined eligible to receive such support would inform the mechanism or Fund of their relevant national programme or National Action Plans, which would be approved for financing by the executive body of the mechanism.

Activities eligible for funding under such national programmes or National Action Plans may include:

- Institutional strengthening, including support for a dedicated plastics official, similar to the ozone officers under the Montreal Protocol
- Operation of networks or an institution to support national efforts and share best practices (such as Ozone Action under UNEP)
- Preparation of country programmes or National Action Plans to set nationally appropriate objectives, regulations, policies and/or other measures
- Awareness raising and training of decision-makers in coordination with other relevant initiatives
- Capacity-building and training
- Reporting and monitoring
- Undertaking pilot and demonstration projects with a vision for replication at scale internationally
- Licensing fees of alternative technologies where technologies are held in the private sector
- Incremental costs of compliance, such as transition to substitutes, infrastructure investments and associated operating costs for an agreed period

### **Governance of the Multilateral Fund**

The Multilateral Fund should be administered by an Executive Committee consisting of an equal number of representatives of contributors and as well as eligible recipient countries, which would make decisions through consensus or through a double majority of both the groups.

The executive committee should be supported by a Secretariat of professional staff responsible for managing the day-to-day operation of the fund, develop plans and budgets, review project applications, disburse financing, oversee implementation and report to the executive body.

### **Periodical Replenishment of the Mechanism**

The Fund shall be replenished on a regular (e.g. biennial or triennial basis) through contributions that shall be measurable, reportable and verifiable

Contributing countries would replenish the fund as agreed by the Meeting or the Conference of Parties, based at least in part upon needs assessments undertaken by the Technical and Economic Assessment subsidiary body that is to be established by the treaty.

The assessment panel would report directly to the Conference of the Parties with needs assessments and evaluations of the state-of-the-art of environmentally sound technologies available for supporting eligible Parties' obligations, commitments and/or contributions.

### **Additional and Complementary Means of Implementation**

In addition to primary dedicated resources from the financial mechanism, eligible countries will also require additional support or means of implementation, which might include:

- Concessional funding for those activities not supported by the Fund but crucial for achieving of the agreed objective(s) of the treaty. This could include support for investment in necessary infrastructure from bodies such as the Global Environment Facility (GEF), and/or;
- Requiring support for means of implementation from key actors in the plastics supply chain, such as through taxes or levies. Such programmes could complement, but would not be a substitute for, the public financial support to Parties from the Multilateral Fund and the concessional finance from bodies such as the GEF.

Further avenues for additional means of implementation and their specified uses should also be considered, particularly those that draw on specific lessons learned from other successful multilateral financing arrangements.

### **III. Additional Input**

A variety of important institutions will be necessary to facilitate achievement of the proposed objective. These include a scientific advisory subsidiary body and a technical and economic assessment subsidiary body, similar to those under the Montreal Protocol, which incorporate relevant traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems, including from local communities, in a rights-based manner, as complements to science and other data and information utilized under those bodies; a Multilateral Fund, as described above; a network of national plastics officers dedicated to carrying out country programmes and National Action Plans, such as the national ozone officers under the Montreal Protocol, and a centralized institution/expert body dedicated to sharing best practices, guidelines, standards and/or other forms of effective support for those officers, including relevant practices of Indigenous Peoples and local communities.