

Submission of the Arab Republic of Egypt to the INC Plastic Pollution Secretariat

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)	The Arab Republic of Egypt
Name of organization (for observers to the committee)	N/A
Contact person and contact information for the submission	Ms. Sara Elkhoully, Climate, Environment and Sustainable Development Department- Ministry of Foreign Affairs Email: climatedepartment.mfa.eg@gmail.com Sara.elkhoully2012@feeps.edu.eg
Date	10 th February 2023

I. Substantive elements

1. Objective(s)

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

Proposed Objective:

- As set out in the UNEA resolution 5/14, there is a need to strengthen global coordination, cooperation and governance to take action towards the long-term elimination of plastic products pollution in marine and other environments, in order to protect the environment and human health based on a comprehensive approach that addresses the full life cycle of plastic products, taking into account, the principles of the Rio Declaration on the Environment and Development (Rio Declaration), as well as national circumstances and capabilities.
- Formulation and implementation of the Instrument shall follow the successful implementation of other Multilateral Environmental Agreements, in particular the Montreal protocol.
- The expected commitments that the instrument will include shall provide adequate and needed financial and technical support, for developing countries, to ensure a just liquidation of the polluting sectors in the plastics industry and to protect their economies that highly rely on micro, small and medium enterprises.
- The provisions of this instrument shall not affect the rights and obligations of any Party deriving from other existing Multilateral Environmental Agreements.
- The Instrument should address the mismanagement of plastic packaging and single-use plastics wastes in both land and marine environments. Therefore, the Instrument should address the needs of vulnerable and affected communities, particularly the impacts of plastic pollution on the environment and the health of people in those communities and the needs and the requirements for the transformation and the transition of existing industries in developing countries that will be affected.
- Further, the instrument should support a just transition to sustainable livelihoods for workers and waste recyclers, in both formal and informal settings, across the plastics value chain, particularly

the waste pickers and other affected communities in low and middle-income countries.

- The Instrument should provide for an effective and adequate mechanisms to deliver concessional finance and technology transfer on preferential basis to affected industries and sectors in developing countries to allow for a just transition pathway to phase down plastics and relevant chemicals identified by the agreement.

In addition, the following elements should be included:

- Promotion of sustainable production and consumption of plastics, and circular economy approaches to address plastic wastes mismanagement, including resource efficiency, product design and reuse that retain plastics in the economy.
 - Measurable actions to tackle plastic products pollution.
 - Ensuring just and inclusive transition for the plastic industry and its workers in developing countries, and affected informal waste workers and communities and relevant industries.
 - Avoiding the adverse consequences of the implementation of the legally binding instrument on the climate, biodiversity, and food and water security;
 - Reduction of overall plastic production and consumption, based on the availability of the alternatives.
 - Sharing circular economy best practices in plastic products production, consumption and sound management.
- Furthermore, the inclusion of a provision that addresses “Principles”, following the example of the Convention on Biological Diversity, the UN Framework Convention on Climate Change, and the Paris Agreement. Such principles include:
 - The principle of common but differentiated responsibility.
 - Clear differentiation in implementation between developed and developing countries.
 - The principle of just transition, whereby developing countries and in particular African countries, are provided with adequate finance and technology transfer on concessional and preferential basis to phase down plastics and to transform the industry.

Explanatory Text:

The global marine, freshwater and terrestrial ecosystems are negatively affected by plastic pollution. While many of the developing countries are net importers, some are producers of plastic products and chemical additives. With plastics containing various chemicals additives, which studies have shown to be toxic and can affect the endocrine system. Therefore, to address this challenge among others, the objective of the instrument should be based on the right to development and just transition. With a clear, effective, just and ambitious objective, this will provide clear direction to the measures that the instrument will have in ending plastic pollution in the spirit of the UNEA 5/14 resolution.

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?*

Focusing on addressing the plastic pollution from a life cycle approach, the following **core obligations** and **control measures** need to be included in the future objective of the instrument:

Upstream phase: Sourcing and Plastic Production

- Tracking and transparency on types, ingredients and volumes of plastic products.
- Mechanisms to phase down the production, consumption and trade of plastic products containing toxic chemicals to allow for a non-toxic circular economy.
- Provide free technology and concessional finance to assist plastics and relevant chemicals producers in developing countries to implement the instrument.
- Support innovation of plastic product life cycle from source.
- Increasing circularity through promoting recycling and symbiosis, decreasing waste at production level through resource efficiency, and encouraging the use of alternative packaging materials.

Midstream phase: Product Design and Use

- Eco-labeling and information disclosure requirements on the composition of chemicals in plastic products.
- Harmonized product design standards and requirements aimed at incentivizing reuse, durability, collection and/or recycling.
- Control on plastic waste trade, except where such trade enables circularity (e.g., non-mixed plastic waste, free from contamination and destined for recycling in accordance with the Basel Convention) – including synergies with the Basel Convention and the Bamako Convention for the African region.
- Phase down of specific plastic products, including single-use plastics, where alternatives are available, accessible and affordable with corresponding annexes.
- Establishment of data base of production and producers and provide for support for the impacted sectors by the implementation of the agreement.
- Setting reduction targets based on timelines (grace period) to phase out specific plastics products, where alternatives are not available, accessible and affordable.
- Acknowledgment of the differentiated timeline in implementation of the instrument in relation to availability of affordable technology transfer and access to appropriate finance.
- Provision of support for the relevant plastic industries via incentives and access to technology to avoid adverse consequences of industry transformation, such as jobs/revenues losses.
- The plastic materials subject to the quality control/restrictions could be identified based on the following criteria and standards:
 - The risks that the plastic material poses for the environment and/or human health (harmfulness);
 - The importance of the plastic application in the plastic value chain, taking account of its function, and the ability to avoid or replace its use (redundancy);
 - The ability to collect, sort and recycle the plastic material in an environmentally-sound manner (recyclability);
 - The propensity of the plastic material to become litter or otherwise pollute the

environment (pollution risk).

- The ability of countries to implement the ban or the phasing down.
- The availability and accessibility for developing countries to the needed technology and finance.

Downstream phase: Waste Management and Remediation

- Promotion of periodical upgraded environmentally sound management (ESM) of plastic waste in line with resource efficiency and dedicating adequate financial resources and technologies to enhance collection, recycling and final treatment of waste.
- Promotion of policies that control the releases of toxic emissions from plastics waste mismanagement dangerous practices such as: open burning, incineration, co-firing in coal-fired power plants and other waste-to-energy processes, co-processing in cement kilns, and chemical recycling.
- Defining ESM for plastic waste to guide future prohibitions, moratoriums and investment criteria, for example to avoid lock-ins to solutions, which harm human and environmental health.
- Provision of appropriate investments available for enhancing local and national capacities.
- Setting measures to address the plastic pollution legacy.
- Strengthening plastic recycling market and design for recycling.
- Provision of financial and technical support for the informal sector involved in waste management, while understanding their stake assessing and their capacity to evolve and play a role in the reduction of single-use plastics through recycling of man-made contamination.

Voluntary approaches

- Behavioral interventions: Adoption of pro-environment behavior in societies through non-price and non-regulatory means (e.g., Education, communication and public awareness campaigns, industry standards, voluntary certification schemes).

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).*

The instrument should adopt three main implementation measures as follows:

- National Action Plans
- Reporting
- Monitoring & effectiveness evaluation

National Action Plans

The following elements should be included:

- Made mandatory on all parties to meet their obligations and commitments to achieve both national and global objectives.
- Include a review and update mechanism.
- Development of national action plans in consultations with relevant stakeholders at the national level.
- There should be guidelines approved by Conference of Parties for developing national inventories and national action plans
- Include defined needs assessments for the implementation of pledges and commitments.

On Reporting

- The instrument should adopt harmonized definitions, formats and methodologies for reporting to ensure comparable statistical data and enable assessment of the progress of implementation of the instrument and the effectiveness of the instrument in achieving its objectives. Such reporting should cover each phase of the life cycle: upstream, midstream and downstream.
- Enable global and regional reporting frameworks.
- Reports by developed countries should include the support provided to developing countries on capacity building, finance and technology transfer.

On Monitoring and effectiveness evaluation

- Parties to undertake appropriate monitoring to plastic production, consumption, use and plastic waste management and leakage, plastic pollution in the environment and, where

relevant, to alternatives and substitutes to plastic.

- The instrument should adopt a well-defined global monitoring framework, such as (Monitoring, Reporting and Verification Implementation Plan (MRV) system), to establish baselines for plastic production, consumption, use and plastic waste management, leakage rates, and plastic pollution in the environment. This should enable the monitoring of trends in order to assess of the global progress of implementation of the instrument and the effectiveness of the instrument in achieving its objectives. Similar to reporting, this should include common definitions, formats and methodologies as well as indicators and risk thresholds.

Other implementation measures

- Invest in research and innovation for reducing plastic production, reuse and recycling.
- Technology development and transfer and sharing of knowledge across nations.
- Consider the principles of common but differentiated responsibility (CBDR), equity, as part of the negotiation models.
- Establish a mechanism that sets differentiated timelines for developing country implementation of control measures, subject to the financial support and the technology transfer provided by developed countries.

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?

On Financial mechanism

- Establish a financial mechanism (similar to the MLF model of the Montreal Protocol) that provides for predictable, accessible, adequate and timely financial resources and technical assistance, including technology transfer, to developing country Parties on a grant and concessional basis, with identified sources and facilitated access modalities. The mechanism shall provide a full package that allows for delivering the global and national goals, operating under the authority of the Parties.
- Developed countries shall contribute to the Fund established.
- The established Fund shall subsidize producer parties with lack of handling and recycling/transformation capacities of plastic wastes.
- Provide payment (e.g., grants) or tax concessions to consumers or producers for plastic pollution reduction. For example, dedicating subsidies for recycling plastic waste or recycled

content, tax reductions / permit facilitations for industrial activities needed for circularity (e.g., installation of recycling plants).

- Ensure access to financing on a concessional basis from multinational financial institutions.
- Promote multilateral cooperation for proper management of this mechanism.
- Establish a digital platform known as the "Reverse Compensation System", through which waste collectors, intermediaries and plastic processing workshops can document and record the quantities of recycled plastic and get a financial return upon reaching their monthly goals.

On Technical assistance

- Establish a *Technology Mechanism* for the new instrument to provide policy recommendation that support country efforts to enhance plastic recycling technology development and transfer to developing countries.
- Establish a *Plastic Technology Center* as an implementation arm of the *Technology Mechanism* of the instrument that accelerates the development and transfer of technologies through the following:
 - Providing technical assistance at the request of plastic manufacturers from developing countries on plastic technology issues, particularly plastic recycling technologies;
 - Creating access to information and knowledge on plastic production and recycling technologies;
 - Fostering collaboration among plastic technology stakeholders;
 - Providing guidance on best practices and supporting the implementation of policies and programs that help to build the capacity of local organizations.
- Transfer of needed financing resources, knowledge, equipment and skills on quality testing to all plastic industry stakeholders, particularly the informal micro, small and medium enterprises, which account for majority of plastics manufacturing and recycling projects in developing countries, in order to address the production of low-quality products.
- Provision of relevant and needed technologies for the phasing down of plastics and for the effective implementation of the agreement as identified in the Technology Needs Assessment (TNAs) by developing countries action plans and other documents by the secretariat of the instrument should be available for developing countries on concessional and preferential basis.
- Provision of available technology options that align with local needs and contexts, with the goal to reduce the amount of new plastic usage in packaging and single-use products in developing countries.

On Subsidiary bodies

The instrument should establish key subsidiary bodies to support implementation, including:

- A dedicated scientific, technical and socio-economic assessment bodies, operating under the authority of the Parties, similar to the model in the Montreal Protocol.
- Implementation Committee to consider and report on on-compliance with the provisions of the treaty reporting and control measures.

On other measures

- The instrument should include mechanisms to ensure the resilience of those most vulnerable to the impacts of plastic pollution, including coastal communities in developing countries.
- The instrument should ensure just transition pathways for developing countries, which own

plastic and relevant chemicals industries, such pathways should also consider the social and economic aspects related to the implementation of the instrument.

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).

To effectively implement the instrument, it is important to provide priority to the following areas:

- Establish joint research programs that include developing countries with a clear aim to provide affordable technologies for the transition and the replacement of plastics and harmful chemicals.
- Transfer of technology on preferential and concessional basis is crucial for the implementation of the agreement, as such, a concrete and effective technology transfer mechanism has to be established, and the implementation could be guided by the process established under the Montreal protocol.
- Conduct widespread public education campaigns to increase the awareness and the understanding of the instrument's goals and objectives. This education should also aim to encourage stakeholders across the plastic value chain to change their behaviors in order to support the instrument's objectives.