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Plastics Europe's key asks on the International Legally Binding Instrument to eliminate plastic pollution

Plastics Europe reiterates its strong support for the overarching objective of Resolution 5/14: namely, to end plastic pollution by 2040 through a circular economy.

Our goal is to end plastic pollution by 2040 through a circular economy where all plastic applications are reused, recycled, and responsibly managed during and after use while enabling a lower greenhouse gas emissions plastic economy.

We support an international agreement including ambitious measures and an enabling framework to facilitate this global transformation of the plastics system. We consider the suggested obligations below as key drivers to enable circularity and end plastic pollution in shortest period possible, while ensuring the protection of human health and the environment.

A. Requirement to sustainably produce and consume plastics and for environmentally sound management of all plastics waste

Plastics Europe supports a holistic approach to stop plastics pollution, built on sustainable plastic production and consumption with waste prevention, reuse, reduce and repair, and the development of a circular economy. In addition to the global scale up of known solutions, this approach must harness the power of innovation and new technologies.

i. Ensure sustainable production through diversification of feedstock and reduction of dependence on fossil feedstocks

Supported by a science-based report and using the European Plastics system as base model, we believe the increase of all non-fossil circular feedstocks including recycled feedstock from plastic and other wastes, sustainably sourced biomass, and captured carbon feedstocks (CCU)[1] is essential for reaching a net zero emissions plastics industry while reducing waste footprint[2].

In order to enable and drive the transition towards a circular economy, we see the need for an appropriate regulatory framework on a national level that should include the following measures:

- Legislative targets for recycled content in key applications / per industry sector based on national circumstances to create a demand driver for waste management and recycling
- Legislative targets for circular plastics to drive the transition of feedstock utilization
- Measures to secure circular feedstock availability e.g., through recycling rate targets combined with collection and sorting of plastics waste

[1] Circular feedstocks are recycled feedstock, bio-based feedstock, carbon captured feedstock. Note: The definition is based on the feedstock used and does not refer to the End-of-Life of the plastics

[2] ReShaping Plastics Report, SystemIQ, 2022

- Financial incentives and a supportive framework to promote essential investments in circularity and support the development and rapid scale-up of innovative technologies (e.g. innovations in mechanical, physical, organic and chemical recycling, carbon capture)
    - For certain chemical recycling technologies, a transparent mass balance accounting system (including chain of custody) for measuring recycled content is required
- The establishment of global end-of-waste criteria to enable trade in circular feedstocks whilst reducing illegal exports of plastic waste and leakage into the environment.

ii. Obligations for sustainable consumption and design for circularity to prevent plastic pollution and avoid problematic and unnecessary plastic applications

Plastics Europe believes that the global agreement should focus on three core levers around circularity for a systemic change, notably reuse and refill, sustainable consumption of plastics applications, and design for recycling / circularity. Concretely, we call for:

- Obligations and voluntary measures to increase reuse of plastics to give guidance and lay the ground for a national implementation.
    - Such systems should be assessed on an individual basis considering the feasibility, possible health and hygiene requirements in specific applications, design criteria (including to ensure circularity), the environmental impact of their required supporting systems and processes and the local conditions for implementation.
- A set of harmonised criteria to identify and eliminate problematic and unnecessary plastics applications - to serve as the basis for a methodology for national evaluation of the plastics applications (by priority waste stream).
    - Such a methodological approach should be applicable to products made from all materials and could help to eliminate the production of problematic or unnecessary (plastic) products and support the replacement of short lived or single use applications with durable applications or other alternatives (if reduced environmental footprint can be demonstrated) by assessing characteristics such as:
        - likelihood of leakage of the application during or after use,
        - possible improvements to the availability of waste management infrastructure & potential for behavioural changes
        - potential for redesigning the application in line with a life-cycle assessment
        - Essentiality for human or animal health, and other socio-economic aspects
- The development application specific Design for Recycling (DfR) criteria for the evaluation of plastic applications as a core objective of the future agreement.
    - We propose the establishment of a multistakeholder global intersessional working group to inform the negotiation process. The resulting methodology could be added to the agreement as an Annex to give guidance on the national implementation measures. On a national level, measures will need to be reviewed over time to adapt local regulation to the development of central factors such as the waste management and recycling infrastructure and technology availability.

iii. Establish environmentally sound management for all plastics waste

Plastics Europe supports the development of global guidelines and best practices in the global agreement or via technical standards to support the development of plastic waste management plans and infrastructure (involving citizens, the informal sector, and consumers). We call for the consideration of following supplementary measures aimed at ensuring environmentally sound management of all plastics waste:

- Mandatory recycling rates with adapted timelines based on the industry sector (e.g. packaging, or building & construction waste) and the current status
- Enable the uptake of all recycling technologies (be technology-neutral) in national policies
- A global ambition to transition away from waste treatment approaches such as incineration or landfill of recyclable plastics waste

B. Sustainable and safe use of chemical constituents and additives as part of global chemical regulation

Plastics Europe supports efforts to enforce existing chemical regulations at the global and national/regional level and the further establishment of exposure-based chemical management legislation in countries that are lacking such schemes. We believe that this aspect is best addressed as part of other multilateral environmental agreements and activities.

Within the global agreement, we support and continue to engage in:

- Efforts to provide more transparency around constituents and additives in plastics products.
    - Design for Recycling/Circularity Guidelines, on an application and technology basis, can then address specific substances or additives of concern and drive innovations on additives enabling recycling and a circular plastics economy.
- Policies and incentives in support of industry efforts to deploy innovations in plastic additives that enable circularity, and which consider different recycling technologies**.**

C. Global objective on pellet loss and microplastics release

Plastics Europe recommends including a zero-pellet loss objective in the global agreement, accompanied by globally consistent minimum requirements for standards across the plastics value chain and among all actors handling or using plastics pellets, as well as global guidelines based on the Operation Clean Sweep (OCS) programme and a regional implementation such as the OCS Europe Certification Scheme.

We are collaborating with policymakers, regulators and scientists to better understand how microplastics are formed, the impact of microplastics on the environment and health, and to introduce measures to help mitigate their release (e.g. through a five-year, fully independent

scientific research project, engaging world-renowned microplastic experts – the Brigid[3] project). The global plastics agreement should further boost such research initiatives.

D. Measurement obligation through data collection and reporting

Plastics Europe considers it essential to first establish measurement metrics (based on available data) before some of the global and national targets of the global agreement are set. We welcome the inclusion of mandatory data and reporting objectives for all stages of the life cycle of the plastics system as part of the International Legally Binding Instrument.

We support:

- The reporting of production capacity data globally, including the monitoring of the transition to circular feedstock utilisation
- The establishment of an intersessional working group on monitoring and reporting order to create an understanding of key levers and metrics for monitoring and eliminating plastics pollution.
    - The inclusion of further reporting obligations based on plastics conversion, data from economic operators or municipality data on waste collection

E. Financial core obligations

Plastics Europe supports the establishment of a sustainable financing mechanism, including:

- the development of assistance and capacity building to support countries
- public-private partnerships
- Extended Producer Responsibility (EPR)
    - EPR schemes must ensure a transparent flow of financial resources and be material neutral, comply with minimum requirements and be designed for local conditions (including the informal workers/waste collectors)

F. Introducing standards and transparency for biodegradable and compostable plastics

An approach that differentiates between bio-based plastics which are part of a transition to non-fossil feedstock in plastics production and biodegradable or compostable plastics applications is important and possible.

- We welcome technical global standards developed by International Organizations for Standardization, such as ISO 17088 - Specifications for compostable plastics or ISO 16620 – Specifications for bio-based plastics.
- A need for clear differentiation between certified compostable plastic applications supporting organic waste recycling and environmentally biodegradable plastic applications.

[3] More information on https://plasticseurope.org/sustainability/plastics-health/microplastics/brigid/ - part of the International Council of Chemical Associations (ICCA) MARII initiative of global industry supported research on the impact of microplastics