

Summary Outcomes: Pacific Regional Preparatory Workshop for the Intergovernmental Negotiating Committee

Grand Pacific Hotel, Suva, Fiji
16-18 August 2022

The Pacific Regional Preparatory Workshop for the Intergovernmental Negotiating Committee was held over the course of three days at the Grand Pacific Hotel in Suva, Fiji. The purpose of the meeting was to provide Pacific island Member governments with the support necessary to negotiate a international legally binding agreement on plastics at the first session of the Intergovernmental Negotiating Committee to be held in Uruguay. The workshop was attended by participants from a wide range of sectors, including government, private sector, academia, and non-governmental organisations.

Below are the summary outcomes from the first two days of discussions and deliberations amongst the participants and technical experts.

DAY 1

Agenda Item 1: Opening of the Meeting

Agenda Item 2: Objectives of the Meeting and *The Regional Declaration on the Prevention of Marine Litter and Plastic Pollution and its Impacts*

Workshop Aim

The aim of the workshop is to provide Member Governments with the assistance they may need in negotiating a global agreement to address plastic pollution covering the whole of life cycle of plastics.

Objectives

Outcome 1: PICTs are able to actively engage in negotiating a new binding global agreement that's in line with the Pacific regional declaration on plastics.

Outcome 2: PICTs are able to establish regional positions to engage meaningfully in global negotiations.

Outcome 3: PICTs are able to establish negotiating positions with other SIDS to engage in global negotiations.

The purpose of this Declaration is to provide a Pacific regional position on plastic pollution which is in response to on-going regional concerns about the disproportionate impact of plastics and increasing inflows of plastics into the region.

Members were consulted in the development of this Declaration through four consultation workshops culminating in the endorsement by Ministers Talanoa and High Level Session in 2021. Agreed by all SPREP Members except the United States.

Key points to note:

- Marine litter and plastic pollution continue to be a grave concern to the Pacific region with increasing impact to Pacific people including cultural, social, economic, human health, biodiversity, and the environment and food security.
- The current international and regional instruments are not sufficient to prevent the acceleration of these impacts.
- Therefore the Declaration supports the establishment of an Intergovernmental Negotiating Committee to negotiate a new binding global agreement covering the whole life cycle of plastics.

Agenda Item 3: The global problem of plastic pollution: What is required by countries on the road to the INC.

Funded by the Australian Department of Foreign Affairs and Trade and organised by the Secretariat of the Pacific Regional Environment Programme.

Outcomes:

- INC process schedule:
 - INC-1: (Hybrid), invitation to be sent out by end of August
 - 23-25 November BRS plastic waste partnership meeting
 - 26 November Multi-stakeholder forum
 - 27 November Regional Meetings / Bureau
 - 28 November – 2 December 2022 Uruguay
 - Regional Meetings 9-10am every day
 - INC-2: end of April, 2023, venue tbc (Canada/France/Rwanda/Kenya)
 - INC-3: end of November, 2023 venue tbc (France/Rwanda/Kenya)
 - UNEA6: week of 26 Feb, 2024 (Nairobi)
 - INC-4: early May 2024, venue tbc (Canada/Chili/Rwanda/Kenya)
 - INC-5: early Dec 2024, venue tbc (Rwanda/Kenya)
 - Diplomatic Conference – Mid 2025 (Rwanda/Senegal/Kenya)
- ROP – clean rules of procedures accept voting rights bracketed.
- Letter to Member States:
 - National focal points for INC by 30 July 2022
 - INC Bureau Member by 30 July 2022
 - Request submissions by 15 July 2022
 - Sequencing and organisation of INC
 - Substantive issues to be covered in INC-1 e.g. priorities, needs, challenges, barriers, overview of national measures
 - Content and considerations for the preparation of multistakeholder forum.
- Bureau nominations (2/region, 1/SIDS):
 - AP - ??
 - SIDS - Ms. Asha Challenger, the Lead Ocean Negotiator for AOSIS, Antigua and Barbuda

Agenda Item 4: Why does the Pacific need a global agreement on plastic pollution?

Outcomes:

- Global problem, no MEA covers adequately the issues of plastics and design.
- Full life-cycle of plastic pollution
- Climate and pollution issues but also biodiversity loss
- Consider plastic from all sources:
 - Freshwater plastic consideration as well
 - Terrestrial
 - Atmospheric
 - Microplastics
 - Economy
- Basel Convention Plastic amendments
- Plastic pollution in the Pacific (EIA report) key findings to be considered
- UNEP Factsheets – developed by Sascha and Trisia
- Policy gap analysis key findings
- State obligations to protect Right to a Healthy Environment
- UNEA5.2 Resolution.

Agenda Item 5: *Talanoa* – Reflections and responses on what the Pacific region want out of the global agreement

Outcomes: As per the Agenda 4 discussion

Agenda Item 6: Key issues for discussion at the first INC

Outcomes:

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- Principles to consider
 - Precautionary, prevention, polluter pays, integration
 - Right to: health environment, information (transparency), productive employment, repair
 - Cleaner Pacific 2025: 3Rs+Return, product stewardship, proximity, public consultation and participation, multisectoral approach
- Objective – examples
 - Outcomes
 - protect human health and environment
 - against adverse effects resulting or likely to result from human activities which modify or are likely to modify [the environment]
 - Goals
 - prevent, reduce and where practicable eliminate pollution
 - minimize adverse effects of climate change, international trade, social, environmental and economic impacts
 - Life cycle
 - sound management of chemicals throughout life cycle
 - chemicals used and produced in ways that minimize *significant* adverse effects
 - hazardous wastes/other wastes managed in a manner which protect against the adverse effects which may result from such wastes
- Scope
 - Govern plastics as a product or a material?
 - UNEA Res. 5/14 refers to:
 - Plastic pollution
 - Full life cycle
 - Product design
 - Resource efficiency
 - Substances of concern
 - 136 (5% of all substances of concern) governed under Stockholm and Rotterdam Conventions and Montreal Protocol (Wiesinger et al, 2021)
 - How life cycle is defined can clarify/obscure boundaries with existing MEAs
- Agreement can be framework, detailed, or hybrid
- Reporting needs harmonisation and standardisation of metrics and methodologies to be useful
- Negotiators are tasked with setting out the procedural requirement to develop, implement and update nation action plans, not unlike the procedural requirement in the Paris Agreement.
- **Q&A**
- What information is required to:
 - Inform the design of the agreement
 - Develop control measures (eliminate, minimise, reduce, promote, increase)
 - Track progress towards global goals & targets (reporting, indicators)
- Work is underway by UNEP as requested in UNEA Resolution 4/6 para 2c to recommend indicators. This uses the SEEA Central Framework as a basis.
- National action plans will need to balance flexibility with harmonization for globally aggregated reporting
- How can the agreement address
 - Financial mechanism
 - Science body
 - Parties / Non-Parties provisions
 - Compliance mechanism
- **Q&A**
 - What are the specific needs for PICTs to participate meaningfully in the negotiations and the implementation of the agreement?
 - What can PICT non-state actors do to ensure their needs are reflected during the negotiations?

DAY 2

Agenda Item 7: Workshopping the key INC issues to ascertain Pacific priorities

Cluster 1: Objectives, Definitions and Structure of Work

Outcomes:

- Objective:
 - Health and environment are important.
 - Could include prevention.
 - Must cover full life cycle, possibly focus on pollution.
 - Could provide vision to address pollution at source, legacy pollution and toxicity.
 - Link to climate change as a priority for the Pacific.
 - Objective must support the full scope Pacific wants the agreement to address. What is the Pacific's vision that the objective can support?
 - Circular Economy could be included
 - Should allow for prevention of production and elimination of pollution.
 - Circular Economy and prevention of production could address pollution without having to include pollution in the objective
- Definitions:
 - Definition of full life cycle to include extraction and production.
 - Definition of 'sustainable' needed.
 - Definition of 'plastic' – could use definition provided by MARPOL Annex V as a starting point – includes 'material'.
 - Life cycle should start with extraction.
 - Need sustainable sourcing for plastics
- Structure of work:
 - Chemicals of concern to be included.
 - Australia submission could be used as a basis

Cluster 2: Institutional Framework

Outcomes:

- Finance mechanism must be clear on criteria, beneficiaries as well as accessibility emphasizing capacity building.
- Member countries consider ensuring that countries party to the new global agreement have equal footing in accessing funds under a new finance mechanism.
- Finance mechanism must also provide clear decision-making procedures on funding
- The need to provide a clear role of the scientific body either as a clearinghouse or a scientific or technical advisory body
- Need to agree on a proposed composition of the scientific body in light of the proposed Bureau membership, that is, 1 seat for SIDS on the proposed Bureau
- The importance of identifying clear scope on the type of information and data to be provided by the scientific body

Cluster 3: Sustainable production and consumption

Outcomes:

- Circulate link of possible indicators
- Health and toxicity are the guiding principles
- Seek global standard labelling and transparency, and standardization of import codes.

Cluster 4: Sustainable Product Design and Manufacturing

Outcomes:

- Chemicals need to be considered in the standards.
- Design needs to be considered in the standards, perhaps some form of certification linked to standards.
- There is a need to have products that are not only recyclable but also have markets to go to.
- Use of traditional materials into biodegradable products.
- Standards will help standardise biodegradability.
- Safe circular economy on plastic products.
- We will always live with plastics. We have to reduce our need for plastics.
- There are solutions, but they're region-, country-specific.
- Designs can help with economics, health.
- Reason to collect and reuse. Reason for design
- Green washing: standardisation
- Regional position influence the design. How do we do that?
- Use of bar codes in the design. Traceability.
- Chemical components to be included in the agreement.

Cluster 5: Environmentally Sound Waste Management

Outcomes:

- Waste minimisation: there was discussion on recycling, collection, having proper waste infrastructure for residual waste.
- Treatment of waste for outer islands.
- Incorporate 3R principles, but also support SIDS.
- Alignment with other MEAs e.g. Basel and Waigani Convention
- Best available techniques and provisional guidance on best environmental practices under the Stockholm Convention.
- Sustainable financing is key to environmentally sound waste management
- Policy development is essential as well as enforcement
- Financial assistance from the Convention to upgrade infrastructure development
- ALDFG and marine litter to be addressed
- ESM can work for SIDS, small island solution for waste management
- Need to address ESM from source – cradle to grave
- Labelling to help with separation and segregation of waste

Cluster 6: National Action Plans

Outcomes:

- Need for improved data collection and monitoring of existing policies.
- National plans are there but challenges lie in monitoring.
- Availability (or lack thereof) of data and challenges in monitoring and reporting
- Capacity challenges – lack of human resource capacity. Environment has been sidelined to health. Need for horizontal policy integration – across health, environment, climate change and biodiversity. There's an artificial separation as separate constructs when they are not.
- No National Plans have been developed in some countries due to lack of capacity and financial support. Requests for CROP agencies to provide support in these areas.

Dated: 17 August 2022
 Grand Pacific Hotel
 Suva, Fiji