

Delegate's Perspective on UNEP Intergovernmental Negotiating Committee on Plastic Pollution in Paris, France 2023: Summary of Events

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The second session of the UNEP Intergovernmental Negotiating Committee (INC-2) on plastic pollution took place at UNESCO in Paris, France from 28 May to 2 June 2023. The meeting was attended by representatives from over 185 countries and many non-governmental organizations including Engineers Australia. The main objective of the INC-2 was to make progress on the development of a legally binding international instrument to end plastic pollution. The primary aim of the negotiations was to mandate the Secretariat to develop a zero-draft based on the options developed from the submissions made following the INC-1 for discussions at INC-3. To the relief of many, this aim was achieved late Friday night.

INC-2 was riddled with challenges raised by a select group of countries over most of the week. The first three days comprised of many theatrical arguments on the rules of procedures that were argued would set precedence for decision-making based on majority rather than consensus. This was not actually resolved at INC-2 but were provisionally adopted late Wednesday evening, allowing for INC-2 to continue, but not without hiccups. Even at that late hour, there was in fact a false start, but the drama finally subsided, and delegates split into two contact groups to discuss the potential (i) core obligations and (ii) means of implementation to be included in the global treaty to end plastic pollution. Interestingly, rather than kicking off immediately, some time was in fact expended on discussing the order of discussions that should take place. One can only wonder if these were strategies orchestrated to reduce the available time further.

Fortunately, thanks to the perseverance and commitment of the majority, salvaging what time was left (Wednesday and Thursday were very late nights – finishing early in the mornings), there was broad agreement that the instrument should cover all types of plastic pollution throughout the value chain and that a range of measures to reduce plastics production and consumption, use of alternative materials, knowledge and technology transfer, capacity building, improve waste management, increase recycling (while noting that simply recycling and/or switching to alternative materials including bioplastics would not solve the problem). There was also agreement that businesses and industry should play a key role in reducing pollution with consideration for extended producer responsibility and provisions for financing implementation of measures needed to be included in the treaty.

There were also some issues where certain countries had differing views, such as plastics being a sustainable material of choice, the agreement to ban or reduce problematic or avoidable plastics such as single-use-plastics, what constituted polymers of concern, implications of plastics (including microplastics and nanoplastics) to human and environmental health, upstream and/or downstream approaches, adoption of legally binding rules vs. the development of National Action Plans as per the

Paris Agreement (It should be highlighted that the IPCC has stated that we cannot achieve the 1.5°C target, demonstrating the effectiveness of allowing countries to establish their own measures).

Moreover, there were differing options regarding the use of the precautionary principle, rights and risk-based approaches. However, there was consensus that the treaty should be based on scientific evidence. It will be important to ensure that independent scientific information is utilised throughout the process. There were several side events during the week that provided relevant information, experiences and perspectives on plastic pollution that raised awareness and promoted understanding for consideration during negotiations. Additionally, several groups such as the Scientists' Coalition (affiliated with) were on hand and actively engaged with delegates, sharing scientific information such as chemicals and polymers, climate change and circular economy and also identifying gaps. Concerns about the potential impact of the treaty on trade were also raised and the presence of UNCTAD, OECD, WTO members was helpful.

At the juncture of the member states to accept the report of the two contact groups and agree on intersessional work (Friday afternoon), there were questions raised about the way forward, leading to a four-hour discussion. It was well past COB when the mandate for a zero-draft was finally given to the Secretariat. Input for inter-sessional work is now being welcomed until mid-August from accredited organisations (e.g. Engineers Australia), and until mid-September from member states. In addition to scientific and technical information on issues such as defining and identifying polymers of concern, safe additives, white-lists, black-lists, life cycle analyses of plastics and alternative materials, common understanding of circular concepts, design initiatives etc., it would be highly beneficial if inter-sessional work is undertaken to ensure that the rules of procedures are adopted unconditionally before INC-3 so that INC-3 will be bereft of delay tactics based on procedural matters. Further elongated discussions were held regarding the venues for the next INCs, and agreement was finally obtained for INC-3 to be held in Kenya (Nov 2023), INC-4 in Canada (May 2024) and INC-5 in South Korea (Nov 2024).

There was undoubtedly room for improvement, but overall, the INC-2 was successful in meeting its objective to make progress on the development of a legally binding international instrument to end plastic pollution. Most of the delegates were constructive with a strong sense of shared commitment to find a solution to this global disaster, and with genuine intentions to develop a legally binding agreement by 2024. Many connections and relationships were established that should help to accelerate future work on the treaty development and foster additional initiatives.

Drawn into research of microplastics for numerous years now at the University of Newcastle through partial funding from Water Research Australia by Water Corporation of WA's sponsorship, I have become acutely aware of the threats of microplastics to human and environmental health. My water industry background, with a focus on the provision of safe water, was a natural segway to helping to raise awareness of the threats microplastics pose - through the estimation of the global average rate of microplastics ingested, a study for WWF Your Plastic Diet campaign. Since then, my research has developed a polymer prioritization framework to determine polymers of concern to enable targeted mitigation strategies and delved into building resilience to microplastics in the water supply cycle. Thus, representation as an Engineers Australia's delegate following roundtable discussions at the Open Ended Working Group (20 May to 1 June 2022 in Senegal), INC-1 (28 Nov to 2 Dec 2022 in Uruguay) and INC-2 (28 May to 2 June 2023 in Paris) has allowed us to provide direct input into the discussions, negotiations and elements to be included in this global instrument to address this disaster that compounds the triple planetary crises of climate change, loss of biodiversity and growing waste. This instrument will have a significant impact on the entire engineering sector as well as the water industry.