

JUNE 24, 2019

TIME

RISING SEAS.
FLEEING RESIDENTS.
DISAPPEARING VILLAGES.

OUR SINKING PLANET

by JUSTIN WORLAND

PLASTIC

U.N. Secretary-General António Guterres off the coast of Tuvalu, one of the world's most vulnerable countries. Facing a rise in global sea levels, island nations are leading the fight against climate change

time.com

UN Processes for Plastics & Chemicals: A view into the current state & outlook

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Main Processes

Hut for Chemicals

ICCM 5

Caring for lonely chemicals since 2006



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SPP: “IPCC” for Chemicals

OEWG

Let me think about this...



© Graham McGeorge/National Geographic

Plastics Treaty & BRS Conventions

INC + BRS COPS

Take the 1000th exit at the roundabout



© Jami Tarris/Corbis

SAICM Framework

SAICM is the only framework that covers everything on chemicals. **BUT is Non-binding**

The goal of SAICM to manage chemicals safely by 2020 was not achieved, so since 2015 there has been a parallel negotiation of the 'SAICM beyond 2020'. The final negotiation to adopt a new framework is ongoing.

EMERGING POLICY ISSUES

- LEAD IN PAINT
- CHEMICALS IN PRODUCTS
- HAZARDOUS ELECTRICALS
- NANOTECHNOLOGY
- ENDOCRINE-DISRUPTING CHEMICALS
- PHARMACEUTICAL POLLUTANTS

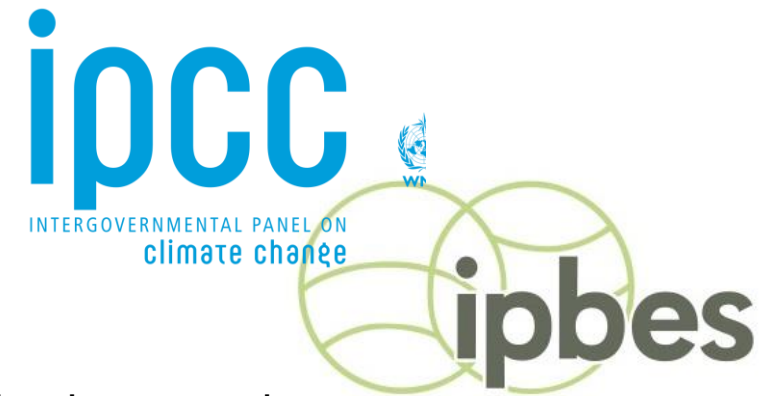
ISSUES OF CONCERN

- PERFLUORINATED CHEMICALS
- HIGHLY HAZARDOUS PESTICIDES



Science Policy Panel (SPP)

- UNEA Resolution 5/8: a Science-Policy panel (SPP) should be established to contribute further to the sound management of chemicals and waste and to **prevent** pollution.
- States have the mandate to negotiate by 2024
- So far only one meeting (divided into 2)
 - Elections
 - Discussions on the 4 proposed functions of the panel:
 - “Horizon scanning”
 - Conducting assessments ...
 - Providing up-to-date and relevant information, identifying key gaps in scientific research,...
 - Facilitating information-sharing with countries, ...
 - + Brazil suggested to add “capacity building”.
 - Questions on scope, topics, experts, conflict of interest are still on the table.
 - Links with the future Plastics Treaty,



Next COP in 2025 - decisions on listing new substances

Basel: transboundary movement	Rotterdam: PIC	Stockholm: precautionary approach to POPs
<p>Recent developments: Updated Technical Guidelines on ESM of Plastic Waste -updated technical guidelines on POPs wastes and e-wastes</p> <p>Next steps:</p> <ul style="list-style-type: none"> - Enter into force of new amendment on E-Waste - Continue discussions on Chemical Recycling 	<p>Recent developments: COP in May 2023: Some parties proposed adopting an amendment listing haz. chem. (Annex VIII) to avoid paralysis when there's no consensus on listing chemicals under Annex III → Blocked by some Parties.</p> <p>Next steps: CRC19 in Oct 2023 Chemical Review Committee to consider listing new industrial chemicals, herbicides and pesticides.</p>	<p>Recent developments: COP of the BRS in May 2023 listed UV 328 as POP (UV 328 is used as UV stabilizer in plastic products) -adopted procedures and mechanisms on compliance</p> <p>Next steps: POPRC19 in Oct 2023 POP's Review Committee to consider</p> <ul style="list-style-type: none"> - Medium chain chlorinated paraffins (MCCPs) and long-chain perfluorocarboxylic acids (LC-PFCAs), their salts and related compounds - Chlorpyrifos - Guidance on Long-range environmental transport: - Guidance on Labelling and other means of identification of POPs in stockpiles, articles in use and wastes

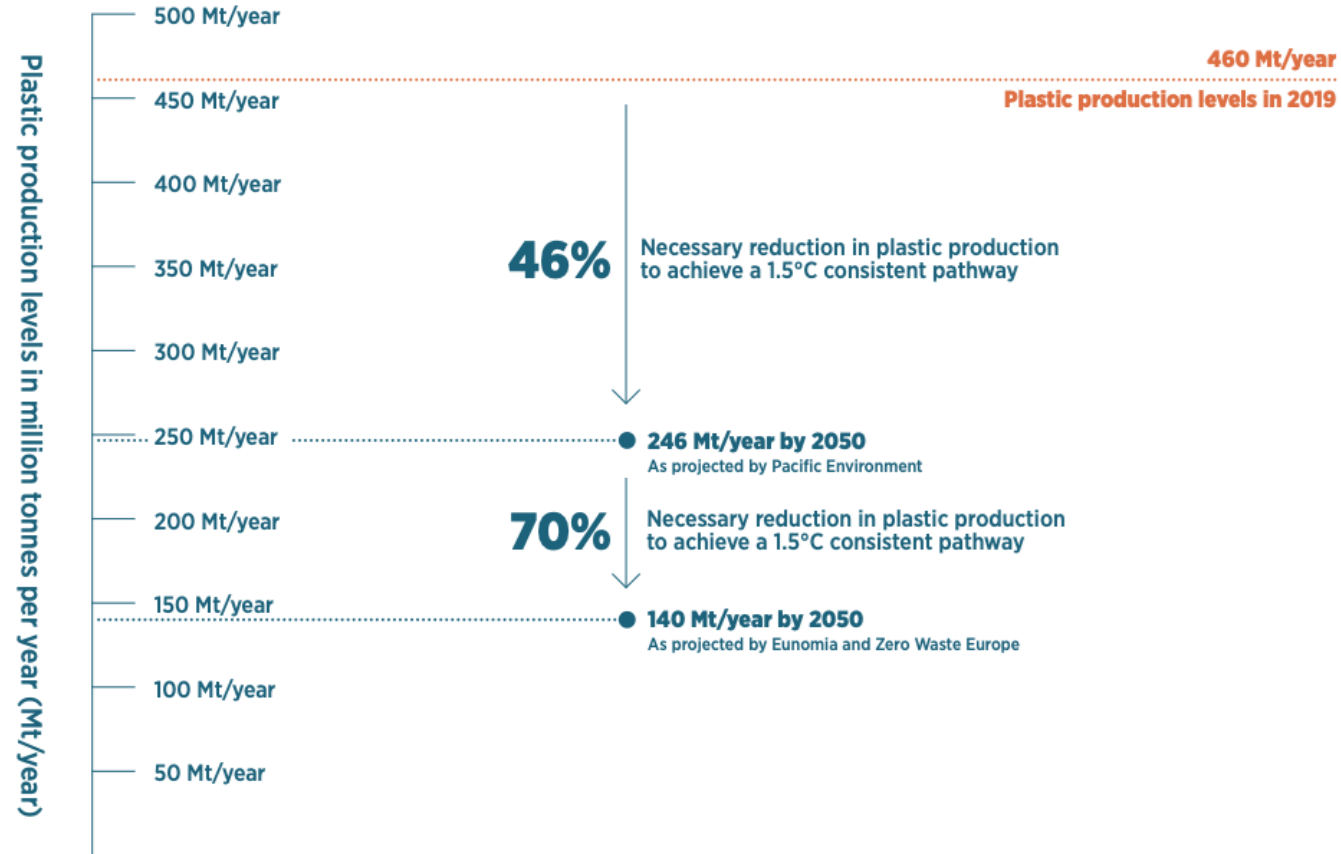
#PlasticsTreaty

OECD Definition: *“Broadly, all emissions and risks resulting from plastics during their production, use, waste management and leakage.”*



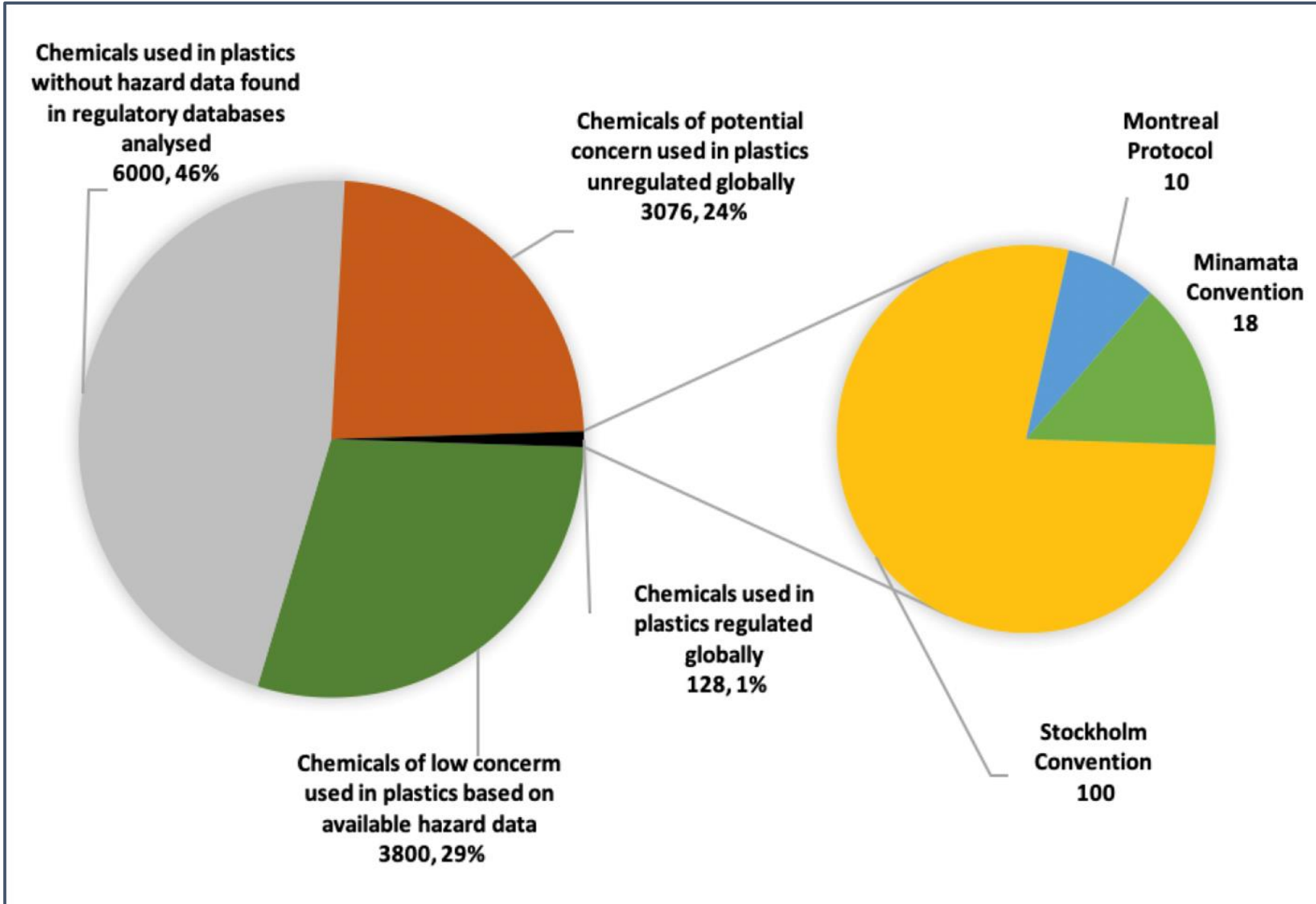
Estimated reductions in plastic production by 2050 for a 1.5°C consistent pathway

Calculations considering limited climate factors indicate that plastic production should drop to 140 Mt or 246 Mt by 2050. These numbers suggest that production levels must decline by approximately 46% or as high as 70% from 2019 levels as a minimum.



Source: Data from reports by the Organisation for Economic Co-operation and Development (titled "Global Plastics Outlook"), Pacific Environment (titled "Stemming the Plastic-Climax Crisis"), and Eunomia and Zero Waste Europe (titled "Is Net Zero Enough for the Materials Production Sector?").

BRS report on global governance of plastics and associated chemicals



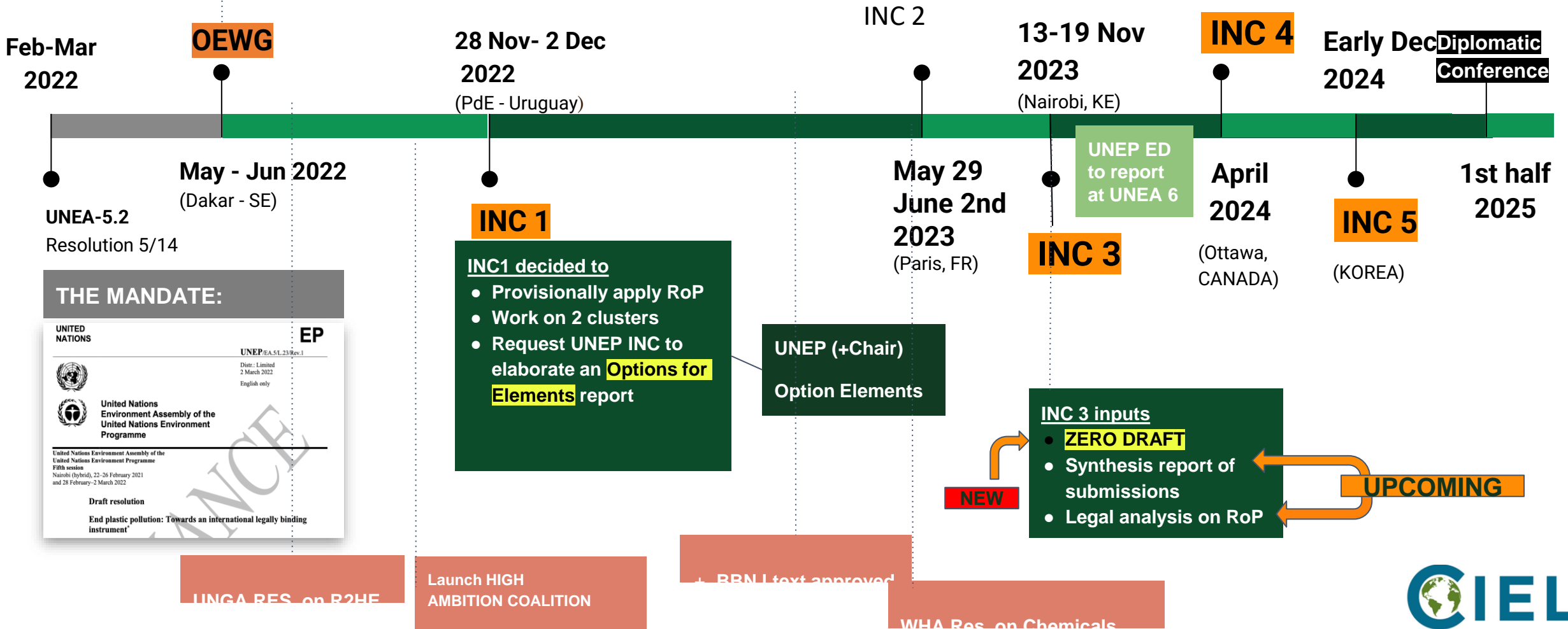
Upcoming: State-of-the-Science report on hazardous chemicals in plastics (Jan 2024) from Dr. Martin Wagner is already finding even more chemicals in plastics (more than 16'000).

Plastics Treaty Timeline

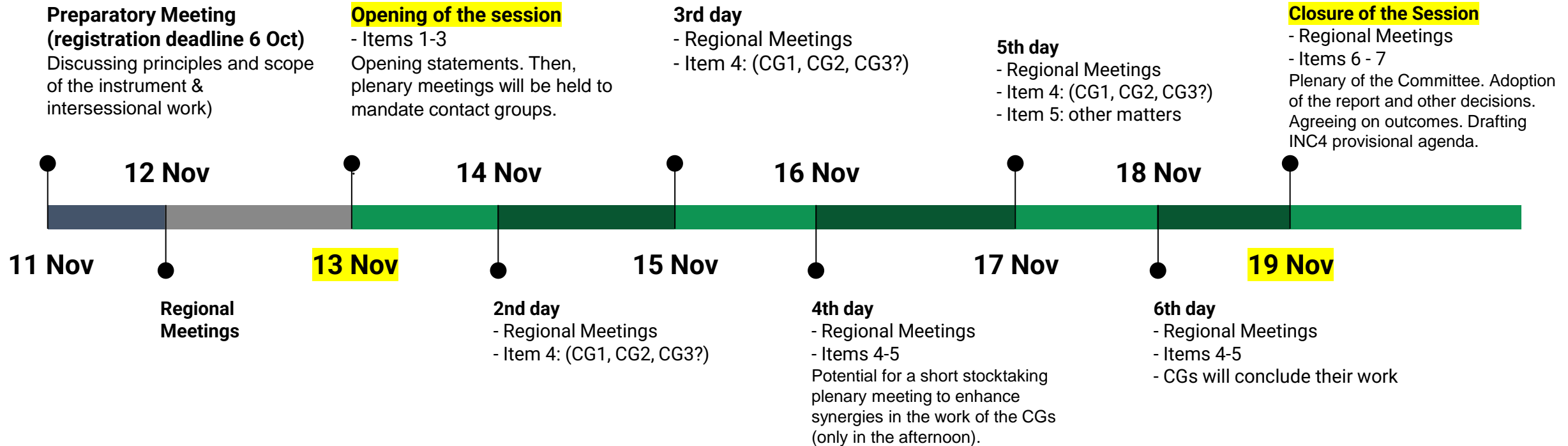
OEWG recommended:

- Draft Rules of Procedures
- 5 rounds of negotiations
- 11 members of the Bureau

to adopt and sign the final text



Timeline for INC3



INC3 Objectives

- advance the instrument using the zero draft as a basis;
- identify content of provisions on elements not discussed at INC2 by considering the following docs to develop a 1st draft text for INC4:
 - the synthesis report on the submissions on elements not discussed at INC2;
 - the summary from the co-facilitators leading the discussions during the preparatory meeting with a view (c) consider and decide on any intersessional work required for the fourth and fifth sessions of the committee.

INC3 Possible outcomes

- Agreed mandate to prepare a first draft text of the instrument for consideration at the fourth session of the committee that is based on the zero draft text of the instrument, the synthesis report and reflecting the progress that the committee has made at its third session;
- Defined modalities and timelines for intersessional work required for the fourth and fifth sessions;
- Agreement to forward for adoption the provisional agenda to the fourth session.

Key messages on the ZD



- Pivotal document:
From discussions to negotiations
- Very strong basis for starting negotiations
- A wide range of options and views are reflected

Structure of the Zero Draft

Part I

(1) Preamble; (2) Objective; (3) Definitions; (4) Principles ; (5) Scope

Part II

1. Primary plastic polymers
2. Chemicals and polymers of concern
3. Problematic and avoidable plastic products*
4. Exemptions available to a Party upon request
5. Product design, composition and performance
6. Non-plastic substitutes
7. Extended producer responsibility
8. Emissions and releases of plastic throughout its life cycle
9. Waste management
10. Trade in listed chemicals, polymers, products, and plastic waste
11. Existing plastic pollution, including in the marine environment
12. Just transition
13. Transparency, tracking, monitoring and labelling

Part III: (1) Financing; (2) Capacity-building, technical assistance and technology transfer

Part IV

1. National plans
2. Implementation and compliance
3. Reporting on progress
4. Periodic assessment and monitoring of the progress [...] and effectiveness evaluation
5. International cooperation
6. Information exchange
7. Awareness-raising, education and research
8. Stakeholder engagement

Part V [Institutional arrangements]

Part VI [Final provisions]

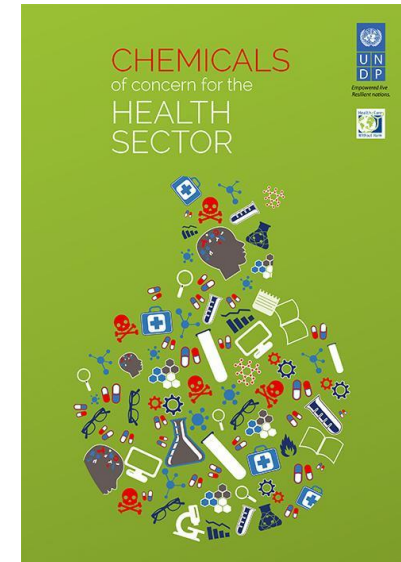
Appendix: Possible annexes to the instrument

* including short-lived and single-use plastic products and intentionally added microplastics

Criteria on Chemicals and Polymers

[CIEL's submission 3](#)

- **Small Expert Group** of governmental experts from regional groups.
- **Transparent process** allowing observer participation and written input.
- Focus on **hazard-based** approaches and **eco-toxicological** properties.
- Avoid **duplicating work** by using available information to establish criteria for future plastic treaty.
- **Multiple reports** suggest criteria for controlling plastics-related substances and precursors.



Identifying Problematic Plastics

- Toxicity, stability, longevity, size, composition, (bio)degradability
- **Sector-specific** focus: packaging, construction, consumer goods, etc.
- Consider **essential and non-essential** uses

Criteria for Design for Circularity

- Incorporate scientific opinion on **chemical simplification and grouping approaches**
- **Transparency** core to ensuring circularity



Environmental data obligations under the ZD

Part II Obligation 13: Transparency, tracking, monitoring and labelling

The obligations are to be applied by the Parties throughout the life cycle of plastics and plastic products according to the guidelines from the future governing body to ensure their safe and environmentally sound use, recycling and disposal.

PARA 1 Transparency

- A. Require producers and importers to **disclose harmonized information on the chemical composition** of all plastics and plastic products;
- B. **Ensure the traceability of chemicals**, polymers and the plastic contents of products;
- C. Establish **marking and labelling requirements**.

PARA 2 Monitoring & tracking

Parties shall **monitor and track the types and volumes** of its production, imports and exports **of chemicals and polymers used in the production of plastic polymers, plastics and plastic products**, and regulated plastic products across their life cycle.

PARA 3 Reporting

Parties shall **report the information collected** pursuant to paragraph 2, together with information on the recycling facilities functioning within its territory, in a standardized format to the governing body.

Information exchange under the ZD

Part III Obligation 6: Information exchange

Information exchange

1. Parties shall **facilitate and undertake exchange of information** relevant to the implementation of the treaty, including :
 - a. **Best practices and policies** on sustainable consumption and production;
 - b. **Research and technologies**;
 - c. **Knowledge** (including **Indigenous knowledge**) on **ESM, sources of plastic pollution**, human and fauna and flora **exposure to plastic pollution** and the associated **risk management and reduction options**.
2. Parties may exchange the information directly, through an online registry of the secretariat or other relevant channels.
3. Each Party shall **designate a national focal point for the exchange of information** under this *instrument*^{*}, including with regard to the **prior informed consent of importing States**.
4. Parties are encouraged to **learn from and build on existing ongoing processes, initiatives and networks** to share knowledge, highlight successes, replicate and scale sustainable solutions.
5. **Parties exchanging information pursuant to this *instrument*^{*} shall protect any confidential information as mutually agreed.**

Information Exchange under BRS & the Aarhus Convention

Different approaches to confidentiality		Env. democracy tool
<p>Rotterdam Convention</p> <p>Art 14: INFORMATION EXCHANGE</p> <p><u>Para 2:</u> “Parties that exchange information pursuant to this Convention shall protect any confidential information as mutually agreed.”</p> <p><u>Para 3:</u> “The following information shall not be regarded as confidential for the purposes of this Convention:</p> <ul style="list-style-type: none"> (a) Properties, identification and uses of chemicals (Annex I) [+] information and criteria for listing severely hazardous pesticide formulations (Annex IV); (b) The information contained in the <u>safety data sheet</u>*; (c) The expiry date of the chemical; (d) Information on precautionary measures, including hazard classification, the nature of the risk and the relevant safety advice; (e) The summary results of the toxicological and ecotoxicological tests”. 	<p>Stockholm 2001: broader view</p> <p>Art 9: INFORMATION EXCHANGE</p> <p><u>Para 5:</u> “For the purposes of this Convention, information on health and safety of humans and the environment shall not be regarded as confidential. Parties that exchange other information pursuant to this Convention shall protect any confidential information as mutually agreed.”</p>	<p>Aarhus 1998: exceptions</p> <p>Art 4: ACCESS TO ENV. INFO</p> <p><u>Para 4:</u> Env. information requested may be refused if the disclosure would adversely affect:</p> <p>“(a) The confidentiality of the proceedings of public authorities, where such confidentiality is provided for under national law;</p> <p>(...) d) The confidentiality of commercial and industrial information, where such confidentiality is protected by law in order to protect a legitimate economic interest. Within this framework, information on emissions which is relevant for the protection of the environment shall be disclosed;”</p>

**Gracias for your
attention!**

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