

INC-1 Multi-Stakeholder Forum Highlights: Saturday, 26 November 2022

The Multi-Stakeholder Forum, in conjunction with the first meeting of the Intergovernmental Negotiating Committee (INC-1) to develop an international legally binding instrument (ILBI) on plastic pollution, including in the marine environment, convened online and in Punta del Este, Uruguay on Saturday, 26 November 2022. It brought together hundreds of stakeholders from civil society, the private sector, government and academia, with participants engaging in panel and roundtable discussions throughout the day. The results of these discussions are set to be presented to the INC on Tuesday, 29 November 2022.

Opening

Femi Oke, International Journalist, moderated the Multi-stakeholder Forum plenary. Adrián Peña, Minister of Environment, Uruguay, highlighted that plastics are one of the biggest examples of unsustainable consumption and production, of “use and throw away,” with harmful implications for human health and the environment. Highlighting that a paradigm shift is needed to halt unbridled production of plastics and to tackle the increased and indiscriminate use of plastics, Minister Peña drew attention to the need for substantial and structural changes and acknowledged that the process will have economic impacts that “we will have to deal with.” Inviting participants to take action towards the fundamental cultural change that is required, he underscored the need to find consensus and for all to pool efforts to move together in one direction, to build a robust, effective and just instrument together.

Jyoti Mathur-Filipp, Executive Secretary, Plastic Pollution INC Secretariat, highlighted the importance of the active and constructive engagement of all stakeholders for an ambitious and meaningful outcome of the INC process, and the need for new pathways for novel, inclusive, and networked multilateralism to give voice to a broader set of stakeholders. She noted that the UN Environment Programme (UNEP) is in favor of continuing the multi-stakeholder forum throughout the next two years to negotiate an effective agreement.

What the science tells us for a system change to end plastic pollution

In a keynote presentation, Sheila Aggarwal-Khan, Director of the Economy Division, UNEP, walked participants through the content of the INC document on Plastics science (UNEP/PP/INC.1/7). The report investigates how the plastics economy can shift from a linear and resource inefficient economy to a circular economy and what this would take. Adopting a life cycle analysis, the report proposes four strategic goals to guide the transition to a circular plastics economy: (i) reducing the size of the problem by eliminating unnecessary and problematic plastics, such as single use plastics and those containing hazardous additives; (ii) designing plastic products for circularity; (iii) circulating plastics in practice, through reuse, recycling or composting; and (iv) managing plastic waste that has not been reused or recycled. The report calls for harmonized measures and legal obligations, in view of the cross-border movement of plastics and to level the playing field, and for taking a comprehensive and integrated approach to solutions across the life cycle of plastics, in regulatory, economic, behavioral, and trade areas.

Trisia Farrelly, Massey University, New Zealand, started the discussion by stressing the importance of understanding plastics as a complex substance made from many chemicals, including those derived from fossil fuels, and that many of these chemicals have been identified as harmful.

Veena Sahajwalla, University of New South Wales, spoke about micro-factories that take waste out of the environment and put it into manufacturing, thus creating value, including jobs, from waste.

Alethia Vázquez Morillas, Autonomous Metropolitan University, Azcapotzalco Unit, Mexico, stressed that circularity has limits, because the technology needs more elements than what is available now, and called for transparency from the industry to know more about the components in plastics.

Alexander Turra, University of São Paulo, spoke about the differences challenging the adequate promotion of an inclusive economy and inequality reduction. He urged that the treaty should address the inequalities between the global north and south, including at sub-national levels.

In the ensuing discussion, participants addressed how to prevent industry lobbies “sabotaging these negotiations.” Panelists stressed the importance of having clear science and an understanding of “what we want to achieve,” and also called for broader participation from stakeholders, particularly from marginalized communities. Participants also agreed that the ILBI should address possible impacts that a circular economy could have on the environment and human health. Panelists shared examples, highlighting that recycled polyethylene terephthalate (PET) contains more toxins than virgin PET. Participants were also interested in how the process will ensure the participation of scientists in the process, with some showing interest in knowing the number or percentage of scientists participating. Panelists explained that this is a country-driven process, and the participation of scientist will depend on state delegations, but also stressed that we already have the necessary scientific knowledge to begin and continue this process. A call for enhanced youth participation was welcomed by panelists as an attendee explained the need to create proper spaces for youth engagement and more significant participation from young professionals.

Roundtable discussion on stakeholder actions to combat plastic pollution across the lifecycle of plastics

Eliminating and designing for circularity: This discussion was moderated by Bethanie Carney Almroth, University of Gothenburg. In their discussions on accelerated action on the elimination and design towards circularity, the group underscored the need for lifecycle analysis of plastic materials and risk assessments of alternatives. They also addressed the need to consider the importance of locally based extended producer responsibility (EPR) schemes, especially in areas without proper recycling infrastructure. Some stressed that states would need to be involved in the legal enforcement of EPR policies to address the potential for the system to be exploited by producers who can afford to keep paying for their pollution in perpetuity. Others preferred including other stakeholders in the EPR process to ensure its efficiency.

Participants discussed the importance of addressing toxic additives in plastics, in order to create a circular economy for plastics. In this vein, some made the point that discarded plastic currently has very little value and is therefore easier to dump than to ban. Countering this, some others noted that plastic is so valuable that it is actually irreplaceable, while also underscoring that it would be impossible to tax single-use plastics to the levels necessary to disincentivize its use.

Some participants also called for a ban on single-use plastics, including polystyrene. Many others noted that there needs to be a focus on the individual types of plastics. Others stressed the need for incentives for innovation of substitutes and alternatives.

On recycling, some expressed concerns that mechanical recycling only addresses a small fraction of plastic waste, and should thus not be prioritized. Others noted that chemical recycling could change the chemical composition of polymers, which could be counterproductive.

Participants also considered the need for different solutions for different countries, with many supporting the need for local solutions to avoid international trade in plastic waste as far as possible.

Some called to acknowledge the limits of recycling, with even “good recycling” generating legacy waste.

Underlining that there are hundreds of plastics available on the market, participants noted the complexity of reducing the overall number of plastics on the market, highlighting the necessity of whittling these down to the most valuable plastic polymers for better management.

On how the ILBI can accelerate the actions to eliminate and design for circularity, one participant underlined the need for legally binding standards governing private sector action, including bans on the production of certain plastics. Some underlined that each country should make commitments, as under the Paris Agreement, taking into account national circumstances and capabilities, but with global bans for the most problematic additives, plasticizers, and polymers. Others stressed the need for accountability for certain industries, such as the fishing industry.

One participant stressed the need for the treaty to consider the economics of the lifecycle of plastics, suggesting that taxes collected in addressing plastic waste could be applied to the development of new solutions. Others suggested a global fund towards finding solutions to plastic waste, which could be funded from EPR payments. Many called for the treaty to address the numerous plastic types, with bans for single-use and unnecessary plastics, and creating a hierarchy of problematic products, polymers, additives, and processes. Others cautioned against substituting plastics with “regrettable substitutes,” reiterating the need for robust risk assessments for alternatives.

Many called for increased transparency on plastic additives, underlining that this cannot be proprietary information, as it concerns human health more broadly. Others stressed the need for consumer education and engagement strategies to be included in the treaty.

Participants noted the importance of traceability from production to waste management. The group also considered plastic production, with some calling for a cap of new plastic production. To address this, some stressed the need for transparency throughout the plastic lifecycle.

Circularity in practice: Moderated by Anjali Acharya, World Bank, this roundtable focused on the actions to help closing the loop of plastics in the economy, ensuring that plastic products are circulated in practice (reused, recycled, or composted).

In terms of actions required to achieve circularity in practice and close the loop, participants exchanged views and ideas across design, innovation, technology, infrastructure, policies, regulations and incentives, knowledge and research, as well as inclusion and governance.

Among the views exchanged, participants urged making a distinction between types of plastics and their contents, so that all are not considered under the same heading. Participants

highlighted the need to remove hazardous and toxic chemicals from plastics, as these preclude recycling, and phasing out problematic plastics. Different views emerged on compostable plastics, which some ruled out, while others supported developing further.

Several participants emphasized the need to ensure a link between design and circularity, as plastics must be designed in a way that they can be circulated. They highlighted innovation in design, both for plastic products and reuse and recycling infrastructures.

In terms of infrastructure, some participants proposed developing in-house reuse and recycling capabilities in all countries. Other participants proposed considering waste collection as a necessary service and not only characterizing it in terms of economic opportunities. They drew attention to the importance of finance and technology to establishing infrastructure.

One participant highlighted that in addition to circularity, we need to make the circle smaller by reducing plastic production. Participants discussed whether these efforts to reduce plastic production should set a cap or also take into account, for example, recycling efforts that contribute to reducing plastic. Some participants considered that plastics will be a part of the future, with others proposed to move towards alternatives to plastic.

Participants highlighted a science-based approach and the need to invest in research and reporting. Some also highlighted that education supports behavioral changes and that incentive systems alone are not sufficient. In terms of inclusion, participants highlighted the need to coordinate with other mechanisms, better transparency, cooperation between stakeholders and public and private actors, as well as the inclusion of disenfranchised and vulnerable sectors, including the informal waste sector.

The need for finance, technology transfer, and a funding mechanism was highlighted, and particularly to build capacity in developing countries. Some participants proposed establishing a mechanism for producers to pay. Other participants highlighted public procurements for circularity. Some proposed to include mandatory EPR schemes in the treaty.

In terms of what the ILBI should include, the participants addressed the need for global harmonized standards, common definitions, and global rules and measures, with some participants highlighting that the private sector has been asking for these and others noting that the ILBI should be designed so that it can support innovation. Some participants noted that standardization should not preclude a national approach.

Waste minimization and remediation: Moderated by Jordi Pon, UNEP, and Carlos Silva Filho, International Solid Waste Association, this roundtable focused on actions related to managing plastics that cannot be reused or recycled in an environmentally sound manner, including existing pollution. In their discussions, the group reflected on the importance of assessing which of those plastics that cannot be reused or recycled, are necessary or valuable to the economy when considering

bans or regulation. They also addressed the need to consider the technological advancements in finding replacements for those products that require it.

Participants then shared how their institutions and/or networks could influence or contribute to these proposals. They underscored the importance of governments having the will to create regulatory frameworks, which should take into account human rights and the available science. They also recommended that the ILBI should contain: protection from possible conflict of interest with industry; a transparency framework; promote civil society participation; harmonization between different levels of standards in transboundary transport of waste; include the Polluter-Pays Principle, the Precautionary Principle and EPR approach; a timeline for implementation; and a mechanism to provide guidance to the industry on how to replace the products that are to be banned with alternatives that are not harmful the environment and human health.

A virtual roundtable, moderated by Sandra Avérous Monnery, UNEP, looked at waste from a variety of perspectives, including prevention strategies, waste management solutions, and possible policies to reduce illegal dumping of hazardous waste. Participants explored the profound impacts of possible trade regulations recommending: the promotion of circular products as part of trade strategies; transparency on chemical contents of traded goods; a reduction in transboundary movement of hazardous waste; harmonized international reporting requirements; a cap on plastic production; and a ban on exporting plastic waste to countries with insufficient capacity to manage the material. Participants encouraged the need for fit-for-purpose infrastructure to collect and process plastic waste as key to a circular plastics economy, as well as the identification and prohibition of especially harmful polymers and plastics to minimize harm. Some participants encouraged cooperation with other similar legal frameworks, such as the Basel, Rotterdam, and Stockholm (BRS) Conventions. Discussions continued around the need to incorporate the Precautionary Principle, and the Extended Producer Responsibility approach, while consumer behavioral changes and the use of simple and memorable language such as the Paris Agreement's "1.5C" were mentioned as ways to involve the broader public. Finally, transparency, monitoring, and reporting were all featured prominently as important elements to ensuring plastic waste is minimized over time.

Roundtable discussion on how to initiate a multi-stakeholder action agenda

Moderated by Aron Kecha, Centre for Environment, Justice and Development, this group addressed the objectives, scope, and structure of the multi-stakeholder action agenda. Some discussed the division of the action agenda according to the different plastic polymer types, with actions targeted to each stakeholder group along the plastics value chain. Others noted that the action agenda should address the gaps within the lifecycle of plastics, and in plastic waste management, encouraging participation from all relevant sectors.

Others highlighted the barriers for actions on some polymer types in different countries, calling for an acknowledgment of different national capabilities and capacities.

Regarding learning from existing efforts, some pointed to the Basel Convention's Plastic Waste Partnership as a possible example. Others suggested looking to the Plastic Pact for inspiration, with others still pointing to tools under the World Economic Forum's the Global Plastics Action Partnership. Several participants noted the challenges for deploying global actions at the local level.

Some stressed that the structure should be inclusive and encourage participation of stakeholders across the entire lifecycle of plastic. Many also stressed the inclusive and participatory processes in national level planning processes, with some proposing funding for national multi-stakeholder programmes with interpretation into local languages. Others noted the need for local level consultations with Indigenous peoples and local communities, women, youth and other groups, with these inputs feeding into the global actions and the negotiating process.

Another roundtable was moderated by Elisa Tonda, UNEP, and Kabir Arora, National Coordinator at Alliance of Indian Waste-pickers. Participants reflected on how to ensure this multi-stakeholder forum will effectively feed into the INC negotiations on issues such as: suggesting alternatives to plastics; ensuring broader participation, particularly for youth and Indigenous peoples; and ensuring stakeholder engagement at the national levels. Participants suggested, *inter alia*: creating a platform for sharing innovations, data, best practices, but also for governments to connect with stakeholders with relevant expertise; a mechanism that can ensure accountability from parties to stakeholders; and an enhanced role by the Secretariat in preparing synthesis reports that include the issues discussed in the multi-stakeholder forum.

Moderated by James George, Ellen MacArthur Foundation, the virtual roundtable on initiating a multi-stakeholder action agenda explored: offering hybrid participation in a multi-stakeholder forum at each INC; an action agenda organized by short-, medium-, and long-term actions and goals; providing opportunities for stakeholders to communicate challenges and gaps directly to policymakers; and identifying specific technical issues before each INC to allow for expert engagement, including from chemical engineers. Participants also addressed: giving due consideration to existing policies in order not to reinvent the wheel; making the circular economy a financially sustainable business model; and including economic instruments and trade incentives to support circularity. Finally, they called for the removal of fossil fuel subsidies, and the introduction of standards affecting all stages of plastics' lifecycle, from its chemical makeup, to design and packaging.

Discussion and closure

Moderators from the different sessions shared preliminary reports from the roundtables, with some noting the need for more time to examine the conclusions more carefully.

In the ensuing discussion, virtual and in-person participants called for a greater focus on advocacy to encourage governments to take more stringent action. They also urged more inclusive participation so as to "fill all the chairs" in the room, and called for even more harmonized approaches to address plastic pollution. Some called for transparency over the number of industry participants represented in the room, with one underlining that "polluters should not have an equal voice" in the negotiations. Others stressed that all stakeholders need a seat at the table in order to ensure that a successful treaty can be negotiated and implemented. Some others stressed the role of informal waste pickers in addressing plastic pollution globally, with some calling for waste pickers to be included in the treaty in the most appropriate way. Some participants also raised concerns related to interpretation issues, flagging the need for wider participation. Participants also called for design standards which encourage reuse, especially in the fashion industry. Others highlighted the importance of proper sorting of plastic waste as part of the lifecycle of plastic. Several highlighted the need for greater youth participation in the negotiations as well as in the multi-stakeholder forum.

In closing, participants called for open and respectful discussions with all stakeholders going forward. Some others called for more considerations on the limits to plastic production. Noting that success breeds success, one participant encouraged building on existing efforts. Thanking all participants for their work during the day, Moderator Femi Oke closed the session at 6:31 pm.

In the Corridors

The INC's first multi-stakeholder forum opened to a room full of excited participants, brought together by the common goal of understanding how to address the plastic pollution crisis in which the world finds itself. With a diverse range of stakeholders representing a plethora of knowledges, perspectives, and interests, the day was littered with seemingly small, yet significant points of divergence. Is there a potential for a circular economy for plastics, given the toxic additives in plastics? Can an industry driven by profits from the sale of plastic products be part of the solution towards the elimination of plastic? Will technology prove to be the silver bullet in this process? Can chemical recycling ever work, given that some studies have revealed additional toxicants in recycled plastic materials, with negative impacts for human health and the environment? "In the end, do we just bury it?" asked one slightly confused delegate. "We can't do that," responded another, "because the toxic chemicals will just leach into the soil and ground water." With the INC set to start on Monday, it is clear that delegates will have their work cut out for them in the coming week, and indeed throughout the entire treaty negotiating process. "There is a lot to wrap our minds around in order to get the most robust treaty possible," shared one participant at the end of the day.