Call for written submissions – Proposed response template on the potential options for elements towards an international legally binding instrument

On 9 December 2022, the Executive Secretary of the INC Plastic Pollution Secretariat sent a notification inviting written submissions from members of the committee and from observers. The template below is intended to provide guidance to members of the committee and observers in structuring the written submissions.

As requested by INC-1, written submissions will inform the secretariat in the preparation of a document with potential options for elements towards an international legally binding instrument, for consideration at the second session of the INC, without in any way prejudging what the committee might decide regarding the structure and provisions of the instrument. The document is to be based on a comprehensive approach that addresses the full life cycle of plastics as called for by UNEA resolution 5/14, including identifying the objective, substantive provisions including core obligations, control measures, and voluntary approaches, implementation measures, and means of implementation.

The template below is meant to assist Members and Observers to prepare their written submission as a guide. A number of documents prepared for INC-1 are of relevance, notably UNEP/PP/INC.1/5 on 'Potential elements, based on provisions in paragraphs 3 and 4 of United Nations Environment Assembly resolution 5/14, including key concepts, procedures and mechanisms of legally binding multilateral agreements that may be relevant to furthering implementation and compliance under the future international legally binding instrument on plastic pollution, including in the marine environment'.

The template is divided into three sections:

I. Substantive elements
II. Implementation elements
III. Additional input

All written submissions must be sent to unep-incplastic.secretariat@un.org. The statements received will be compiled and made available the INC webpage.

Please note that it is not required for all fields to be answered in the template for submission.

Deadline for submissions:

- 6 January 2023 for written submissions from observers.
- 10 February 2023 for written submissions from Members of the Committee.

TEMPLATE FOR SUBMISSIONS

Name of country (for Members of the committee)	TUNISIA
Name of organization (for observers to the committee)	Ministry of Environment
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Date	09-02-2023

I. Substantive elements

1. Objective(s)

a) What objective(s) could be set out in the instrument?

Proposed Objective:
To effectively and efficiently achieve the goal of ending plastic pollution, it is important to adopt measures and obligations that address the problem at the stage of the life cycle where they will have the greatest impact. This will vary depending on the specific types of plastic being addressed. By breaking down the problem of plastic pollution into specific categories and subcategories, it will be possible to more effectively identify and implement the most appropriate measures for each type of plastic.

Explanatory Text: Comprehensive measures on the entire plastic life cycle, targeting specific global rules and priority categories of high-risk plastic pollution must be considered. Timely predictable, accessible and sufficient support, including both financial and technical resources, technology transfer and capacity building, must be provided for effective implementation of these measures at national level to be in synergy with regional processes. This will ensure the equitable transition for vulnerable groups and the strengthen of the smooth implementation of ongoing national strategies in Tunisia, namely (i) Littoral sans plastique, (ii) national strategy on blue economy, (iii) national waste management strategy (iv) national strategy for the ecological transition in Tunisia.

2. Core obligations, control measures and voluntary approaches

a) What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?

To address plastic pollution and protect the marine, freshwater and terrestrial environment, a comprehensive approach should include:

*Control measures for the most problematic plastic products and materials following a risk-based approach, including **bans and phase-outs**;*

Control measures to ensure circularity such as ***product design requirements****, and* ***global requirements and standards for collection and waste management.***

Measures and obligations can be clustered into three distinct groups based on the specific results in phases of the plastic life cycle they are expected to deliver: a) Elimination and minimization of the total volume of high-risk and leakage-prone plastic products and materials, b) circulation and creation of closed loops for necessary plastic products, and c) the safe collection, management and disposal of plastic products at the end of use.

Control measures:

- *Regulation: Global, Regional and National*
  - *Adoption of regulatory measures to control the use and disposal of plastic products, such as banning single-use plastics or establishing minimum recycled content requirements for plastic products.*
  - *Endorsement of a roadmap for reducing and minimizing the single use of plastic products in the different key sectors.*
  - *Designing and setting up the Extended Producer Responsibility (EPR), where applicable, for the different waste streams containing plastics.*
  - Developing a strategy of transition for vulnerable groups, sectors and populations.
  - *Strengthening the implementation of national strategies: i) Littoral sans Plastique, ii)* blue economy, iii) national waste management strategy and iv) energy and ecological transition in Tunisia.
- *Economic instruments:*

  The use of economic instruments, such as taxes, subsidies, and tradable permit systems, to incentivize the reduction of plastic use and the adoption of sustainable alternatives.

  The treaty should ensure application of the polluter pays principle and application of a comprehensive EPR system that allows cost-recovery mechanisms and involves all the concerned actors in this process.
- *Education and awareness-raising:*
  - *Investment in public education and awareness-raising campaigns to educate the public from different age levels on the impacts of plastic pollution and how to reduce their own plastic use.*
  - *Reinforcement of national capacities through the exchange of best practices and lessons learnt through exchange visits and specific dedicated trainings to public and private sectors for the use of substitute materials.*

Voluntary approaches:

- *Voluntary agreements: Encouragement of the industry and other stakeholders to adopt voluntary agreements to reduce plastic use and promote sustainable alternatives*
- *Corporate sustainability initiatives: adoption of internal sustainability initiatives by the private sector to reduce their plastic use and to adopt sustainable alternatives.*
- *Consumer action: Consumers can take individual action(s) to adopt specific local alternatives to reduce their own plastic use by choosing reusable, biodegradable and long-term local products and properly disposing of plastic waste. This could be organized with local NGOs.*

II. Implementation elements

1. Implementation measures

a) How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)

Countries should, as it is appropriate, take measures to ensure effective implementation –These measures include national strategies, legal reforms, administrative decisions and initiatives that must ensure the smooth transition for vulnerable groups. This includes:

- *Strengthening the implementation of the ongoing national strategy coastline without plastic (Littoral sans plastique: LISP). This strategy looks to reduce marine pollution by plastic waste and to ensure management from a circular economy perspective. The vision is a plastic-free Tunisian coastline adopting inclusive and sustainable circular models.*
- *Strengthening the implementation of the ongoing national strategy on blue economy in Tunisia.*
- *Strengthening the implementation of the ongoing national strategy* energy and ecological transition in Tunisia
- *Adoption of the National strategy for integrated management of household and similar waste management 2020 - 2035, whose vision is to "Promote an integrated management of household and similar waste, within the framework of a circular economy based on efficient municipalities in order to protect the environment and enhance the living environment".*
- *Effective application of the ban on single-use plastic bags (Decree n°32 of January 16, 2020 on the establishment of types of plastic bags whose production, import, distribution and holding are prohibited on the domestic market)*
- *Advances in the process of setting up the Extended Producer Responsibility (EPR) for the possible waste streams.*
- *Strengthening policy, legal measures and elaboration of a roadmap to reduce and ban more types of single-use products*

b) How to ensure effectiveness of the instrument and have efficient national reporting?

- Establish adequate legal framework to clarify responsibilities related to national reporting process.
- *Strengthening efforts of national and local stakeholders to report data coming from regular monitoring and assessment program on marine litter.*
- *Reinforcement of national capacities to report quality assured data with a particular focus on hotspot areas for marine litter.*
- *Establishment of a national database or platform (data repository that can be used for regular national assessment reporting).*

c) Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).

- *Strong involvement of the private sector and Civil Societies to strengthen initiatives toward changing consumer attitudes*
- *Reinforcement of research studies on green innovations, impacts of marine litter and plastics (macro, micro and nano plastics) on marine environment and risks on marine life and human health*
- Periodic reporting and global outlook to draw pathways.
- *Assistance to the economic sector in order to enhance waste management through the exchange of best practices and knowledge transfer, and to create a culture of industrial symbiosis to enhance circular economy.*
- Reinforce the communication between the public and the private sector (information, dialogue, control, administrative issues).

- Reinforce the awareness sharing on the topic according a communication action plan.

- Periodic reporting and global outlook to draw pathways.

2. Means of Implementation

With respect to means of implementation, document UNEP/PP/INC.1/5 covers the following elements:

To ensure the effectiveness of the plastic treaty instrument and have efficient national reporting, it is important to have clear and measurable goals and objectives for the instrument. A harmonized reporting system should be established based on agreed indicators, with clear guidelines on what information should be reported and how it should be collected and reported to ensure quality assured data.

Financial support should be provided to ensure quality assured data acquisition and to implement a regular monitoring and assessment programs following national and international protocols and frameworks.

To ensure large scale stakeholder participation, the instrument should encourage transparency in reporting and involve all relevant stakeholders in the monitoring and assessment process.

Add to that it is important to:

- Identify and consider the characteristics of specific plastic materials and products that are defined as pollutants, or at high risk of becoming pollutants.
- Identify and consider the implementation of potential cost-efficiency of harmonized global measures that may be taken in a comprehensive approach that addresses the full life cycle of plastic.
- Work on Extended producer responsibility (EPR) schemes: It is recommended to adopt EPR schemes for plastic products that consider the entire plastic value chain to encourage producers to design more sustainable products and take responsibility for their end-of-life management (financial or/ and organizational responsibilities).
- Product design: measures adoption to encourage the design of products with a reduced environmental impact, such as using easily recyclable materials (high recyclability level), reducing the use of hazardous chemicals, and designing products for durability,reuse and reparability.
- Waste-to-energy conversion: investment in waste-to-energy conversion technologies, , as a means of reducing the amount of waste that ends up in landfills and the environment
- capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance.

a) What measures will be required to support the implementation of the instrument?

The measures required to support the implementation of the instrument will depend on the specific goals and provisions of the instrument. However, the elements identified in UNEP/PP/INC.1/5, including capacity-building, technical assistance, technology transfer, and financial assistance, can all play a role in supporting the implementation of the instrument.

Capacity-building: To effectively implement the instrument, governments, national and local stakeholders (private sector, civil society, NGOs, etc.) may need to build their capacity in areas such as waste management policies, plastic recycling, and the development and use of sustainable / local alternatives to plastic. This could involve training programs, exchange visits, knowledge transfer, research and innovation, institutional, technical and financial assistance, and other forms of support.

Technical assistance: Governments, national and local stakeholders need technical assistance to develop and implement strategies for addressing plastic pollution and protecting the marine environment. This could include assistance with the development of regulations, policies, and other measures, as well as support for the implementation of these measures on the ground.

Exchange of best practices and Technology transfer: Governments and national stakeholders need access to new technologies or innovations to address plastic pollution and protect the marine environment. Technology transfer can help ensure that these technologies are made available to those who need them, while also protecting the intellectual property rights of the developers.

Financial support: National and local governments as well as other concerned stakeholders need financial support to implement the instrument, particularly in developing countries that have limited resources to implement the necessary infrastructure, technologies, and to get the adequate technical assistance.. This could include funding from international organizations, governments and other potential donors.

III. Additional input

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

A legally binding plastic treaty could include a range of provisions to address plastic pollution and protect the marine environment.

To raise awareness on plastic pollution and its impact on the environment and human health, the treaty could include provisions for public education and awareness-raising campaigns, as well as provisions for the exchange of information and progress among countries and all potential stakeholders.

Distinct conversations are needed on measures, in accordance with the principle of common but differentiated responsibilities to comprehensively address its stage of the lifecycle, in line with the Resolution 5/14.

To support the development of more sustainable alternatives to plastic and technologies to improve plastic recycling and waste management, the treaty could include provisions for research, innovation and development.

To ensure that the concerns of all relevant stakeholders are taken into account, the treaty could

include provisions for stakeholder engagement, such as requirements for consultation and mechanisms for addressing stakeholder concerns.

To support the implementation and monitoring of the treaty, the treaty could establish a secretariat or other institutional arrangements (such as subsidiary bodies). Finally, the treaty could include final provisions such as the process for amending the treaty, the process for withdrawing from the treaty, and the dispute resolution process.

Adequate means of implementation through additional and predictable financial assistance provided through multilateral funds established for that purpose as well as capacity building and technical assistance including technology transfer and deployment.

- Investment in research and development: financial assistance to invest in research to develop more sustainable alternatives to plastic, as well as technologies to improve plastic recycling and waste management.

- International cooperation: Working within the African Group of negotiators and other countries as well as international organizations to address plastic pollution and protect the marine environment on a global scale, such as by establishing international agreements or participating in regional or international initiatives.

- As a member of African Group Negotiators (AGN), Tunisia strongly support the INC AGN submission