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IUCN WCEL Agreement on Plastic Pollution Task Force Briefing Note

INC Intersessional Experts Group 2 Questionnaire Summary, 30 July 2024

One of the critical outcomes of the 4th meeting of the Intersessional Negotiating Committee (INC-4) for the adoption of an international legally binding instrument on plastic pollution, including in the marine environment (ILBI) was the authorization of two intersessional expert groups (IEGs) to meet between the end of INC-4 in April 2024 and the beginning of INC-5 in November 2024. Each IEG was given a specific mandate and set of issues to address in the online and in-person meetings to be held during this timeframe, and it has been agreed that State representatives, their designated national experts, the INC Secretariat and its designated technical experts will meet in-person in Bangkok from 24 – 28 August 2024. The goal of these meetings is to generate discussions and potential ways forward for fundamentally important issues in the ILBI context, however these meetings are not intended to function as negotiation sessions. Instead, they are expected to result in reports back to the INC President and the INC itself, which may be taken up for discussion and negotiation during INC-5.

In advance of these meetings, each IEG was authorized to hold three preliminary, online meetings, occurring at 2-week intervals between mid-July and mid-August. To facilitate the framing of the discussions for IEG 2, which will address the question of criteria and non-criteria approaches for plastic products, chemicals of concern and product design, the Group Co-Chairs and the INC Secretariat requested that States and their national experts complete a questionnaire regarding their thoughts on these issues. The questionnaire was due to the INC Secretariat by 29 July 2024 and was used to set the discussions which took place during the 30 July 2024 meeting of IEG 2. It is expected that the information generated will also play a role in shaping the agenda for the subsequent online and in-person meetings of this Group.

Below is a legal and policy-oriented analysis of the most relevant and non-duplicative questions posed and answered elicited by the questionnaire. It is intended to provide an understanding of where the areas of greatest challenges and convergence between the States have appeared as well as what the core areas of focus of these topics were identified as being. It should be noted that not all States provided responses to the questionnaire, thus the comments and trends below are only indicative of the written submissions provided to the Secretariat.

Summary from Part B4a responses on ILBI criteria approaches

Overall, there are some discernible trends in proposed forms of criteria to be used by the ILBI and subsequent COPs to determine and regulate plastic products. From the outset, it should be noted that many States have indicated the importance of considering examples from other MEA practices, especially the Basel, Rotterdam and Stockholm Conventions and the Minamata Convention.

There is the now frequent discord between some States which express the view that criteria approaches should not be addressed because their attempt to regulate plastic products is outside the scope of the intended ILBI. Additionally, there is a rift between States seeking to establish global, harmonized standards for criteria, their determination and their implementation and those States maintaining that these determinations should solely be made at the national level. Some States have pointed out that the setting of global criteria and standards should be

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used to establish a regulatory floor that ILBI State Parties could go beyond depending on their national choices.

When assessing the use of criteria, the EU in particular emphasized that the criteria list should be non-cumulative, meaning that evaluation would be done on whether a product or substance fulfils any of the criteria rather than requiring that they all be fulfilled. In this spirit, the EU has proposed that there be a 2-tiered approach to implementing the criteria. At the first level, there would be a filter to identify problematic products and sort them, while the second level would then apply global standards for problematic and avoidable plastics and plastic products, though with some flexibility for national circumstances.

Potential criteria listed in State responses:

- Science and evidence based criteria (Portugal, Cook Islands, US, Colombia)
- Hazardous criteria classification (Portugal, Cook Islands, Chile)
- Risk management evaluations (Portugal, Indonesia)
- Waste hierarchy (Malaysia, Philippines)
- Chemical composition (Suriname, Cook Islands, Korea, Monaco, Costa Rica, UK, Ecuador, Chile, Peru, Australia, Burundi, Germany, Panama, Mexico, Colombia, Thailand, Solomon Islands, Algeria)
    - Polymer composition (Suriname as a specific mention)
    - PET (Somalia as a specific mention)
    - Hard plastics (NZ as a specific mention)
    - Intentionally added microplastics (Cook Islands, Switzerland)
    - Microplastics (Monaco, Micronesia, Chile, Switzerland, Panama, Mexico)
    - Additives (Costa Rica as a specific mention)
- Physical properties (Ethiopia)
- Origin and use (Ethiopia)
- Biodegradability (Suriname, Somalia, Chile, Indonesia, Panama)
    - Non-biodegradable (Suriname, Somalia)
    - Industrial biodegradable (Suriname)
    - Home compostable (Suriname)
    - Marine biodegradable (Suriname)
- Usage duration (Suriname, Costa Rica, Indonesia, Germany, Panama, Thailand)
    - Single-use (Suriname, Cuba, NZ, Cook Islands, Korea, Costa Rica, Micronesia, Indonesia, Palau, Egypt)
    - Short-term use (Suriname, Cuba, Cook Islands, Korea, Micronesia, Palau, Egypt)
    - Durable goods (Suriname, NZ)
    - Packaging (Korea, Costa Rica)

- Recyclability (Suriname, Somalia, Japan, Korea, Monaco, Philippines, Costa Rica, EU, Chile, Peru, Iran, Madagascar, Indonesia, Iraq, Germany, Panama, Vanuatu, Thailand)
    - Widely recyclable (Suriname, Japan)
    - Limited recyclability (Suriname)
    - Non-recyclable (Suriname, Korea)
    - Easily recyclable (Somalia)
    - Complex materials (Somalia)
    - Reusability (Japan, NZ)
    - Renewability (Japan)

  - Compostability (Japan)
  - Redesignability (Japan)
  - Waste management elements (Japan)
  - Product design (Cook Islands)
  - Leakage (Japan, Micronesia, Mexico)
  - Including local and national setting options (NZ)
  - National recycling options (Korea)
  - Refillability (Korea)
  - Refurbishability (Korea)
  - Remanufacturability (Korea)
  - Chemical recyclability (Iran)

- Hazard-based (Suriname, Monaco)
  - Non-hazardous (Suriname)
  - Potentially hazardous (Suriname)
  - Hazardous (Suriname)

- Environmental Impact (Somalia, Korea, Costa Rica, UK, Micronesia, Chile, Iran, Israel, Indonesia, Iraq, Germany, Canada, Palau, Colombia, Thailand)
- Unsuitable plastics (Armenia)
- Preventable plastic products (Armenia)
- Ecotoxicity (Costa Rica)
- Environmental and human health impacts (Japan, Malaysia, Monaco, Micronesia, Ecuador, Uruguay, Chile, Peru, Brazil, Australia, Indonesia, Iraq, Canada, Palau, Vanuatu, Panama, Colombia)
- Regulatory compliance (Germany)
- Animal health impacts (Malaysia, Monaco)
- Biodiversity loss (Philippines, Canada)
- Carbon footprint, etc (El Salvador, Philippines, Chile, Peru, Indonesia)
- Avoidable plastics (Cuba, Cook Islands, Philippines, Singapore, UK, Uruguay, Peru, Switzerland, Madagascar, Australia, Indonesia, Canada, Armenia, Palau, Egypt, Vanuatu)
- Problematic plastics (Cuba, Cook Islands, Philippines, Singapore, UK, Uruguay, Switzerland, Australia, Indonesia, Canada, Armenia, Egypt)
- Unnecessary plastics (Uruguay, Indonesia, Canada)
- Flexibility in product analysis (El Salvador)
- Likelihood of becoming litter (Japan)
- Alternatives (Japan, NZ, Korea, Monaco, EU, Micronesia, Iran, Madagascar, Israel, Panama)
- Substitutes (Philippines, Monaco)
- Socio-economic impacts (Japan, NZ, Philippines, Peru, Indonesia)
- Medical needs (Japan, Korea, Uruguay, Peru)
- Food safety needs (Japan, Korea, Malaysia, Costa Rica, Uruguay, Peru, Iraq)
- Hygiene needs (Japan, Uruguay, Peru)
- Sectoral approaches (Cook Islands, Australia)
- Sustainability criteria (Cook Islands, Philippines)
- Decision tree approach (Malaysia)
- Transparency (Philippines)

- Life-cycle approach/assessments (Philippines, Iran, Ethiopia)

Summary from Part B4b responses on ILBI non-criteria approaches

It is clear that the proposal to include non-criteria approaches within the scope of the IEG addressing plastic products, chemicals and product design is highly controversial. This is due in large part to the fact that, as highlighted by many States, there is a lack of international or significant national precedent for this concept as such. Thus, a number of States have indicated their opposition to including non-criteria approaches in the ILBI. Many States have also requested clarity on what is meant by non-criteria approaches, examples from previous practice and how they would function under the ILBI. In other instances, States have suggested the use of non-criteria approaches as a method of incorporating non-scientific and less specific means of assessing whether plastic products fall within the regulatory ambit of the ILBI. Additionally, some of these States have insisted that non-criteria approaches would offer an avenue for the reliance on national circumstances and capabilities, common but differentiated responsibilities and deference to national standards for plastic products.

It should also be noted that trade concerns have been raised in some State responses under this section and present a conflicting view of the intersection between trade-related measures and the ILBI. Some States view non-criteria approach as including tax and subsidy elements to reduce plastic production and consumption within their jurisdictions, while others see this as a potential threat to the WTO laws which apply to many potential ILBO State Parties and have insisted that measures in this section of the Treaty would need to be subject to WTO authority, including the WTO dispute settlement mechanism.

Potential non-criteria elements and approaches in State responses:

- Lifecycle approaches and/or assessments (Suriname, Somalia, Korea, Chile, Thailand)
- Risk based approach (Suriname, Somalia, Saudi Arabia, Iran)
- Circular economy (Suriname, Madagascar)
- Accessibility, availability, affordability and economic impacts of alternative materials (Oman, Cuba, Russian Federation)
- Socio-economic impacts (Oman, Germany)
- Cultural contexts (Germany)
- Identification of problematic and avoidable plastics nationally (Cuba, Russian Federation, Kuwait, Qatar)
- Global ban list (Cuba, Tuvalu, UK)
- Generalized guidelines (Singapore)
- Regulation of chemicals and polymers of concern (Tuvalu)
- Regulatory bans (Costa Rica)
- EPR (Costa Rica)
- Transparency and traceability (Tuvalu, Germany)
- Reporting (Chile)
- Economic feasibility assessments (Chile)
- Emissions and releases limits (Tuvalu)
- Information sharing and global database (Tuvalu)
- Trade measures, especially taxes and subsidies (Tuvalu, Costa Rica, Chile, Germany)
- Waste management measures (Tuvalu, Saudi Arabia, Bahrain)

- Globally harmonized reporting (Tuvalu)
- Statistical guidelines for plastic flows (Tuvalu)
- Decision hierarchy based on global lists (Tuvalu)
- Decision tree approach (Malaysia)
- Voluntary industry agreements (Costa Rica)
- Public-private partnerships (Costa Rica)
- National action plan based systems (Saudi Arabia, Indonesia, Egypt, Bahrain)
- Source tracking (Ethiopia)
- Modelling and simulation (Ethiopia)
- Stakeholder engagement (Ethiopia, Germany)
- ISO Standards (Ethiopia)
- Technical methods (Ethiopia)
- Data-driven approaches (Ethiopia)
- Best practices recommendations (Chile)
- Sectoral approaches (Switzerland, Iran, Egypt)
- Sustainability (Madagascar, Egypt)
- Public awareness (Bahrain)
- Technology Transfer (Bahrain)

Summary from Part B5 responses on ILBI specific uses and applications for criteria and non-criteria approaches

Overall, the responses in this section highlight that there are some areas of convergence surrounding issues where alternatives and substitutes for plastic products have yet to be fully developed and thus the continued use of plastics is necessary. Critical areas under this heading include medical uses, pharmaceutical uses, food and water safety and the provision of emergency supplies. At the same time, there are clear areas of divergence between States about whether and how to encourage an end to the use of plastics across multiple industries and sectors and whether this should be something that occurs at the global and/or national levels.

Potential specific uses identified in State responses:

- Creation of specific mechanism to grant exemptions for certain uses/applications under the ILBI (Portugal, EU, UK)
- Food and food packaging (Suriname, El Salvador, Cuba, NZ, Saudi Arabia, Ecuador, Chile, Qatar, Iran, Burundi)
- Water security (Cuba, Iran)
- Beverages (El Salvador, NZ, Costa Rica, Ecuador, Chile)
- Packaging (Somalia, Costa Rica, UK, Ethiopia, Chile, Peru, Burundi, Canada, Malawi, Bahrain)
- Helium filled balloons for release (Ethiopia)
- Military uses (EU)
- Medical devices (Suriname, Somalia, Oman, Cuba, Russian Federation, EU, Saudi Arabia, Ecuador, Ethiopia, Chile, Qatar, Iran, Burundi, Mexico, Egypt)
- Pharmaceuticals (Oman, Cuba, Russian Federation, Ecuador, Chile, Qatar, Iran, Egypt)

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- Sanitary and hygiene sector (Oman, Cuba, Russian Federation, Saudi Arabia, Iran, Egypt)
- Agricultural plastics (Suriname, Qatar, Burundi)
- Electronics (Suriname, Somalia, Costa Rica, Burundi)
- Automotive plastics (Suriname, Costa Rica, Ethiopia, Burundi)
- Fishing gear (Suriname,
- Textiles (Suriname,
- Cosmetics (Burundi,
- Single-use items (Somalia, Saudi Arabia, Uruguay, Peru,
- Construction (Somalia, Costa Rica, Ecuador, Burundi, Egypt, Bahrain,
- Technology (Bahrain)
- Emergency and natural disaster/humanitarian uses (Cuba, Russian Federation, Iran)
- Paint and coatings (Russian Federation, Iran)
- Products made of elastomers (Russian Federation, Iran)
- Single uses (Monaco, Israel)
- Non-use of blanket exemptions (NZ, Cook Islands, Korea)
- Design tree approach use (Malaysia)
- Highly problematic products to be regulated (Philippines)
- Essential versus non-essential use designations (Philippines, Solomon Islands)
- Problematic plastics designation (Ethiopia)
- Compost contaminants (Ethiopia)
- Reuse and refill (Ethiopia)
- Alternative materials (Ethiopia, Iran)
- Consumer electronics (Ethiopia)
- Toys and recreational products (Ethiopia, Burundi)
- Furniture and home goods (Ethiopia, Burundi)
- Need to look at the issues relating to timing and phased actions for various types of plastics (Switzerland)
- Evaluations of recyclability, reusability and waste management for specific plastic types (Madagascar)
- Trade and plastics (Madagascar)
- Biodiversity focus and GBF alignment (Madagascar)
- Plastic recovery and waste streams (Australia)
- Lifecycle assessments (Germany)
- Eco-labelling standards (Germany)
- Material innovation and design thinking (Germany)
- Stakeholder engagement (Germany)
- Circular economy (Germany)

Summary from Part C7a responses on potential ILBI criteria based approaches for chemicals of concern

As with the proposals for plastic products, the idea of including chemicals and chemicals of concern within the ambit of the ILBI is still highly controversial and represents an area of division between States in the INC process. While the majority of States have indicated a willingness to include regulation of chemicals and chemicals of concern in the plastics context as part of the ILBI, those objecting to this inclusion primarily do so on the assertion that this does not fall

within the parameters of UNEA Resolution 5/14. Additionally, some of these States also object to the specific terminology of “chemicals of concern.” There are also several State submissions which raise concerns regarding the impact of listing chemicals of concern under the ILBI and the enforceability of WTO laws.

Among the States willing to include chemicals and chemicals of concern in the ILBI, and even among States objecting to this inclusion but offering backup suggestions, there is some consensus around the idea that existing, relevant standards from other MEAs should be a central component. Included in these suggestions are the non-binding terms of the GFC and the Globally Harmonized System of Classification and Labelling for Chemicals. The extent to which these are to be pre-emptive of ILBI measures or elements that are supportive of the ILBI is an area of contention. Additionally, most States are willing to and have suggested a number of criteria that could be used in evaluating relevant chemicals. There is a split between States which view the ILBI COP and other decision making entities as the appropriate venue for decisions regarding and listing of chemicals and those States which firmly believe that this should be a national determination, often taking into account CBDR principles.

Potential criteria based approaches identified in State responses:

- Hazard based criteria (Suriname, Oman, Japan, Cook Islands, Costa Rica, EU, UK, Ethiopia, Madagascar, Israel, Brazil, Australia, Indonesia, Burundi, Germany, Armenia, Malawi, Panama, Colombia, Vanuatu, Solomon Islands)
    - Non-cumulative approaches (Cook Islands, EU)
- Environmental harms (Australia, Guatemala, Indonesia, Malawi, Colombia, Vanuatu)
- Exposure based criteria (Suriname, Indonesia, Germany)
- Risk assessment (Germany)
- Regulatory status criteria (Suriname, Korea, Costa Rica, Indonesia, Germany)
- Science-based standards (Malaysia, Brazil, Colombia)
- Harmonized standards (Malaysia, EU, Switzerland)
- Functional use criteria (Suriname, Indonesia)
- Concentration-based criteria (Suriname)
- Toxicity (Somalia, Costa Rica, EU, Micronesia, Ecuador, Ethiopia, Uruguay, Chile, Peru, Madagascar, Palau, Colombia, Thailand, Solomon Islands)
- Persistence (Somalia, Korea, Monaco, Costa Rica, UK, Micronesia, Ethiopia, Uruguay, Chile, Peru, Madagascar, Burundi, Palau, Egypt, Colombia, Vanuatu, Thailand, Solomon Islands)
- Long-range transportability of chemicals (Korea, Monaco, Micronesia, Uruguay, Peru, Burundi, Egypt)
- Bioaccumulation (Somalia, Costa Rica, EU, UK, Ethiopia, Uruguay, Chile, Peru, Madagascar, Burundi, Palau, Colombia, Vanuatu, Thailand, Solomon Islands)
- Chemical specific (El Salvador, Chile, Guatemala, Burundi, Panama, Egypt)
- Additives (Malaysia)
- Danger based approach (Monaco)
- Carcinogenic properties (Monaco, Costa Rica, EU, UK, Micronesia, Ecuador, Ethiopia, Chile, Madagascar, Palau, Colombia, Vanuatu)
- Endocrine disrupting properties (Monaco, Micronesia, Ethiopia, Chile, Palau, Vanuatu)
- Organ toxicity properties (Monaco, Costa Rica, UK, Micronesia, Ecuador, Chile, Palau)
- Reproductive impacts (EU, UK, Ecuador, Chile, Peru, Madagascar, Palau, Colombia, Vanuatu)

- Disproportionate impacts and socio-economic impacts (Micronesia, India, Germany)
- Respiratory and skin impacts (Monaco, UK)
- Risk based criteria (Costa Rica, Ethiopia, Peru, India, Madagascar)
- Exposure (Ethiopia)
- Likelihood of release (Ethiopia)
- Functional criteria (Ethiopia)
- Alternatives (Ethiopia, Indonesia, Germany)
- Life-cycle based criteria (Ethiopia, India)
- Transparency (Madagascar, Indonesia, Canada, Armenia, Palau, Solomon Islands)
- Harm to recyclability (Israel, Australia, Armenia, Thailand, Solomon Islands)
- Harmless materials (Israel)
- Labelling standards (Indonesia)
- Type of use (Iraq)
- Connected to global warming and ozone depletion (Colombia)

Summary from Part C7b responses on potential ILBI non-criteria based approaches for chemicals of concern

The majority of State responses to this question reflected their opinions regarding the use of non-criteria approaches for plastic products. Thus, a majority of States were uncertain regarding the exact meaning, origin and applicability of non-criteria approaches in the context of chemicals of concern, and most were also not in favour of applying anything other than an articulable, criteria based approach for the regulation of chemicals of concern under the ILBI.

Where States did offer suggestions, they were typically methods of reframing or reiterating their comments under C7a relating to criteria based approaches. Several States reiterated the need for compliance with practices set forth in other MEAs and related soft law systems, while some continued to raise trade as either a concern or a method of potentially applying non-criteria based approaches to the regulation of chemicals of concern. Disagreements between whether non-criteria based approaches should be implemented at the international and/or national levels were also areas of common themes throughout the responses. Regardless, many States indicated the need for there to be a strong element of national regulatory link between the terms of the ILBI and the concept of non-criteria based approaches in the chemicals and chemicals of concern context.

Potential non-criteria based approaches identified in State responses:

- Lifecycle assessment approach (Suriname, Korea, Costa Rica, Ethiopia, Chile)
- Circular economy approaches (Costa Rica)
- Alternatives assessment approach (Suriname, Ethiopia)
- Green chemistry approach (Suriname, Mexico)
- Precautionary principles (Suriname, Mexico, Costa Rica, Madagascar)
- Preventive approaches (Costa Rica)
- Stakeholder engagement (Costa Rica, Chile, Indonesia)
- Public awareness (Chile)
- Incentives (Chile)

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- Adaptive management approach (Suriname)
- Transparency (Tuvalu, Indonesia)
- Emissions and releases (Tuvalu)
- Information sharing (Tuvalu)
- Trade measures similar to Rotterdam Convention (Tuvalu)
- Waste management approaches (Tuvalu)
- Reporting (Tuvalu)
- Statistical guidelines for plastic material flows (Tuvalu)
- Science-based approaches (Philippines)
- Best practices and guidelines (Chile)

Additionally, the responses to question C8 on the specific uses and applications of criteria and non-criteria approaches for chemicals on concern demonstrate similar dichotomies of understanding in terms of whether some industries and sectors should be given priority for either regulatory protections or increased regulatory requirements. As seen in the points raised relating to the same question in the context of plastic products, there are some States which assert that electrical, medical and food-related uses should be protected until other alternatives are successfully identified, while others assert that these are areas which would be best served by significant regulatory controls, phasing out programmes and bans.

Summary from Part D10A/B responses on ILBI terms relating to recyclability of plastic products using criteria and quality of plastic products approaches

Part 10A

There is a general understanding among most States submitting responses to the questionnaire that criteria will be important and necessary for establishing benchmarks in the recycling process for plastic products. Many States recognize the inherent need to carefully manage these practices in order to promote recycling and reuse while protecting human and environmental health. There are areas of divergence between States seeking to have criteria approaches adopted at the international level and those insisting that these are national decisions which should be evaluated using ideas such as CBDR and national circumstances and capabilities.

Potential terms and criteria approaches identified in State responses:

- Design for mono-material use criteria (Suriname, Cuba, Japan, NZ, RF, Cook Islands, Korea, Malaysia, Philippines, Singapore, Costa Rica, UK, Uruguay, Kuwait, Peru, Iran, Indonesia, Iraq, Canada)
- Minimum quantities of recycled contents (Tuvalu, Singapore, Palau)
- Easily separable components criteria (Suriname, Japan, Philippines, Ethiopia, Iran, Canada)
- Standardized polymer types criteria (Suriname, Costa Rica)
- Avoid problematic additives criteria (Suriname, Russian Federation (but with caveat on potential impacts on food security and shelf life), Cook Islands, Uruguay, India, Iran, Iraq, Burundi, Germany, Canada, Palau, Egypt, Thailand, Solomon Islands)

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- Colour & composition consideration criteria (Suriname, NZ, Korea, Singapore, Ethiopia, Uruguay, Peru, Switzerland, Guatemala, Indonesia, Iraq, Germany, Canada, Palau)
- Designed to prevent leakages and environmental, human health and socio-economic impacts (Micronesia)
- Lifecycle assessment approach (Suriname, Germany)
- Material compatibility (Somalia, El Salvador, Oman, Costa Rica, Ethiopia, Peru, Peru, Germany, Canada)
- Design for disassembly (Somalia, Cuba, Japan, Korea, Costa Rica, UK, Ethiopia, Kuwait, India, Iran, Indonesia, Iraq, Germany, Canada, Egypt, Thailand)
- Biodegradation, thermal treatment & thermolysis-degradation (Kuwait, Solomon Islands)
- Design for recycling (Oman, Micronesia, Saudi Arabia, US, Ethiopia, Peru, Indonesia, Germany, Egypt)
- Design simplicity (Philippines, Micronesia)
- Clear labelling criteria (Somalia, NZ, Korea, Malaysia, Philippines, Ethiopia, India, Indonesia, Canada)
- Quality of recycled products evaluation (Somalia)
- Clear packaging designs (El Salvador, Cuba, Japan, Philippines, EU, Peru, India, Iran, Madagascar, Canada)
- National recycling infrastructure (Cuba, Singapore, UK, US, India)
- Longer use and longer service life (Cuba)
- Easy collection and transfer (Cuba, Japan, Cook Islands, Malaysia, UK, Iran, Canada)
- Easy crushing and incineration (Cuba, Japan, UK, Iran)
- Use of recycled products (Cuba, Japan, RF, Cook Islands, Malaysia)
- Use of caps or lids (NZ)
- Flexibility for domestic recyclability standards (NZ)
- Fixability (UK)
- Upgradability (UK)
- Sustainability (Cook Islands, Canada, Panama, Solomon Islands)
- Transparency (Cook Islands, Philippines, Switzerland, Indonesia, Vanuatu, Solomon Islands)
- Traceability (Philippines, Australia, Mexico)
- Reporting (Philippines, Australia)
- Safety of designs (Cook Islands, Panama)
- Essentiality (Cook Islands, Solomon Islands)
- Economic incentives (Cook Islands)
- Improved chemical monitoring, testing and quality control (Cook Islands)
- Limitations of micro-plastics and nanoplastics (Cook Islands, Madagascar, Solomon Islands)
- Closed loop recycling (Cook Islands, India, Burundi, Panama)
- Circular design (India, Germany, Canada)
- Cost effective material recovery (Tuvalu)
- Minimize energy loss (Tuvalu, Canada)
- Risk assessment (Tuvalu)
- Market demand (Malaysia)
- Safe and sustainable design framework (Philippines)
- Best practices (Saudi Arabia)
- End of life options considerations (Ethiopia)

- Minimize contamination (Ethiopia)
- Standardized guidelines (Ethiopia, Switzerland, Canada)
- Compliance with sorting measures (Peru)
- Potential for chemical recycling & advanced recycling (Iran)
- Alternatives assessments (Iran)
- Waste hierarchy (Australia, Panama, Solomon Islands)
- Sector based approaches (Australia)
- Targets (Australia)
- Consumer education (Germany)

Part 10B

There are a number of areas of responses to this question in which States share somewhat similar views. At the same time, the theme of disagreements as to whether practices should be governed by international or national standards and systems plays a role in recycling of plastic products as it does across many areas of the ILBI *per se*.

It should also be noted that a portion of the responses to this question on the quality of recycled plastic products reflects the debate between States which are opposed to the use of chemical recycling and favour the use of mechanical recycling and those which advocate for the use of chemical recycling.

Potential quality of recycled plastics products approaches identified in State responses:

- Traceability systems criteria (Suriname, Ethiopia, Cook Islands, Thailand)
- Quality standards (Ethiopia)
- Technological innovation (Ethiopia, Indonesia, Bahrain)
- Contamination thresholds criteria (Suriname, UK, Palau)
- Upcycling potential criteria (Suriname)
- Capacity to be recycled in a safe and environmentally sound manner (Micronesia, Palau, Panama)
- Additives for quality improvement criteria (Suriname, Chile)
- Colour and pigmentation restrictions (Chile, Peru)
- Standardized testing methods criteria (Suriname, India)
- Design for reprocessing approach (Suriname, Micronesia)
- Connections to burdens on Indigenous communities (Micronesia)
- Collaborative value chain approach (Suriname)
- Use virgin plastics standards (Oman, Russian Federation)
- Targets and standards should be sector specific (NZ, Russian Federation)
- Transparency (Cook Islands)
- Reporting (Cook Islands)
- Restrictions on use of certain recycled materials using chemicals in toys, medical products, food and water related products (Cook Islands, Solomon Islands)
- Design standards and criteria (Tuvalu, Costa Rica, EU, Saudi Arabia, Canada)
- Encourage disassembly and modular storage options (UK, Chile)
- EPR (Tuvalu, Korea, Chile, Indonesia)
- Harmonized standards for recycled materials (Korea, Chile, India)

- Best practices and industry guidelines (Chile, Switzerland, Bahrain)
- Lifecycle assessments (Chile)
- Consumer education measures (Chile)
- Improved waste separation systems (Korea)
- Infrastructural development (Korea)
- Certification systems for recycled materials (Korea, Ethiopia, India)
- Promoting public-private collaboration (Korea,)
- Packaging standards (Korea)
- Labelling (Chile, Egypt)
- Raw food container standards (Korea)
- Labelling requirements (Korea)
- Assessment of circularity (Korea)
- Material and structural improvement system for electrical and electronic products (Korea)
- Minimized use of additives (Singapore)
- Feedback loops (Ethiopia)
- Closed-loop systems (Ethiopia)
- Market demand (Ethiopia)
- Market and economic incentives (Indonesia)
- Research and development systems (Ethiopia, Indonesia)
- Circular design and economy (Ethiopia, Canada, Thailand)
- Capacity building (Ethiopia)
- Cross-sectoral collaboration (Ethiopia)
- Investment in recycling (Ethiopia)
- Stakeholder engagement (Indonesia)

Summary from Part D11A/B responses on ILBI terms relating to reusability of plastic products using criteria and quality of plastic products approaches

Part 11A

There is a general understanding among most States submitting responses to the questionnaire that criteria will be important and necessary for establishing benchmarks in the reuse process for plastic products. Many States recognize the inherent need to carefully manage these practices in order to promote recycling and reuse while protecting human and environmental health. There are areas of divergence between States seeking to have criteria approaches adopted at the international level and those insisting that these are national decisions which should be evaluated using ideas such as CBDR and national circumstances and capabilities.

Potential terms and criteria approaches identified in State responses:

- Durability standards criteria (Suriname, Somalia, Oman, Russian Federation, Cook Islands, Tuvalu, Korea, Philippines, Singapore, Costa Rica, EU, UK, Saudi Arabia, Uruguay, Kuwait, India, Qatar, Switzerland, Madagascar, Indonesia, Canada, Armenia, Vanuatu, Thailand, Solomon Islands, Bahrain)
- Sector based approaches (Australia)

- Targets (Switzerland)
- Design performance standards (Cook Islands, EU, Switzerland, Canada)
- Design for disassembly criteria (Suriname, Oman, Russian Federation, Singapore, Costa Rica, India, Germany, Canada, Vanuatu)
- Ease of manufacturing (Costa Rica)
- Supply chain sustainability (Costa Rica)
- Standardized components criteria (Suriname, Oman, Russian Federation, Costa Rica, India, Thailand)
- Biodegradable (Costa Rica, Guatemala)
- Circularity (India, Egypt)
- Material selection criteria (Suriname, Ethiopia, Saudi Arabia, Australia, Germany, Thailand)
- User-centered design criteria (Suriname, Singapore, India, Thailand)
- Safety and human health aspects (Singapore, UK, Ecuador)
- Lifecycle assessment approach (Suriname, India, Australia, Germany)
- Modularity (Somalia, UK, Ethiopia, India, Indonesia)
- Ability to clean (Somalia, Korea, Philippines, Ethiopia, Uruguay, Peru, Indonesia)
- Sanitation and hygiene standards (Korea, UK, Ecuador)
- Refurbishability (Oman, Vanuatu)
- Longer use and longer service life (Japan, NZ, Singapore)
- Easy reusability, including parts, and return patterns (Japan, Tuvalu, Korea, Philippines, EU)
- Safety of reuse (NZ, Singapore, Costa Rica, EU)
- Labelling (NZ, EU, UK, Canada)
- Safety of chemicals used (Cook Islands, Costa Rica, Thailand)
- Emissions of microplastics and nanoplastics (Cook Islands, Solomon Islands)
- Reuse infrastructure (Tuvalu, Malaysia, Philippines, Uruguay)
- Scalability of reuse activities (Philippines)
- Ease of product collection and storage (Korea, Canada)
- Standards (Philippines)
- Stakeholder and business engagement (Philippines, Madagascar, Germany, Canada)
- Closed loop systems (Canada)
- Incentive systems (Germany)
- Packaging (Philippines, Uruguay, Peru, Canada)
- Consumer engagement (EU, Mexico)
- Standardized product information (UK, Peru)
- Transparency (UK, Australia)
- Traceability (Uruguay, Mexico)
- National context specific criteria (Saudi Arabia, Bahrain)
- EPR (Madagascar)
- Human and environmental health protections (Guatemala)

Part 11B

There are many areas of overlap between State responses to the questions posed in Part D 11A and 11B regarding reuse and the quality measures expected or proposed for reusability in the context of plastic products. Some new areas and actions have also been proposed, however,

and the overall scope of the responses demonstrates continued areas of greater convergence in the reusability context.

Potential quality of reuse systems for plastics products approaches identified in State responses:

- Cleaning and sanitization standards criteria (Suriname, India, Thailand, Algeria)
- Durability and related product standards (Philippines, Singapore, Saudi Arabia, Thailand)
- Chemical resistance of products (Philippines)
- Traceability systems criteria (Suriname)
- Reverse logistics infrastructure criteria (Suriname, Singapore, Saudi Arabia, India, Thailand, Bahrain)
- Quality assurance protocols criteria (Suriname)
- Hygiene and safety standards (UK, India, Thailand)
- Standardized reuse models criteria (Suriname, UK, Qatar)
- Collaborative ecosystem approach (Suriname)
- Consumer education and incentives approach (Suriname, UK, Ecuador, India, Switzerland, Panama)
- Policy and regulatory standards (India, Panama)
- Stakeholder engagements (Ecuador)
- Training and awareness campaigns (Ecuador)
- Refurbishability (Oman)
- Optimization of material flow (Oman)
- Coordinated logistics throughout reuse lifecycle (NZ, Costa Rica)
- Lifecycle assessments (NZ, Ethiopia)
- Accessible and affordable reusable packaging (NZ)
- Infrastructure and maintenance (Cook Islands, Singapore, Thailand, Solomon Islands, Bahrain)
- Economic measures, taxes and subsidies (Cook Islands, UK, India, Solomon Islands)
- EPR (Cook Islands, Solomon Islands)
- Financial mechanism support from the ILBI and transparency (Cook Islands, Switzerland, Panama)
- Sustainable product design (Cook Islands, Solomon Islands)
- Green product promotion (Korea)
- Safe transportation measures (Korea)
- Packaging (Singapore)
- Labelling standards (Costa Rica, UK, Thailand)
- Best practices (Bahrain)
- Takeback schemes (Costa Rica)
- Technology integration (Ecuador)
- Circular economy (Ecuador)
- Traceability (Mexico, Thailand)