

## American Fuel & Petrochemical Manufacturers (“AFPM”) Written Submissions for INC-3 (Part A)

Name of country (for Members of the committee)	Not Applicable
Name of organization (for observers to the committee)	American Fuel & Petrochemical Manufacturers (“AFPM”)
Contact person and contact information for the submission	Rob Benedict, <a href="mailto:rbenedict@afpm.org">rbenedict@afpm.org</a>
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### Introduction / AFPM Interest in the Global Agreement

AFPM is the leading trade association representing the manufacturers of base petrochemicals that are the essential building blocks for plastic products that improve the health, safety, and living conditions of humankind and make modern life possible. AFPM members are committed to sustainably manufacturing the petrochemicals and derivatives for plastics that growing global populations and economies need to thrive, improving and innovating product design and recycling to increase reuse rates, and developing policies and technologies to address plastic pollution.

AFPM members are committed to collaborating with policymakers and other stakeholders to develop sound, risk- and science-based policies to address environmental issues including the adverse impacts of plastic pollution caused by mismanaged post-consumer plastic. AFPM members have actively supported, and continue to support, policies designed to protect the environment, decrease emissions, incentivize recycling, and promote research and development in recycling technologies through pilot phases to full commercialization. By supporting such policies AFPM members strive to achieve a truly circular economy that creates, conserves, and derives value from post-consumer plastics.

To prevent plastic pollution from entering the environment, we encourage the United Nations Environmental Program (“UNEP”) to embrace policies that enable, and not hinder, a circular economy that utilizes technologies and strategies to recover post-consumer plastic and transform it back into usable materials. Achieving circularity will require consistent and rational policies that improve waste management, embrace technology and innovation, and incorporate solutions across the entire plastics value chain.

### Elements Not discussed at INC-2

#### 1. Scope

*What is the proposed scope for the future instrument?*

*Which types of substances, materials, products and behaviors should be covered by the future instrument?*

### **Proposed scope**

AFPM supports efforts to craft an international agreement (or instrument) to end plastic pollution. The instrument should consider the entire life cycle of plastics, and governments should focus on actions to reduce plastic pollution in the environment. The instrument should be developed to support innovation in all segments of the plastic life cycle and encourage, and not hinder, the shift to a circular economy.

Utilizing a science-based approach, the instrument should prioritize actions to advance circularity and address leakage of plastic waste into the environment, while recognizing the benefits of plastics to society and the social and economic impacts of measures to address leakage of certain plastics. The agreement should also fully consider the life cycle impacts of alternatives to plastics.

The global instrument should not duplicate existing efforts by other multilateral agreements, for example, the regulation of chemical additives or the trade of plastic waste. Broadening the scope of the agreement beyond the stated goal of ending plastic pollution jeopardizes the progress of an agreement and complicates widespread ratification amongst member states needed to make meaningful change. It is essential to carefully consider other conventions and agreements (e.g., the Paris Agreement, Strategic Approach to International Chemicals Management (“SAICM”) process, Kunming-Montreal Global Biodiversity Framework, Basel/Rotterdam/Stockholm conventions, etc.) to avoid duplication of work and scope.

AFPM generally supports the terms and definitions included in [UNEP/PP/INC.1/6](#). To maximize the impact of the global instrument, it must include clear definitions for “full life cycle approach”, “plastic pollution”, “plastic leakage”, and “plastic waste.” AFPM also suggests that the definition of “Life cycle assessment” would include some reference to both direct (*i.e.*, production, retail transport, and end-of-life disposition) and indirect impacts (*i.e.*, fuel savings in lightweighting transportation, lower energy consumption, and reduced food spoilage).

### **Substances, Materials, Products and Behaviors Covered**

Regarding substances, materials and products to be covered, the agreement should focus on post-consumer plastic. As stated above, the global instrument should consider, but not duplicate, existing efforts by other multilateral agreements, for example, the regulation of chemical additives or the trade of plastic waste. These instruments should work in concert.

Regarding behaviors to be covered by the instrument, AFPM stresses the behaviors of many stakeholders through the plastic value chain should be covered. To achieve success, these stakeholders will need to act in partnership. AFPM is aligned with “Global Partners for Plastic Circularity” (“GPPC”), a multinational collaboration of associations and companies that make, use and recycle plastics, and calls on all stakeholders to join forces and align on a common vision of eliminating plastic pollution. To this end, behaviors of governments, plastics makers/converters, financial institutions, brands/retailers/users of plastics, recyclers/waste management sector, and science/academic institutions could be covered by an agreement and are outlined [here](#).

### **Explanatory Text**

AFPM shares GPPC’s [ambition](#) and agrees that sustainable consumption and production and creating well-designed plastic products that enable waste minimization are of critical importance. Collaboration between product companies, consumer brands, plastic/petrochemical manufacturers,

and plastics converters is necessary to design products that are easier to recycle and accepted in waste collection programs and is essential to create a circular economy.

We also agree that creating universal access to collection and environmentally-sound waste management is a key step toward circularity. Improved waste management is foundational to reducing plastic pollution and achieving circularity. To eliminate plastic pollution, it is essential to create a circular economy in which used plastics are no longer perceived as waste.

AFPM supports a global agreement that addresses plastic pollution while retaining the societal benefits of plastics. AFPM's and GPPC's approach reflects our vision and ambition, as well as our knowledge and technical capabilities as innovators and solutions providers. It reflects the need to respect each country's unique situation and work collaboratively to accelerate progress toward eliminating plastic pollution.

## 2. Principles

*What principles could be set out in the future instrument to guide its implementation?*

### **Proposed principles**

AFPM encourages governments to consider the following principles, some of which are included in Appendix 1 of [UNEP/PP/INC.2/4](#).

- **National Flexibility:** The agreement must include national flexibility as a critical principle. This will be especially important when addressing the specific needs and special circumstances of developing and least developed countries, including small island developing States. National action plans, supplemented with enabling policies and global targets for reducing plastic waste, increasing the use of recycled content, and prioritizing high leakage applications should be an essential part of the agreement.
- **Foster Innovation:** The agreement should be guided by the “innovation principle,” which promotes smart, future-oriented policies designed to encourage innovation to deliver socially and environmentally beneficial progress. Embracing this principle will unlock innovation across the plastics value chain and foster global investment in plastics circularity.
- **Science- and Risk-Based Approach:** Transparency and reliance on best available science and a risk-based approach to addressing plastic pollution should be a key principle to guide the development of an agreement. The petrochemical and plastics industries support global research programs that develop and apply real-world, science-based approaches and test methods to learn more about the potential impact of plastics on human health and the environment. Such research should be peer-reviewed and based on the best available science. This also should include life cycle analysis of plastics and non-plastics alternatives that includes both direct and indirect impacts.
- **Application-Based Approach:** The agreement should use a plastic application-based approach to determine the plastic materials at most risk of leaking into the environment and to identify appropriate mitigation measures. Focusing on specific polymers could have adverse impacts as polymers are used in multiple applications and support multiple

supply chains (single-use and in durable plastics). A polymer-based approach could also reverse advancements in sustainability as the same polymers used in single use packaging may also be used to support multiple applications that enable emissions reductions, clean water, and green energy.

AFPM notes this approach should be used to determine what materials are most likely to end up mismanaged and in the environment for purposes of mitigation efforts. We do not support production caps or bans, which ignore the benefits of plastics. For example, life cycle analysis has demonstrated greenhouse gas emissions from plastic products, including single-use plastics, are often significantly lower during their life cycle compared to their alternatives. Many plastic products, including single-use applications, have additional utility that cannot be replicated with other materials. Finally, regardless of application, if waste is recyclable, properly managed, and kept out of the environment, the proposed agreement's goals objectives will be met.

- **Re-value Post-Consumer Plastics:** Well-designed programs that incentivize the reuse of post-consumer items have proven to be successful for other waste materials. A well-designed program should be material inclusive, operate on a net-cost principle and revenues should be reinvested in infrastructure to collect, sort, and recycle the waste. Such programs enable communities to develop new enterprises utilizing materials that today are viewed as waste.
- **Just Transition to a Circular Economy:** The importance of the informal sector and social inclusion should be considered. Further, the agreement should recognize that the developing world and small island nations are impacted differently by plastic pollution. The agreement should consider how these marginalized and vulnerable communities would be uniquely affected by any proposed solutions.
- **Waste Hierarchy:** The waste hierarchy is a widely used and effective tool that encourages sustainability. Recognizing nations are at different starting points on their journey to circularity and have unique circumstances, there is a need for a range of solutions based on the waste hierarchy to address plastic pollution. AFPM supports the use of the waste hierarchy as a basic principle of the agreement to determine what is most appropriate given national and regional circumstances.
- **Regulatory Compliance:** The agreement should consider regulations, requirements, and current compliance related to the plastic value chain. The agreement should also recognize the variations and differing levels of regulation and compliance globally. This principle is related to the above-mentioned principle of national flexibility.

#### **Explanatory Text**

AFPM is aligned with the GPPC's [Vision](#) of a world in which plastics are sustainably produced, designed, used, reused, and recycled in a circular economy and do not become pollution. The United Nations ("UN") Sustainable Development Goals ("SDGs") are not achievable without petrochemicals and the plastics derived from them. In developing a global agreement to address plastic pollution, UNEP must consider the tremendous benefits plastics provide for a growing domestic and global population as well as their importance in meeting UN SDGs.

To get there, we need to accelerate a circular economy in which plastic products and packaging are sustainably reused or recycled instead of discarded, enabled by a global agreement that unlocks industry innovation and global investment in plastics circularity. A global agreement must:

- Recognize the tremendous societal benefits of plastics while fully considering the life cycle impacts of alternatives,
- Unlock innovations across the plastics value chain to enable a truly circular economy, and
- Provide nations flexibility in the manner in which they address their unique challenges through the use of National Action Plans supplemented by global standards and metrics.

To help end additional plastic pollution and accelerate a circular economy for plastics, the agreement should incentivize actions by all stakeholders, include specific global measures supporting effective implementation, foster multistakeholder participation in financing, and enable flexibility for national action plans while holding countries accountable.

### **3. Additional considerations**

*Provide any other relevant inputs, proposals or priorities here that have not been discussed at INC-2 (e.g. preamble; institutional arrangements, including governing body, subsidiary bodies, scientific and technical cooperation and coordination, and secretariat; final provisions including dispute settlements; and if appropriate annexes).*

#### **Proposed inputs**

The private sector, including upstream members of the plastics value chain, will play a critical role in achieving the goals and objectives of a global agreement on plastic pollution. The business community can provide on-the-ground knowledge, experience, expertise, and act as both partners and solutions providers. Beyond the physical life cycle of plastic products themselves, industry has a wealth of knowledge and resources that could prove essential in several forums. To this end, we encourage UNEP to include industry and business, including the petrochemical and plastics industry, as participants in additional bodies created to implement the global agreement.

To increase the effectiveness of the instrument, governments should consider establishing an interim science body with participation by a range of scientists, including from industry. Such a group can support a science-based approach by facilitating scientific and technical information exchange to inform implementation of the instrument.

#### **Explanatory Text**

UNEP should resist calls to bar, or limit the participation of, the business and industry community from participation in discussions associated with the global agreement on plastic pollution. Such a restriction would hamstring the development of a meaningful agreement. Business and industry should be included in negotiations as well as any other relevant bodies created to support the development of an agreement, specifically in regarding scientific and technical cooperation and coordination. The petrochemical and plastics industry employ leading scientist and technical experts that are on the cutting edge of circular technologies throughout the life cycle of plastics and, as such, are essential in discussions related to the global agreement.