



# Safripol Sustainability Conference 2024

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Multilateral Environmental Instrument on plastic pollution:  
Potential Implications for polymer producers

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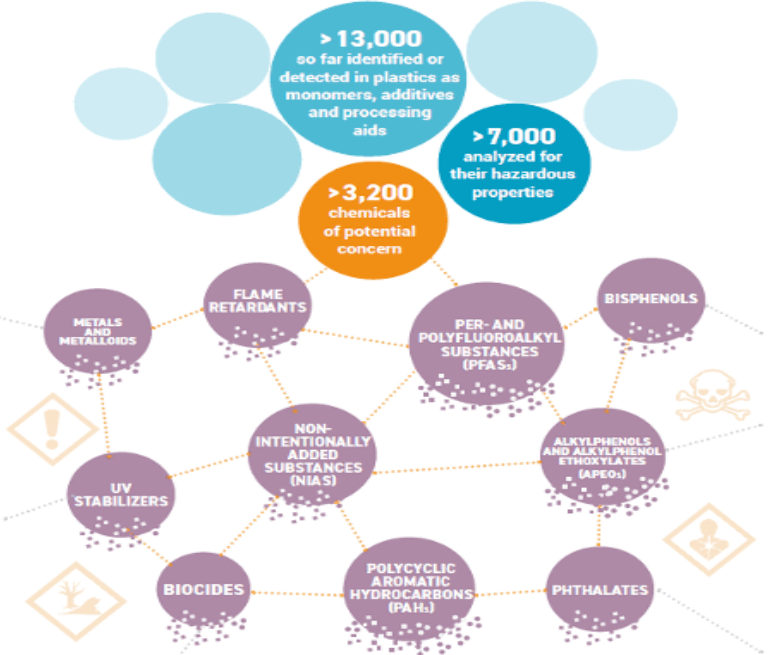
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# What is the situation on plastic pollution?

## CHEMICALS OF CONCERN IN YOUR PLASTICS



# SOUTH AFRICAN CONTEXT

Constitution assures everyone an environment that is **not harmful to health** and wellbeing, and the **environment to be protected**

- National Environment Management Act
  - Principles: Risk-averse and cautious approach, Polluter pay, Waste avoidance, Environmental justice, openness and transparency, just transition, access to information, global and international responsibilities must be discharged in the national interest, etc.)
- NEM: Waste Act
  - Plastic carrier bags: Economic instrument (2002), Plastic Bag Regulations, SANS and VC8087
  - Plastic packaging: Extended Producer Responsibility Regulations (2020) and Listing Notice (Economic instrument: EPR fee) incl. monitoring and effectiveness evaluations
  - National Waste Management Strategy
- Municipal Systems Act, Norms and Standards for refuse removal, cleansing and waste management



# INTERNATIONAL CONTEXT



- In March 2022, Heads of States, Environment Ministers and representatives from 175 countries adopted Resolution 5/14 at the United Nations Environment Assembly (UNEA) in Nairobi to negotiate an international legally binding agreement to end plastic pollution.
- In UNEA Resolution 5/14, governments requested the UN Environment Programme (UNEP) to: convene an Intergovernmental Negotiating Committee (INC). Its mandate was to develop an international legally binding instrument on plastic pollution, including in the marine environment.
- The Intergovernmental Negotiating Committee had four (4) sessions and intersessional work of two expert groups.
- ~Sixty-three hours of negotiating time is left to conclude the international legally binding instrument during the final session (INC5) in November 2024, Busan.

# WHAT ARE THE KEY CONSIDERATIONS FOR POLYMER PRODUCERS?



1. Are Primary Plastic Polymers **in** or out of scope of the international legally binding instrument?

- UNEA 5/14 “life-cycle”
- Definition of life-cycle (Expert Group reflections)

Life cycle means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal (ISO, 14040, 2006).

UNEP/PP/INC.1/6

- Definition of plastic pollution

Broadly, the negative effects and emissions resulting from the production and consumption of plastic materials and products across their entire life cycle. This definition includes plastic waste that is mismanaged (e.g. open-burned and dumped in uncontrolled dumpsites) and leakage and accumulation of plastic objects and particles that can adversely affect humans and the living and non-living environment. (UNEP/PP/INC.1/7, Appendix I, Plastics science (UNEP, 2022)).

# WHAT ARE THE KEY CONSIDERATIONS FOR POLYMER PRODUCERS?



2. What is the progress on reaching agreement on primary plastic polymers?
- Divergent views on the inclusion (no text option) of Primary Plastic Production element
  - Various permutations with varying degrees of control (Global vs national, binding vs voluntary)
  - Zero draft of the instrument had Primary Plastic Polymers as a key element that initiate the life-cycle and the INC's Chairperson's non-paper (5 September 2024) has "supply".
  - System boundaries are critical as part of material flow and mass balance considerations for plastics management.
  - Definitions

# WHAT ARE THE KEY CONSIDERATIONS FOR POLYMER PRODUCERS?



3. What is the implication of a proposal on global primary plastic pollution fee on primary plastic polymer production?
- Free market economy: Local consumption, export and import. Not all member states are primary plastic polymer producers meanwhile all member states are plastic consumers.
  - One proposal for \$60-90/tonne calculated on production
  - Consequent economic impact
  - Views advancing a threshold trigger however no evidence / data has been advanced
  - Concerns on duplication with EPR

# WHAT ARE THE KEY CONSIDERATIONS FOR POLYMER PRODUCERS?



## 4. What is South Africa's industrial policy direction on plastics?

- Plastics sector prioritised for economic growth.
- Plastics Master Plan included secondary resources economy as a key focus.
- Government priorities:
  - Inclusive growth and job creation; and
  - Reducing poverty and tackling the high cost of living.



# RECOMMENDATIONS



Whole of value-chain approach

- **Disclosure of primary plastic polymer production and increase in recyclate**
- **Chemicals of concern** as a global measure using criteria-based approach for identification: Transparency and disclosure
- **Problematic and avoidable plastic products and Product design** (Global measure on standards for prioritised applications/products as part of levelling the playing field, Fit for purpose applications). An area of improvement and growth is on the re-use / refillable applications.)
- **Emissions and Waste Management** (Not all households are receiving waste services)
- **Extended Producer Responsibility** (new policy covering plastic packaging amongst others) as global legally binding measure with EPR fee only for national considerations.
- Stand-alone **Financial Mechanism** (Just Transition on Enabling activities, incremental costs) Circularity and investing in the plastic waste collection for recyclate production. EPR Regulations and plastic bag regulations have prioritised specific products locally and there is room for increased investment in recyclate in applications (Aspire and rPET).



Thank you

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