



October 22, 2020.

Virtual preparatory meeting of the AHEG
ITEM 6: Outline of a draft summary on identification of options in preparation for the fifth session of the United Nations Environment Assembly

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Thank you Chair,

On Behalf of the Center for International Environmental Law, we would like to highlight the following aspects which we consider necessary for achieving the mandate granted by UNEA Resolutions 3/7 and 4/6, since we consider that AHEG might take the first step from evidence to global action.

UNEA resolution 1/6 already stresses the importance of taking the precautionary approach in addressing marine plastic pollution. Thus, certainty regarding the threat of environmental harm caused during the life cycle of plastic should *not* be used as an excuse for postponing cost-effective measures to avert that threat, such as a legally binding instrument. As evidenced by the reports and supporting documents submitted during the AHEG process, we know more than enough to recognize plastic and marine plastic litter as an urgent threat.

This is complementary with the message of the United Nations Secretary-General given in December 2019, when he affirmed that, and we quote, *“Initiatives such as the ad hoc open-ended expert group on marine litter and microplastics (...) will help to address some of the challenges, further concerted efforts are required”* since *“(...)it is important to address plastic pollution more comprehensively through the consideration of global approaches aimed at harmonizing standards and practices, as well as catalysing significant innovation across the entire plastics supply chain”*.¹

In the last two years, regional declarations around the world have been calling for a new global binding agreement to tackle plastic pollution, with increasing momentum and urgency. As we’ve also heard in this preparatory meeting, support for a new instrument is widespread among member countries. Regarding the feasibility of this option, the UNEP Secretariat’s note on feasibility and effectiveness prepared for the *first* AHEG meeting indicates that establishing a new international legally binding architecture is, quote, *“technically feasible”* and that such an instrument will be, quote, *“effective if duplication with other international instruments is avoided.”*²

¹ Note by the Secretary General, *Preparatory process of the 2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development*. 24 December 2019, par 14 and 15.
https://www.un.org/sites/un2.un.org/files/a_74_630_e.pdf

² Discussion paper on feasibility and effectiveness of different response options, Table 3.
[UNEP/AHEG/2018/1/5](https://www.unep.org/aheg/2018/1/5)

In conclusion, the AHEG process is mature enough to conclude. Given the discussions today and in prior meetings, we strongly recommend that the AHEG include in the final report back to UNEA-5 that a new global instrument is so widely supported, and that it can and will accelerate and coordinate other action items identified by this group. This does not exclude the option of the strengthening of existing instruments, which should of course also be included in the AHEG's final report, but should be listed as a separate option.

Thank you,