

Opportunities for Cooperation and Synergy among International Processes: Standards, HS Codes & Regional Collective Action

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Synergies 1: WTO Dialogue on Plastics Pollution and the INC

- The Dialogue on Plastic Pollution provides a space for WTO members to review experiences, identify areas of convergence, incubate collaboration, & develop collective action and partnerships. Three workstreams:
 - International cooperation (e.g., on transparency, Aid for Trade, standards)
 - Reduce (e.g., trade in unnecessary and harmful products)
 - Promote (e.g., non-plastic substitutes)
- Discussions and collective action fostered at WTO can support & complement the INC process
- Provides a place to foster dialogue between env and trade delegates working on nexus of trade, supply chains and plastic pollution.
- Open to all WTO members; opportunity for African countries to highlight their experiences and initiatives in this space; MC13 in February 2024 provides opportunities to spur collective action

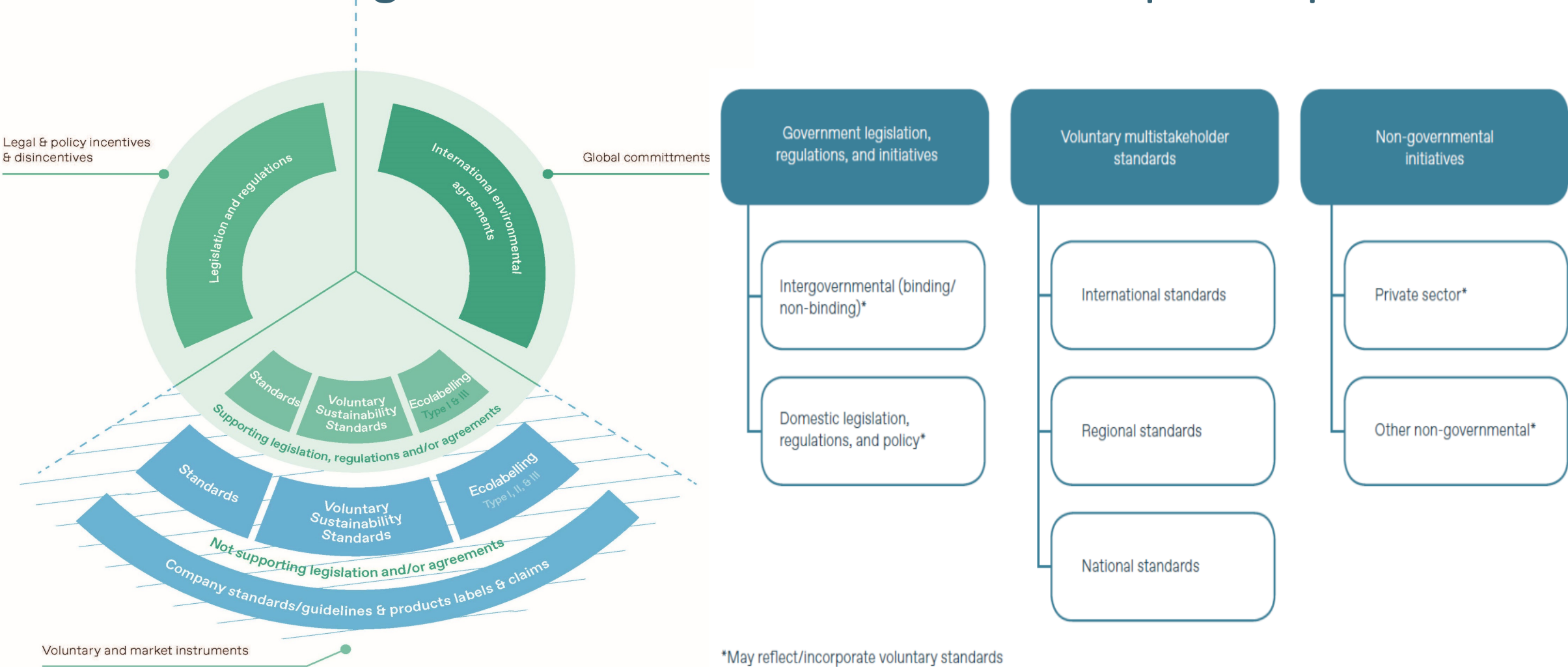
Synergies 2: cooperation on standards along supply chains

- Diversity and variation in standards across national jurisdictions as well as supply chains, including range of regulations and voluntary initiatives.
- Challenges related transparency and patchwork of standards
- Gaps in the coverage of standards
- Implementation challenges, especially for developing countries

Enhanced cooperation could be pursued across the various standard types:

- (i) government initiatives at the international level, including treaties, as well as legislation, regulations, and other initiatives at the domestic level
- (ii) voluntary multi-stakeholder standards, established by standardization bodies at the international, regional, and national levels and
- (iii) non-governmental initiatives, including include initiatives developed and implemented by industry groups or companies

Overview of Categories of “Standards” relevant to plastic pollution



Source: Authors` elaboration based on ECOS (2021) and Deere Birkbeck et al, 2023. Standards and related initiatives in international cooperation to end plastic pollution: Mapping and state of play. Forum on Trade, Environment, & the SDGs (TESS) and International Organization for Standardization (ISO).

How and which standards are relevant to the plastics treaty?

Illustrative examples of standards relevant to potential elements of the plastics treaty

| Potential Elements of the Plastics Treaty | Examples of Relevant Standards |
|---|--|
| Binding provisions to eliminate or restrict harmful, problematic, or unnecessary plastics | <ul style="list-style-type: none">• Standards related to product identification, design, transparency of material composition, and labelling.• Quality standards for recycled plastics.• Standards related to conformity assessment, testing, inspection, validation, and certification. |
| Binding provisions on sustainable product design and safe circularity | <ul style="list-style-type: none">• Standards related to eco- design, performance, reuse, recyclability, repairability, transparency, labelling and circular economy management frameworks.• Standards for re-use, and re-use/refill product delivery systems.• Standards for environmentally sound non-plastic substitutes. |
| Provisions to address plastic waste management | <ul style="list-style-type: none">• Standards for collection, sorting of waste on ships, and delivery to port facilities.• Standards, international commitments and rules related to dumping of waste and waste management in marine environments. |

Where is cooperation on additional standards needed?

Examples of Potential New Standards that Could Support Elements of the Plastics Treaty

| Potential Elements of the Plastics Treaty | Examples of Relevant Standards |
|---|---|
| Legally binding provisions to restrict or eliminate harmful, problematic, or unnecessary plastics | <ul style="list-style-type: none">• Standards for toxic limit levels and testing (e.g. toxic concentration in recyclate), applicable at product design stage in relation to additives and hazardous chemicals in them• Standards for preventing and reducing plastic packaging as well as restricting excessive plastic packaging.• Standards for establishing a plastic footprint methodology. |
| Provisions to support product design and safe circularity | <ul style="list-style-type: none">• Standards establishing definitions of remanufactured goods.• Standards establishing definitions and approaches for reuse systems. |
| Provisions to address plastic waste | <ul style="list-style-type: none">• Standards related to environmentally sound and safe clean up and remediation (e.g. in the marine environment). |

Priorities for cooperation among processes on standards & trade

- Enhanced transparency of existing and potential standards & regulations, including standard-setting, implementation, capacity building, and procedural aspects
- Enhanced cooperation between member states to avoid unnecessary obstacles to trade or additional compliance-related costs and burdens for exporters as well as capacity building for implementation
- Enhanced cooperation among ongoing processes, such as the INC, WTO and Basel Convention and work of organizations such as ISO, regional and national standards bodies, with input from stakeholder organisations, including civil society, industry associations and private companies.

Synergies 3: Cooperation on trade classifications to support plastic pollution measures

- Growing recognition that tackling plastic pollution will require enhanced international cooperation on plastics supply chains and international trade
- Ministerial Statement from WTO Dialogue on Plastics Pollution. Calls for cooperation to:
 - “improve the understanding of global trade in plastics, including flows of plastics embedded in internationally traded goods or associated with them (such as plastic packaging).”
 - identify “actions needed to improve gathering of data on trade flows and supply chains,” including by using the Harmonized System or other trade instruments or standards...and to improve “the flow of information about the chemical and material characteristics of plastic products traded internationally.”
- Request from Parties to the Basel Convention for the Secretariat to develop a draft proposal on amendments to the HS to facilitate implementation of 2019 ‘plastic waste amendments’
- At the national and regional level: updated trade classifications needed to enable better monitoring and regulation of trade in certain plastics and plastic products. Several countries are currently considering options for further amendments.

Why is improved transparency key to cooperation on trade and plastic pollution?

Granular information about trade flows is vital to help governments design and implement policies to end plastic pollution, including to:

- Regulate trade in plastic waste & implement Basel Convention plastic waste amendments
- Restrict, ban or otherwise regulate trade in target materials and products (e.g., single-use plastics, unnecessary packaging, or products containing harmful plastics;)
- Promote trade in goods & services that can help reduce plastic pollution (non-plastic substitutes, recycled/recyclable products waste management goods & services)
- Implement effective safe circular economy policies and support international cooperation, including related to:
 - standards and labelling requirements for imports and export, including on the material composition of plastics
 - plastic recycling and use of recycled content

Next steps to boost transparency of international trade flows and support cooperation to end plastic pollution

- Empower national customs authorities to explore options and develop proposals for amendments to the HS trade classifications in the ongoing amendment cycle at the World Customs Organization
- Support WTO, WCO & UNEP Secretariats to cooperate on development & review of specific options
- Share experience and act on 8- and 10-digit codes in domestic HS classifications that can improve trade-related data to support plastic pollution reduction efforts
- Boost collaboration among environmental & trade ministries engaged in national policymaking & international discussions on these topics
- Call for expert input from stakeholders and environmental experts on specific priorities and recommendations
- Review technological & technical options for enhancing ability to monitor and regulate different types of plastics and products at the border (incl. labelling, cooperation on international standards, digital technologies such as QR codes)

Synergies 4: Regional initiatives & leadership on trade & plastic pollution

- Regional initiatives, approaches and experience sharing on:
 - Common regulations and approaches on trade-related measures aimed at tackling plastic pollution within regional markets and supply chains (e.g., restrictions and elimination of trade in certain problematic products, chemicals or materials; trade measures related to plastic waste)
 - Production, manufacture & trade of non-plastic substitutes, including reuse/refill
- Regional cooperation improve effectiveness and reduce costs of implementation
- Provide leadership as pathfinders for other countries and regions (e.g., East African Community, West Africa, Pacific, Caribbean)
- Support provisions in the plastics treaty by illustrating what is already underway, under consideration and possible in terms of trade-related measures and cooperation.

- Deere Birkbeck, C., Sugathan, M., Boinnard, S., Valeria, G., & Belinda, C. (2023). *Standards and related initiatives in international cooperation to end plastic pollution: Mapping and state of play*. Forum on Trade, Environment, & the SDGs (TESS) and International Organization for Standardization (ISO), <https://tessforum.org/latest/standards-and-related-initiatives-in-international-cooperation-to-end-plastic-pollution-mapping-and-state-of-play>
- Sugathan, M. & Deere Birkbeck, C. (2023). *Options for trade-related cooperation on problematic and avoidable plastics: Building on existing experiences with single-use plastics*. Forum on Trade, Environment, & the SDGs (TESS). <https://tessforum.org/latest/options-for-trade-related-cooperation-on-problematic-and-avoidable-plastics-building-on-existing-experiences-with-single-use-plastics>

Thank you!

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