



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN

MEMORANDUM

FOR : **The Directors**
Biodiversity Management Bureau
Climate Change Service
Environmental Management Bureau

FROM : **The OIC Director**
Policy and Planning Service

SUBJECT : **FIRST DRAFT OF THE POSSIBLE OUTCOME DOCUMENTS
FOR 13TH WTO MINISTERIAL CONFERENCE ON DIALOGUE
ON PLASTIC POLLUTION AND ENVIRONMENTALLY
SUSTAINABLE PLASTIC**

DATE : **12 SEP 2023**

This has reference to the letter dated 08 September 2023 from the Department of Trade and Industry (DTI), requesting comments and additional inputs on the potential outcome documents for the 13 WTO Ministerial Conference on Dialogue on Plastic Pollution and Environmentally Sustainable Plastic (**Annex A**).

Please be informed that Geneva WTO-PM and the DTI provided their proposed inputs and edits on the Shared Principles and Action as reflected in Annex B. Considering that DPP is expected to play a complementary role and feed into the Intergovernmental Negotiations Committee (INC) to develop an international legally binding instrument on Plastics pollution, as well as with other relevant processes. We viewed that there should be a continued synergy in the Philippine position on the plastic-related initiatives the Philippines is part of.

Likewise, as an additional reference, you may view the UNCTAD's report on "*Plastic Pollution: The Pressing Case for Natural and Environmentally Friendly Substitutes to Plastics*" and UNEP's policy paper on "*Turning off the Tap: How the World Can End Plastics Pollution and Create a Circular Economy*", using this link: <https://tinyurl.com/2u5mkk9v>

In this regard, we would like to request your comments/inputs on the possible outcome document for the MC 13. We hope to receive an advance copy of your responses **on or before 15 September 2023** through our email address: psddivision@gmail.com copy furnish policy@denr.gov.ph.

For your information and preferential action, please.


CHERYL LOISE T. LEAL

MEMO NO. 2023 - 787

**DIALOGUE ON PLASTIC POLLUTION AND ENVIRONMENTALLY SUSTAINABLE PLASTICS
TRADE (DPP)**

FIRST DRAFT – POSSIBLE MC13 STATEMENT

The following communication, dated 11 August 2023, is being circulated at the request of the Dialogue Coordinators.

We, the Ministers representing the following Members of the WTO [], issue this statement:

Preamble

Recalling that the Marrakesh Agreement establishing the WTO recognizes the role of trade in achieving the objective of sustainable development and the need to protect and preserve the environment.

Expressing our deep concern about the triple planetary crisis of biodiversity loss, pollution and climate change and their related natural disasters, and *recognizing* that these challenges are inextricably interlinked and mutually reinforcing, and that they are driven largely by unsustainable patterns of consumption, production and disposal and their related economic and health costs.

Acknowledging the negative impact that plastic pollution has on the environment, including in the marine environment, on land, in the air, and in water, particularly in small and vulnerable economies and Small Island Developing States (SIDS), as well as on economies, including the blue economy, and on human health, while recognizing the role played by plastics in society.

Recognizing the transboundary nature of plastic pollution, plastic waste and plastics trade, making it crucial for members to cooperate and coordinate their efforts to address this global problem and its adverse and spill over impacts on the environment and human health and acknowledging the growing urgent need to tackle the plastic pollution crisis, the need for coordinated action across policy areas and the need to constantly assess approaches consistent with evolution in science and knowledge.

Calling for an ambitious international legally binding instrument on plastic pollution to protect human health and the environment, pursuant to the UN Environment Assembly resolution 5/14 to end plastic pollution.

Acknowledging the Basel, Rotterdam and Stockholm Conventions and commending the successful adoption of the Plastic Technical Guidelines under the Basel Convention, fostering international cooperation and progress towards environmentally sound and safe plastic waste management.

Highlighting the importance of the rules-based multilateral trading system and of trade-related cooperation as a contribution to global efforts to end plastic pollution, including through the implementation of trade-related plastics measures across the life cycle of plastics, including by preventing the leakage of plastic pollution, sharing of relevant data and information on the plastics economy, and promotion of safe and sustainable solutions, in particular those important for developing members.

Acknowledging the ongoing international, regional and domestic efforts to address plastic pollution and the contribution by many of these processes and relevant stakeholders to the Dialogue.

Reaffirming the Dialogue's Ministerial Statement (WT/MIN(21)/8/Rev.[X]) issued on 10 December 2021 which committed co-sponsors to work towards "concrete, pragmatic, and effective outcomes" on the trade-related aspects of plastics pollution in order to contribute to the global response to end plastic pollution on the areas of substantive focus further articulated by the Dialogue Plan (INF/TE/IDP/W/5): Cross-cutting issues, including capacity building and technical assistance, international cooperation, and transparency and data; Reduction to tackle plastic pollution; and Promotion of trade to tackle plastic pollution.

Highlighting the progress of the collective work of the Dialogue on Plastic Pollution since its launch, including:

- The substantive technical work and discussions of the Dialogue, with the support of the expertise from delegations and relevant stakeholders, that has helped advance our collective knowledge of the intersection between trade, trade policies and plastic pollution, under each of the workstreams of the Dialogue, and supported the production of several outputs from the Dialogue such as those reflected in Annex [X], including information documents, factual summaries and reports, specialized Workshops, surveys and communications.
- The enhanced, close, and constructive cooperation with other international and regional efforts and institutions, such as with the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC), the United Nations Environment Programme (UNEP), the World Customs Organization (WCO), the United Nations Conference on Trade and Development (UNCTAD), the Basel, Rotterdam and Stockholm (BRS) Conventions, the Food and Agriculture Organization (FAO), the World Health Organization (WHO), the International Organization for Standardization (ISO), the International Bamboo and Rattan Organisation (INBAR), the World Bank Group, the Latin American Integration Association (ALADI), the Organisation for Economic Co-operation and Development (OECD) and a range of stakeholder organisations involved in the work of the Dialogue.

We have accordingly reached the following shared understandings:

We will continue to cooperate on the basis of the following **shared principles**:

- Focusing on trade-related aspects and actions that participating Members could take collectively and individually to support global efforts to end plastic pollution.
- Deepening cooperation and collaboration with other international organizations, secretariats and processes, ensuring complementarity and avoiding duplication, and ensuring that the work is informed by and supports the ongoing INC negotiations, and implementation of relevant Multilateral Environment Agreements, as well as relevant technical and scientific developments.
- Addressing challenges facing WTO members, in particular developing members, LDCs and SIDS, in the trade related aspects of plastic pollution and sustainable development goals.
- Emphasizing the role of multilateral trade cooperation including in promoting transparency and good practices.
- Continued open, inclusive and transparent engagement with all WTO members and all relevant stakeholders.
- Continuing our efforts in exploring the interlinkages of plastic pollution and trade in other areas.

We agree to the following **actions**:

- Improve transparency, monitoring and understanding of trade flows across the full life cycle of plastics, including flows of plastics embedded in or associated with internationally traded goods, including through the actions listed in Annex [X].
- Address trade-related capacity building and technical assistance needs of developing members, least developed members and SIDS, such as those listed in Annex [X], including through the implementation of Aid for Trade to address plastic pollution and to launch a mechanism to match funding opportunities with specific needs identified by developing members, particularly LDCs and SIDS, to implement trade-related policies and measures to tackle plastic pollution.
- Promote trade-related cooperation, including through implementing trade-related measures, such as those listed in Annex [X], to reduce unnecessary or harmful plastics and plastic products such as those listed in Annex [X].
- Promote trade-related cooperation, including through implementing trade-related measures such as those listed in Annex [X], to address the environmental, social and health impacts and leakage associated with primary plastics, polymers, additives and plastics products.
- Promote trade, including through implementing trade-related measures such as those listed in Annex [X], that contributes to ending plastic pollution and results in safe circularity, including trade in environmentally sustainable, safe, and effective non-plastic substitutes and environmentally sustainable, safe, and effective plastic alternatives and re-use, repair and re-fill systems such as those listed in Annex [X], with a focus on those of interest to WTO Members, in particular developing members, including SIDS, and least developed members, and opportunities for their MSMEs.
- Promote trade, including through implementing trade-related measures, such as those listed in Annex [X], of goods, services and technologies to tackle plastic pollution, including those necessary for environmentally sound and safe waste management and clean up, using the waste hierarchy, appropriate to local development circumstances and needs, and in line with Basel Convention Technical Guidelines on environmentally sound waste management.
- Promote trade-related cooperation, including through implementing trade-related measures, such as those listed in Annex [X], to contribute to the control of cross-border movement of plastic pollution, including through, for example, effectively implementing the Basel Convention Plastic Waste Amendments and its Plastic Technical Guidelines relevant to the management of plastic waste, fostering international cooperation and progress towards environmentally sound plastic waste management.

We call attention to the annexes¹ to this statement that reflect our collective and individual efforts so far to identify practices and options to implement trade-related measures and opportunities for cooperation to contribute to ending plastic pollution.

We recognize the need to periodically update the annexes based on global, regional and domestic efforts, as well as on technical and scientific developments, and encourage efforts and commitments by a range of co-sponsors to foster and implement collective and individual actions in this respect.

¹ The concrete and factual information regarding key aspects of our work is summarized in the following annexes: I) Trade-Related Transparency Efforts and Potential Actions Identified; II) Trade-Related Capacity Building and Technical Assistance Needs of Developing Members, Least Developed Members and Vulnerable Small Island Developing States (SIDS) identified in Dialogue discussions; III) Products Most Often Addressed by Trade-Related Plastic Measures (TrPMs) and Identified in Dialogue Discussions; IV) TrPMs on Reduction and Other Approaches; V) Plastic Alternatives and Substitutes and Other Relevant Goods, Services and Technologies Most Often Addressed by TrPMs and Identified in Dialogue Discussions; VI) Goods, Services and Technologies for Environmentally Sound Waste Management Most Often Addressed by TrPMs and identified in Dialogue discussions; VII) TrPMs on promotion and Other Approaches.

We will continue to hold dedicated discussions with a view to identify best practices and share experiences regarding all topics identified in the Dialogue. We will work to develop a new Dialogue Plan in the months following MC13. We will look for further concrete, pragmatic, and effective outcomes on these actions and understandings at the latest by MC14.

Potential annex 1 – Transparency – Dialogue efforts and potential actions identified

ANNEX I [TRANSPARENCY] – TRADE-RELATED TRANSPARENCY EFFORTS AND POTENTIAL ACTIONS IDENTIFIED

Across the work of the Dialogue, delegations and relevant stakeholders have extensively shared their trade-related plastics policies and approaches to tackle plastic pollution, including their efforts to improve transparency, monitoring and understanding of trade flows across the full life cycle of plastics, including flows of plastics embedded in or associated with internationally traded goods plastics, as well as of alternatives and substitutes and related trade measures. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summaries of technical discussions under the reduction (INF/TE/IDP/RD/125/Rev.1.) and promotion workstreams (INF/TE/IDP/RD/88/Rev.1).¹ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation of suggestions and practices below has been developed based on the trade-related transparency efforts and approaches identified in the Survey and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

- Improve granular classification in domestic customs classifications to enable better monitoring and regulation of trade in certain plastics and plastic products, and explore opportunities for individual and collective actions to improve this transparency.
- Support efforts undertaken at the WCO to improve international cooperation on the classifications of plastics in order to support monitoring and regulation of trade across the life cycle of plastics.
- Improve the understanding and transparency of TrPMs and enhanced cooperation and peer-learning, including by:
 - Updating the Survey of TrPMs on a regular basis
 - Sharing domestic, regional and international experiences leading to, whenever appropriate and practical, compilations of specific trade policy approaches
 - Enhance efforts to identify and share TrPMs which are not currently well captured in the Survey [such as subsidies, internal taxes and EPR schemes]
- ...

¹ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

Potential annex 2 - Technical assistance and capacity building – needs identified

ANNEX II [TA&CB] - TRADE-RELATED CAPACITY BUILDING AND TECHNICAL ASSISTANCE NEEDS OF DEVELOPING MEMBERS, LEAST DEVELOPED MEMBERS AND VULNERABLE SMALL ISLAND DEVELOPING STATES (SIDS) IDENTIFIED IN DIALOGUE DISCUSSIONS

Across the work of the Dialogue, delegations and relevant stakeholders have extensively shared their trade-related plastics policies and approaches to address pollution, including their trade-related capacity building and technical assistance needs. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summaries of technical discussions under the reduction (INF/TE/IDP/RD/125/Rev.1.) and promotion workstreams (INF/TE/IDP/RD/88/Rev.1).² Delegations have further shared their Aid for Trade (AFT) needs assessments, approaches and suggestions through a dedicated Survey, whose results have been compiled in the Dialogue's AFT Assessment Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, international, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below of suggestions and practices has been developed based on the needs and approaches most often identified in the Survey and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

- Enhance cooperation with institutions identified in discussions so far who lead or support technical assistance and capacity building projects to tackle plastic pollution with trade-related elements: non exhaustive: UNCTAD, UNEP's Law Division, BRS, WCO,IUCN, ALADI, World Bank, GEF, WEF...
- [XX] respondents to the Survey considered these actions would help better identify Aft plastic-related projects in the Global Review:
 - Questions specific to plastics and plastic pollution
 - WTO Secretariat to work closely with the OECD and UNCTAD to enhance transparency of plastic pollution-related Aft, and with UNEP, MEA Secretariats, and the GEF, as well as the WCO to identify related support.
 - ...
- Priority areas identified by recipient partners (in order of response frequency):
 - Support for design and implementation effective trade-related measures to tackle plastic pollution, including through regional approaches
 - Develop and strengthen local capacities for better product designing, including for environmentally sound and safe substitutes.
 - Support for enhancement of customs capacity to monitor trade flows relevant to plastic pollution and to implement relevant domestic policies and regulations at the border
 - Improve the environmentally sound and safe management of plastics (collection, recovery and recycling)
 -

Potential annex 3 – Reduction - products

² These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

ANNEX III [REDUCTION OF HARMFUL AND UNNECESSARY PLASTICS AND PLASTICS PRODUCTS] - PRODUCTS MOST OFTEN ADDRESSED BY TRADE-RELATED PLASTIC MEASURES AND IDENTIFIED IN DIALOGUE DISCUSSIONS

Across the work of the Dialogue, delegations and stakeholders have extensively shared their trade-related plastics policies and approaches to address pollution. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summary of technical discussions under the reduction workstream (INF/TE/IDP/RD/125/Rev.1.).³ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below has been developed based on the specific plastic and plastic-containing goods that have most often been identified in TrPMs and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

Specific goods most often targeted by TrPMs and raised in Dialogue discussions:

E.g.

- Packaging
- (Single-use) Tableware,
- Plastic Bags
- Wastes and scraps
-

Specific criteria or sector most often mentioned by TrPMs and raised in the Dialogue discussions:

E.g.

- Single-use plastics (SUP)
- End-of-life properties
- Food products
- ...

Specific sectors most often mentioned by TRPMS and raised in Dialogue discussions

Potential annex 4 – Reduction - practices

ANNEX IV [REDUCTION OF HARMFUL AND UNNECESSARY PLASTICS AND PLASTICS PRODUCTS] - TRADE-RELATED PLASTIC MEASURES ON REDUCTION AND OTHER APPROACHES

³ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

DPP – Skeleton drafts of possible annexes to the possible MC13 statement

Across the work of the Dialogue, delegations and stakeholders have extensively shared their trade-related plastics policies and approaches to address pollution. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summary of technical discussions under the reduction workstream (INF/TE/IDP/RD/125/Rev.1.).⁴ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below has been developed based on the specific TrPMs that have most often been identified in the TrPMs Survey and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

- Technical regulations or specifications of the following types:
 - Eco-design requirements to facilitate recycling, reuse, remanufacturing, including on material composition and transparency
 - Eco-design requirements to address environmental harm and human health impacts associated with use and disposal of products
 - Requirements to reduce the volume of packaging
 - ...
- Bans and prohibitions of the following types:
 - ...
- Restrictions & reductions:
 - EPR schemes
- ...

⁴ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

Potential annex 5 - Promotion – alternatives and substitutes and other relevant goods, services and technologies

ANNEX V [PROMOTION] –ALTERNATIVE PLASTICS AND NON PLASTIC SUBSTITUTES AND OTHER RELEVANT GOODS, SERVICES AND TECHNOLOGIES MOST OFTEN ADDRESSED BY TRADE-RELATED PLASTIC MEASURES AND IDENTIFIED IN DIALOGUE DISCUSSIONS

Across the work of the Dialogue, delegations and stakeholders have extensively shared their trade-related plastics policies and approaches to promote environmentally sustainable, safe and effective alternatives and substitutes, as well as other relevant goods, services and technologies. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summary of technical discussions under the promotion workstream (INF/TE/IDP/RD/88/Rev.1).⁵ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below has been developed based on the specific goods, materials [and services] that have most often been identified in TrPMs and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

Services:

Re-fill and cleaning bottle and other consumer goods containers

Reusable/returnable takeaway food packaging

For better traceability and Identification

...

Substitutes

Algae biomass

Areca leaves

Balsa Wood

Bamboo

Cotton

...

Alternatives

rPET

Polylactic acid (PLA) and CPLA

technologies relevant for the production of alternative plastics and meeting recycled content standards/requirements

...

⁵ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

Potential annex 6 – Promotion – Goods, services and technologies for environmentally sound waste management

ANNEX VI [PROMOTION] – GOODS, SERVICES AND TECHNOLOGIES FOR ENVIRONMENTALLY SOUND WASTE MANAGEMENT MOST OFTEN ADDRESSED BY TRADE-RELATED PLASTIC MEASURES AND IDENTIFIED IN DIALOGUE DISCUSSIONS

Across the work of the Dialogue, delegations and stakeholders have extensively shared their trade-related plastics policies and approaches to address pollution, including goods, services and technologies for environmentally sound and safe waste management. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summary of technical discussions under the promotion workstream (INF/TE/IDP/RD/88/Rev.1).⁶ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below has been developed based on the specific goods, services and technologies,] that have most often been identified in TrPMs and in dialogue discussions:

Reflecting the emphasis placed in the Dialogue on cooperation with MEAs and other international processes, the products noted in this compilation will be those that reflect the Basel Convention's guidelines on environmentally sound waste management, as completed in 2023

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue Inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

Recycling equipment such as shredders, pelletizers, sorters, washers...
Compost moisture meters...
Protective equipment
Waste identification, collection and sorting technologies.
...

⁶ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

Potential annex 7 - Promotion – Practices

ANNEX VII [PROMOTION] – TRADE-RELATED PLASTIC MEASURES ON PROMOTION AND OTHER APPROACHES

Across the work of the Dialogue, delegations and stakeholders have extensively shared their trade-related plastics policies and approaches to promote environmentally sustainable trade. These discussions have been reflected in the Dialogue's Informal Summaries and Aide Memoires prepared by coordinators and facilitators, in the room documents (RDs) containing studies and presentations produced for the meetings, as well as in the Factual Summary of technical discussions under the promotion workstream (INF/TE/IDP/RD/88/Rev.1).⁷ Delegations have further shared their trade-related plastics measures (TrPMs) through a dedicated Survey, whose results have been compiled in the Dialogue TrPMs Report (INF/TE/IDP/R**).

Reflecting such work, and recognizing the need to periodically update this annex based on global, regional and domestic efforts, as well as on technical and scientific developments, the open, illustrative, non-exhaustive and evolving compilation below has been developed based on the specific TrPMs that have most often been identified in the TrPMs Survey and in dialogue discussions:

[As the two surveys are still being finalized and their factual reports produced, we are developing the compilation based on Dialogue inputs (as stated above) and will share the full list in due course, but to illustrate what it could contain, the examples below are provided. They are without prejudice to the final content of the compilation. There will be ample opportunity for comments on the compilation.]

- Technical regulations or specifications of the following types:
 - Labelling schemes
 - ...
- Support measures of the following types:
 - Grants for research and development of agricultural waste by-product fibre substitutes for use in the textile sector
 - ...
- ...

⁷ These documents are available at the Dialogue's dedicated website:
https://www.wto.org/english/tratop_e/ppesp_e/ppesp_e.htm

Preliminary Comments
Dialogue on Plastic Pollution and Environmentally Sustainable Plastics Trade
Potential Outcome Document for the 13th WTO Ministerial Conference (MC13)

Provision	Inputs/Comments
<p>Shared principles</p>	<p>Geneva WTO-PM deems that Members should recognize the need for systems change to the full life cycle use of plastics, including the importance of trade-related actions to support the reduction of virgin plastics production and the promotion of reuse models, recycling and adoption of effective plastic substitutes and alternatives. Given the INC may focus on the definitional aspects of plastic typologies, efforts should be made in the outcome document to avoid discussing technical definitions. The definitions could be left open-ended, with specific examples of illustrative actions being listed in the Annexes, such as national bans on single-use plastics and national legislation or technical requirements related to packaging and recycling targets.</p> <p>Geneva WTO-PM recommends the inclusion of a principle to promote the sustainable design of products and materials, which would be consistent with a principle present in the preamble of UNEA Resolution 5/14 of 2022.</p> <p>Geneva WTO-PM also suggests including a reference to the “polluter pays principle”, which serves as the foundation for the Philippine Extended Producer Responsibility Act (EPRA) of 2022. Geneva WTO-PM proposes a reference to “pursue comprehensive approaches that address the full life cycle of plastics, including through the principle of extended producer responsibility.” DTI-BITR supports this suggestion aligned with the EPRA. We would suggest the language as:</p> <p><i>“Pursuing comprehensive approaches that address the full life cycle of plastics, including through the principle of extended producer responsibility, among others.”</i></p> <p>Geneva WTO-PM proposes including a reference to supporting a people-centered approach to the plastics pollution problem, including by supporting increased consumer awareness and improved labeling for recycling.</p>

	DTI-BITR suggests including a principle to support innovation, research and development on the interlinkages of plastics pollution and trade. This aligns with Parties' commitment to deepen cooperation and collaboration with international organizations, as well as in identifying best practices and guidelines, where appropriate.
<p>Actions (Bullet No. 1) - Transparency Improve transparency, monitoring and understanding of trade flows across the full life cycle of plastics, including flows of plastics embedded in or associated with internationally traded goods, including through the actions listed in Annex [X].</p>	<p>Geneva WTO-PM supports a language that encourages the updating of the World Customs Organization (WCO) Harmonized Commodity Description and Coding System (HS System) to better track the flow of embedded plastics in goods as well as to improve the classification of plastics substitutes and alternatives, including through the differentiation of materials that are non-agricultural in application (<i>Note: UNCTAD has noted that some plant-based substitute materials continue to be subject to SPS regulations even though they are used purely in packaging or textiles</i>).</p> <p>DTI-BITR supports the Geneva WTO-PM's suggestion. However, we note that the WCO work may be reflected in Annex I together with the extensive list of actions to be carried out in the Dialogue. The Annex is still for finalization.</p>
<p>Actions (Bullet No. 2) - Technical assistance and capacity building – needs identified Address trade-related capacity building and technical assistance needs of developing members, least developed members and SIDS, such as those listed in Annex [X], including through the implementation of Aid for Trade to address plastic pollution and to launch a mechanism to match funding opportunities with specific needs identified by developing members, particularly LDCs and SIDS, to implement trade-related policies and measures to tackle plastic pollution.</p>	DTI-BITR supports the inclusion of launching a funding mechanism as it signals a tangible outcome for technical assistance and capacity building, particularly for developing WTO Members, LDCs and SIDS. We suggest including a reference to the cooperation with partner international organizations in carrying out technical assistance related to plastic pollution.
<p>Actions (Bullet No. 3) - Reduction – products Promote trade-related cooperation, including through implementing trade-related measures, such as those listed in Annex [X], to reduce unnecessary or harmful plastics and plastic products such as those listed in Annex [X].</p>	
<p>Actions (Bullet No. 4) - Reduction – practices Promote trade-related cooperation, including through</p>	Geneva WTO-PM suggests including explicit reference to approaches that utilize regulatory bans, plastic-focused taxes and recycled-content

<p>implementing trade-related measures such as those listed in Annex [X], to address the environmental, social and health impacts and leakage associated with primary plastics, polymers, additives and plastics products.</p>	<p>requirements.</p>
<p>Actions (Bullet No. 5) Promotion – alternatives and substitutes and other relevant goods, services and technologies Promote trade, including through implementing trade-related measures such as those listed in Annex [X], that contributes to ending plastic pollution and results in safe circularity, including trade in environmentally sustainable, safe, and effective non-plastic substitutes and environmentally sustainable, safe, and effective plastic alternatives and re-use, repair and re-fill systems such as those listed in Annex [X], with a focus on those of interest to WTO Members, in particular developing members, including SIDS, and least developed members, and opportunities for their MSMEs.</p>	<p>Geneva WTO-PM suggests breaking the paragraph on plastic substitutes/alternatives and reuse/repair/refill systems into two distinct paragraphs. Separating the two paragraphs would entail that measures related to plastic substitutes and alternatives would have a more direct link to plastics reduction (material substitution) whereas reuse/repair/refill systems are more aligned to support circular economy patterns. Geneva WTO-PM would also note that reuse/refill systems could entail the continued use of plastics but in a more sustainable fashion. Geneva WTO-PM and DTI-BITR propose the following language on plastic substitutes: <i>“Promote trade-related cooperation, including through implementing trade-related measures such as those listed in Annex [X], to incentivize the adoption and facilitation of trade in environmentally sustainable, safe, and effective non-plastic substitutes, which for developing members, particularly LDCs and SIDS, present opportunities for the emergence of new value chains, including the participation of MSMEs and utilization of traditional knowledge.”</i></p>
<p>Actions (Bullet No. 6) - Promotion – Goods, services and technologies for environmentally sound waste management Promote trade, including through implementing trade-related measures, such as those listed in Annex [X], of goods, services and technologies to tackle plastic pollution, including those necessary for environmentally sound and safe waste management and clean up, using the waste hierarchy, appropriate to local development circumstances and needs, and in line with Basel Convention Technical Guidelines on environmentally sound waste management.</p>	<p>Geneva WTO-PM seeks further information from relevant agencies on what trade and investment-related measures would facilitate increased investments for waste management and materials recovery facilities. Geneva WTO-PM noted that investments for municipal waste management would require build-operate-transfer modalities and are devolved to local government units (LGUs).</p>
<p>Actions (Bullet No. 7) - Promotion – Practices Promote trade-related cooperation, including through implementing trade-related measures, such as those listed in Annex [X], to contribute to the control of cross-border</p>	<p>Geneva WTO-PM supports language that strengthens this bullet on the cross-border control of plastic waste, particularly in relation to the Basel Convention Plastic Waste Amendments. Geneva WTO-PM notes that a substantial level in the trade of plastic waste is not covered under the Basel Convention’s Prior</p>

movement of plastic pollution, including through, for example, effectively implementing the Basel Convention Plastic Waste Amendments and its Plastic Technical Guidelines relevant to the management of plastic waste, fostering international cooperation and progress towards environmentally sound plastic waste management.

Informed Consent (PIC) procedure and a significant proportion of this trade continues to be prone to circumvention or mislabeling from exporters. Given the asymmetries in capacities among customs administrations, it would be important for the country of origin to assume greater responsibility over risk management in assessing plastic waste-related consignments leaving their jurisdictions.

08 September 2023

Director Cheryl Loise T. Leal
Officer-in-Charge
Policy and Planning Service
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

Dear Director Leal:

This refers to the report from the Philippine Mission to the WTO in Geneva regarding the first draft of the coordinators' shared vision and elements of a potential outcome document for the 13th WTO Ministerial Conference (MC13) on Dialogue on Plastic Pollution and Environmentally Sustainable Plastics Trade (ZWTO-264-2023 dated 23 August 2023).

Among others, the draft document (see Annex A) highlights the following points:

- Importance of trade-related cooperation as a collective effort toward ending plastic pollution;
- The results of the Dialogue's Aid for Trade needs assessment survey, and the survey of trade-related measures by Members;
- Addressing the challenges faced by developing countries, particularly Least Developed Countries (LDCs) and Small Island Developing States (SIDS);
- Provision of technical assistance and capacity-building activities for developing countries to address challenges related to plastic pollution; and
- Promotion of trade that contributes to ending plastic pollution, including the use of sustainable and effective non-plastic substitutes and the promotion of opportunities for MSMEs.

In line with this, we would like to request the DENR's comments, additional inputs and guidance on the proposed elements of the draft outcome documents to reflect the Philippine priorities and efforts in ending plastic pollution. The Mission and the BITR provided preliminary comments on the draft (see Annex B).

The UNCTAD's report on "Plastic Pollution: The Pressing Case for Natural and Environmentally Friendly Substitutes to Plastics" and UNEP's policy paper on "Turning off the Tap: How the World Can End Plastics Pollution and Create a Circular Economy" are also attached to the Geneva WTO-PM report, for additional reference.

BUREAU OF INTERNATIONAL TRADE RELATIONS

We would appreciate receiving the requested inputs/comments **on or before 29 September 2023**. For queries, you may coordinate with the TCWM Secretariat through email at RaissaFaminial@dti.gov.ph, ShairaSteffanyGranada@dti.gov.ph and KareenHopeEltagon@dti.gov.ph.

Thank you.

Very truly yours,


Marie Sherylyn D. Aquia
Officer-in-Charge and Assistant Director

Copy : Undersecretary Ceferino S. Rodolfo, DTI-IDTPG
 Assistant Secretary Allan B. Gepty, DTI-IDTPG

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