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Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment
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Preparation of an international legally binding instrument on plastic pollution, including in the marine environment

Overview of information to promote cooperation and coordination with relevant regional and international conventions, instruments and organizations

Note by the secretariat

1. Pursuant to paragraph 5 of United Nations Environment Assembly resolution 5/14, entitled "End plastic pollution: towards an international legally binding instrument", an ad hoc open-ended working group met in Dakar from 30 May to 1 June 2022 to prepare for the work of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment. The open-ended working group agreed on a list of documents that the secretariat would provide to the intergovernmental negotiating committee at its first session. Among other documents, the secretariat was requested to provide an overview to promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates, avoiding duplication and promoting complementarity of action.

2. In response to that request, the secretariat has set out in the annex to the present note brief information on the relevant conventions, instruments and organizations specified in the eleventh to thirteenth preambular paragraphs of resolution 5/14, which the committee may wish to take into account when considering ways to promote cooperation, coordination and complementarity with the proposed international legally binding instrument. Additional conventions, intergovernmental organizations and initiatives whose secretariats have direct or indirect working arrangements with the secretariats of those presented in the document, and which have the potential to contribute to plastic governance, have also been identified in a non-exhaustive manner, and are marked with an asterisk.

* UNEP/PP/INC.1/1.

Annex

Overview of information to promote cooperation and coordination with relevant regional and international conventions, instruments and organizations

I. Introduction

1. Consistent with the significant political and scientific attention recently devoted to plastic pollution both on land and at sea, there are a significant number of actors involved in norm-setting and policy-setting for plastics at the regional and global levels, including within the United Nations system. A report prepared by the United Nations Environment Management Group, entitled *An Overview of UN Activities and Initiatives Related to Marine Litter and Microplastics*,[1] for example, provides a glimpse into the multiplicity of actors and multilayered activities addressing marine litter and microplastics, in particular after the adoption of the Sustainable Development Goals in 2015. Sustainable Development Goal 14 is focused on the conservation and sustainable use of the oceans, seas and marine resources for sustainable development and, in turn, includes a target relating to marine pollution and an indicator to measure plastic debris density.[2]

2. It should be noted that relevant organizations and specialized agencies of the United Nations system have not been included in the present overview owing both to space limitations and potential duplication of the content already introduced in the report of the Environment Management Group mentioned in paragraph 1. However, given the far-reaching nature of the impact of plastics on economies, societies and the environment, almost all United Nations entities are involved in addressing aspects of the plastics problem. For example, the United Nations Conference on Trade and Development (UNCTAD) recognized the importance of addressing the discharge of plastic litter in oceans through the Bridgetown Covenant, adopted at its fifteenth session, in 2021. In 2020, UNCTAD highlighted opportunities to substitute problematic plastics products with more natural and environmentally friendly materials. Another United Nations entity involved in addressing the plastics problem is the International Atomic Energy Agency, which assists member States in their efforts to tackle plastic pollution. The Agency's Nuclear Technology for Controlling Plastic Pollution initiative uses radiation technology and marine monitoring of microplastics.

3. The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes also submitted a report to the General Assembly in 2021 on the stages of the plastics cycle and their impacts on human rights (A/76/207), in which he advocated for a human rights-based approach in the transition to a chemically safe circular economy.

4. Non-governmental organizations and the private sector have equally stepped up their efforts to combat plastic pollution around the world. Some notable initiatives include several that have been founded and funded by industry: the Alliance to End Plastic Waste, the Plastic Smart Cities (World Wild Fund for Nature) and the Global Plastic Action Partnership (World Economic Forum). Other initiatives with a broader mandate include the International Organization for Standardization, an independent non-governmental organization that commits to contributing to a circular plastics economy by setting standards for recyclability, biodegradability and reusability, and the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, which provides advice to the United Nations system on the scientific aspects of marine environmental protection.

5. To effectively consolidate and integrate the knowledge, data and innovations generated by these stakeholders, the Global Partnership on Marine Litter, hosted by the United Nations Environment Programme (UNEP) and backed by donors, created a digital platform which crowdsources different types of information, integrates data and connects stakeholders to guide action on tackling plastic pollution and marine litter. This platform could be further scaled up to support the new agreement.

6. One of the potential contributions of the instrument on plastic pollution would be to strengthen the governance of plastics and ensure their sustainable management at all levels and across sectors.

[1] Developed in response to United Nations Environment Assembly resolution 4/6.

[2] Target 14.1: by 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution. Indicator 14.1.1: index of coastal eutrophication and floating plastic debris density.

For more effective plastics governance, the intergovernmental negotiating committee may wish to discuss how the instrument can catalyse a whole-of-society approach by incentivizing domestic legislation, regulations and fiscal measures, as well as by raising public awareness and working closely with individuals, non-governmental organizations and the private sector.

7. The intergovernmental negotiating committee may also wish to discuss the role of science-policy interface in plastics governance and consider ways to leverage various scientific assessment bodies, including the aforementioned Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, the Group of Experts of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, and the science-policy panel on chemicals, waste and pollution to be established pursuant to resolution 5/8 of the United Nations Environment Assembly. The intergovernmental negotiating committee may consider investing in knowledge management functions by collating the latest science captured in the reports produced by relevant organizations, such as the International Union for Conservation of Nature and Natural Resources and the World Bank. The Food and Agriculture Organization of the United Nations (FAO) has also highlighted, through its 2021 *Assessment of Agricultural Plastics and Their Sustainability: A Call for Action*, the fact that agricultural soils receive greater quantities of microplastics than aquatic ecosystems. The instrument could be used to leverage science to inform innovative policy development and implementation.

II. Relevant international and regional conventions and instruments[3]

8. The present section identifies instruments under which parties have adopted specific decisions or programmes of work on addressing plastics at different stages of their life cycle. The governing bodies of global conventions such as the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention) and the Convention for the Protection of the World Cultural and Natural Heritage have not yet adopted direct mandates on plastic pollution. Nevertheless, the work under these conventions highlights the growing impact of plastic pollution and should be taken into account when the instrument on plastic pollution enters into force and formalizes cooperation under different multilateral environmental agreements.

9. For example, at the fourteenth session of the Conference of the Parties to the United Nations Convention to Combat Desertification, held in 2019 in New Delhi, the Prime Minister of India highlighted land degradation caused by single-use plastics and announced a ban of all kinds of such plastics in the country in the coming years. Furthermore, the secretariats of the Ramsar Convention and the World Heritage Convention – the only two global conventions with a focus on site-based conservation – cooperate to make dual designations of sites,[4] and have increasingly paid attention to the impact of plastic pollution on these sites.[5]

10. The conventions and instruments described in the present section address plastics broadly from the following angles: (a) chemicals and waste; (b) marine pollution; and (c) biodiversity. They also focus on reducing and mitigating the downstream impact of plastic pollution. The instrument on plastic pollution, with its intended emphasis on the full life-cycle approach, could serve as an institutional and policy anchor for the secretariats of other conventions to redouble their efforts on promoting the life-cycle approach, from design and production to consumption, movement and disposal, where appropriate.

A. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

11. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is the most comprehensive global treaty dealing with hazardous wastes and other wastes throughout their life cycles. It is currently the only legally binding global instrument that

[3] See the appendix to the present report for information on the dates of adoption and entry into force, secretariat and depositary for the conventions and instruments listed.

[4] See https://whc.unesco.org/en/ramsar.

[5] See, for example, https://whc.unesco.org/en/news/1827; https://gdc.unicef.org/resource/henderson-island-18-tons-plastic-turning-world-heritage-site-highest-polluted-places; https://timesofindia.indiatimes.com/city/ahmedabad/800-kg-of-plastic-recovered-from-nalsarovar-the-ramsar-site/articleshow/56764369.cms; and the Ramsar Strategic Plan 2016-2024.

specifically addresses plastic waste, following the adoption of amendments to annexes II, VIII and IX by the Conference of the Parties to the Basel Convention at its fourteenth meeting, in 2019.[6] These amendments refer to changes to the scope of the plastic waste covered by the Convention's provisions pertaining to the prior informed consent procedure for the control of transboundary movements and the prevention, minimization and environmentally sound management of such wastes.

12. At the same meeting, several other decisions were adopted to tackle plastic waste,[7] including by updating the technical guidelines on environmentally sound management of plastic wastes and the establishment of a Basel Convention partnership on plastic waste, which mobilizes business, government, academic and civil-society resources, interests and expertise to promote the environmentally sound management of plastic waste and to prevent and minimize its generation.

13. In accordance with article 11 of the Convention, which specifies that parties may enter into bilateral, regional or multilateral agreements or arrangements regarding the transboundary movement of hazardous wastes or other wastes, numerous agreements and arrangements have been put in place, including the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa.[8]

B. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

14. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade promotes shared responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals and contributes to the environmentally sound use of those hazardous chemicals. At the tenth meeting of the Conference of the Parties to the Rotterdam Convention, held in July 2021 and June 2022, decabromodiphenyl ether and perfluorooctanoic acid, its salts and its related compounds were added to annex III to the Convention, which requires prior informed consent from importing parties. Of the 54 chemicals listed in annex III to date, 16 chemicals are plastic additives.

C. Stockholm Convention on Persistent Organic Pollutants

15. The Stockholm Convention on Persistent Organic Pollutants prohibits or restricts the production and use of persistent organic pollutants, including plastic additives and by-products. At the tenth meeting of the Conference of the Parties to the Stockholm Convention, held in July 2021 and June 2022, perfluorohexane sulfonic acid, its salts and related compounds were added to annex A to the Convention. Of the 31 pollutants listed under the Convention to date, 16 are plastic additives or by-products, such as brominated flame retardants.

16. Wastes containing or contaminated with persistent organic pollutants, including plastic wastes, must be managed in a manner protective of human health and the environment in accordance with article 6 of the Stockholm Convention, which is guided by the Basel Convention's technical guidelines. The secretariats of the conventions cooperate closely in determining what methods should constitute environmentally sound disposal and establishing the levels of destruction and irreversible transformation necessary to ensure that the characteristics of such pollutants are not exhibited.

D. Strategic Approach to International Chemicals Management

17. The Strategic Approach to International Chemicals Management is a policy framework to support multi-stakeholder and multisectoral efforts to promote chemical safety around the world, adopted at the first International Conference on Chemicals Management, held in 2006 in Dubai, United Arab Emirates. The Approach was intended specifically to implement the goal agreed to at the World Summit on Sustainable Development, held in Johannesburg, South Africa, in 2002, "to achieve, by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment".[9] Under the Approach, the presence of chemicals in products in four key sectors (toys, building materials, textiles and electronics) stands as an emerging policy issue that calls for cooperative action. A process is currently under way for a strategic approach "beyond 2020", including to develop a successor to the Dubai Declaration on International Chemicals Management. It is expected that the International Conference on Chemicals

[6] Decision BC-14/12.

[7] Decisions BC-14/9, BC-14/10, BC-14/13, BC-14/18, BC-14/19, BC-14/21, BC-14/23.

[8] See www.basel.int/tabid/8690/Default.aspx.

[9] See A/CONF.199/20, annex, para. 23.

Management will adopt such a strategic approach to sound management of chemicals and waste beyond 2020 at its fifth session, to be held in September 2023 in Bonn, Germany.

E. United Nations Convention on the Law of the Sea

18. The United Nations Convention on the Law of the Sea, commonly considered "a constitution for the oceans",[10] sets out the legal framework within which all activities in the oceans and seas must be carried out.[11] The Convention governs the use of all aspects of ocean space and ocean resources, including matters of boundary delimitation, marine scientific research and the conservation and exploitation of living and non-living resources. Part XII of the Convention contains a comprehensive framework for the protection and preservation of the marine environment, mandating States, for example, to take all measures necessary to prevent, reduce and control pollution of the marine environment from all sources, including land-based sources, from ships and by dumping.

19. The United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, which is an implementing agreement to the Convention, requires States parties to minimize pollution, waste, discards and catch by lost or abandoned gear. The Review Conference on the Fish Stocks Agreement has adopted a number of recommendations regarding the issue of lost and abandoned fishing gear.

F. International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended

20. The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and amended by the Protocol of 1997, covers the prevention of pollution of the marine environment by ships from operational or accidental causes. Annex V to the Convention (Prevention of Pollution by Garbage from Ships), which entered into force on 31 December 1988, pertains directly to plastics. A revised annex V to the Convention, adopted in 2011, introduced a general prohibition on the discharge of all types of garbage into the sea from ships except in the cases explicitly permitted under the annex (such as food waste and other organic matter or cargo residues that are not harmful to the marine environment). The definition of garbage in annex V encompasses all plastics (i.e. all garbage that consists of, or includes, plastic in any form); therefore, the general prohibition covers their discharge. Nonetheless, a separate provision prohibiting the discharge of plastics was expressly retained in the language of the revised annex for emphasis. In this regard, effective compliance with the discharge requirements of the Convention by ships depends largely upon the availability of adequate port reception facilities to receive ship waste. The Convention therefore obliges Governments to ensure the provision of adequate facilities at ports and terminals.

21. The Marine Environment Protection Committee of the International Maritime Organization (IMO), which administers the Convention, adopted a strategy to address marine plastic litter from ships[12] in 2021 to guide and monitor the implementation of the Action Plan to Address Marine Plastic Litter from Ships, adopted in 2018. One of the outcomes of the Action Plan is strengthened international cooperation, including with the United Nations Environment Assembly and the Global Partnership on Marine Litter. In the IMO Sub-Committee on Pollution Prevention and Response, proposals to regulate the carriage of pre-production plastic pellets ("nurdles") are under consideration.

22. In 2020, IMO and FAO launched the GloLitter Partnerships Project, which is aimed at building partnerships to assist developing countries in addressing the issue of marine litter from sea-based sources building on work to address marine plastic litter in the fisheries and shipping sectors.

G. Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter

23. The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention) is one of the first international conventions for the protection of marine life from human activities. The Convention obligates parties to individually and collectively protect and preserve the marine environment from all sources of pollution and prohibits dumping, defined as

[10] www.un.org/depts/los/convention_agreements/convention_overview_convention.htm.

[11] See, for example, General Assembly resolution 76/72.

[12] Noted by the United Nations Environment Assembly in its resolution 4/6.

"any deliberate disposal at sea",[13] of certain hazardous materials. In 1996, parties adopted a Protocol to the London Convention (known as the London Protocol), building on and modernizing the principles developed under the Convention, which it is meant to eventually replace. The Protocol has been in force since 24 March 2006. It represents a comprehensive stand-alone global agreement with the objective of providing more stringent protection of the marine environment from pollution caused by dumping wastes and other matter at sea. Under the Protocol, all dumping is prohibited, with the exception of certain categories of wastes or other matter listed in annex 1, on a so-called "reverse list".[14]

H. Regional seas conventions and action plans*

24. Since 1974, UNEP has been coordinating 18 regional seas conventions[15] and action plans through its Regional Seas Programme, which is aimed at strengthening the capacities of the regions to protect and conserve the marine and coastal environment by enhancing cooperation and implementing region-specific activities on assessment, knowledge management and capacity-building. The report on "Regional seas strategic directions 2022-2025", which was launched at the Programme's 22nd Global Meeting, held in May 2022, is aimed at improving the marine and coastal environment through, among other things, eliminating the leakage of plastics. The report also includes a target (target 1.5) on reducing marine plastic pollution.

25. One example of the regional seas conventions that deal with plastic pollution is the Convention for the Protection of the Marine Environment of the North-East Atlantic, which was opened for signature at the ministerial meeting of the Oslo Commission for the Prevention of Marine Pollution by Dumping from Ships and Aircraft and the Paris Commission for the Prevention of Marine Pollution from Land-based Sources held in 1992. Obligating the Parties to "take all possible steps to prevent and eliminate pollution", the Convention is being implemented through the strategy of the Commission for the Protection of the Marine Environment of the North-East Atlantic for 2030, adopted in 2021, which includes a strategic objective on preventing inputs of and significantly reducing marine litter, including microplastics, in the marine environment. Under this objective, the parties have set the goal of reducing by at least 50 per cent the prevalence of the most commonly found single-use plastic items and of maritime-related plastic items on beaches by 2025.

I. International Convention for the Regulation of Whaling*

26. The purpose of the International Convention for the Regulation of Whaling is "to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry".[16] The Convention's governing body is the International Whaling Commission, comprised of one member from each of the 88 contracting Governments. In 2011, the Commission established the Global Whale Entanglement Response Network and endorsed a recommendation of the Commission's Conservation Committee to include a standing agenda item on marine debris. The Commission's Scientific Committee is also examining new work on a reported surge in marine debris due to the coronavirus disease (COVID-19) pandemic, which has been documented in over 1,000 published cases of whale entanglement or ingestion.[17] The Commission is part of the Global Partnership on Marine Litter and is looking forward to more formal involvement with the Global Ghost Gear Initiative, which is a cross-stakeholder alliance of the fishing industry, the private sector, corporations, non-governmental organizations, academia and Governments focused on solving the problem of lost and abandoned fishing gear worldwide.

J. Convention on Biological Diversity

27. The objectives of the Convention on Biological Diversity are the conservation of biological diversity, the sustainable use of the components of biodiversity and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. In 2018, the Conference of the Parties to the Convention on Biological Diversity, in its decision 14/10, urged Parties to increase their efforts to

[13] According to article III, para. 1 (a), of the Convention, "dumping" means (a) any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea; and (b) any deliberate disposal at sea of vessels, aircraft, platforms or other man-made structures at sea.

[14] See www.imo.org/en/About/Conventions/Pages/Convention-on-the-Prevention-of-Marine-Pollution-by-Dumping-of-Wastes-and-Other-Matter.aspx.

[15] UNEP provides the secretariat for seven of these conventions and action plans.

[16] Preamble to the Convention.

[17] See report of the International Whaling Commission on progress relevant to General Assembly resolution 75/239.

avoid, minimize and mitigate the impacts of marine debris, in particular plastic pollution, on marine and coastal biodiversity and habitats. This built on its decision XIII/10, adopted in 2016, in which the Conference called for collaboration among parties, other Governments and relevant organizations to prevent and mitigate such impacts, including by implementing the voluntary practical guidance on preventing and mitigating the impacts of marine debris on marine and coastal biodiversity and habitats, annexed to that decision. The post-2020 global biodiversity framework, which is due to be adopted by the Conference at its fifteenth meeting, in December 2022, as a successor to the Aichi Biodiversity Targets, is expected to contain a target and related indicators on pollution, including plastic pollution.

K. Convention on the Conservation of Migratory Species of Wild Animals*

28. The Convention on the Conservation of Migratory Species of Wild Animals promotes the conservation and sustainable use of migratory animals and their habitats and migration routes. The Conference of the Parties to the Convention on Migratory Species has adopted a series of resolutions on the management of marine debris, including resolutions 10.4, 11.30 and 12.20. At its thirteenth meeting, held in 2020, the Conference adopted decisions 13.122 to 13.125 on the impacts of plastic pollution on aquatic, terrestrial and aviation species. In those decisions, the Conference, among other things, encouraged relevant stakeholders, including parties and intergovernmental organizations, to mobilize financial resources to support activities to remove accumulated marine debris in areas of high importance for migratory species.

29. The governing bodies of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds and the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas, which were developed under the framework of the Convention on Migratory Species, also adopted decisions[18] in 2018 and 2020, respectively, to address the risk of plastic ingestion and entanglement by waterbirds and marine mammals, including by banning single-use plastics in the agreement areas.

L. United Nations Framework Convention on Climate Change[19]

30. The United Nations Framework Convention on Climate Change is aimed at achieving stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Plastics contribute to climate change throughout their life cycle, including by generating greenhouse gas emissions during production and after being discarded when exposed to solar radiation or disposed of through open burning. In the ocean, plastic waste emits methane and ethylene and breaks down into microplastics, which negatively affect ocean organisms, such as plankton, that sequester carbon dioxide. According to the 2021 report by UNEP entitled *From Pollution to Solution: A Global Assessment of Marine Litter and Plastic Pollution*, the level of greenhouse gas emissions associated with conventional fossil fuel-based plastics is forecast to grow to approximately 2.1 gigatons of carbon dioxide equivalent by 2040, or 19 per cent of the global carbon budget (the total annual emissions budget allowable if global warming is to be limited to 1.5º Celsius), compared with 3 per cent in 2021.

III. Relevant initiatives and organizations

31. The present section provides an overview of key intergovernmental initiatives and organizations, external to the United Nations system, that have prioritized action against plastic pollution. Broadly, these entries can be categorized into: (a) political policy forums that have focused mostly on reducing marine debris and litter; and (b) organizations and initiatives, some with voluntary membership, that are focused on circular economy and trade, promoting the sound management of plastics at upstream, midstream and downstream stages at the national, regional and global levels.

[18] Meeting of the Parties to the Agreement on the Conservation of African-Eurasian Waterbirds resolution 7.6, on priorities for the conservation of seabirds in the African-Eurasian Flyways; and Meeting of the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas resolution 9.3, on marine debris.

[19] While the United Nations Framework Convention on Climate Change does not have specific decisions or programmes on plastics, it is outlined here because it was explicitly mentioned in United Nations Environment Assembly resolution 5/14.

A. Group of Seven

32. First formed in 1973, the Group of Seven (G7) is an informal forum of seven leading industrial countries[20] that meets annually to "exchange views on global political issues and agree on common positions and goals".[21] In 2015, the G7 Action Plan to Combat Marine Litter was adopted under the Presidency of Germany, in which the G7 countries committed to the "improvement of countries' systems … to prevent, reduce and remove marine litter". In 2018, the Ocean Plastics Charter was adopted by Canada, France, Germany, Italy, the United Kingdom and the European Union as an annex to the Charlevoix Blueprint for Healthy Oceans, Seas and Resilient Coastal Communities, endorsed by G7 leaders at the meeting held under the Presidency of Canada. The Charter[22] calls for accelerating the implementation of the 2015 Action Plan and lays the groundwork for transitioning toward a resource-efficient and life-cycle approach to the management of plastics.

33. At the G7 meeting held under the Presidency of Germany in Elmau in June 2022, G7 leaders adopted a communiqué in which they made a commitment to fight plastic pollution worldwide by committing to the rapid progression of negotiations towards an internationally legally binding instrument initiated under United Nations Environment Assembly resolution 5/14. The leaders also endorsed the G7 Ocean Deal adopted by climate, energy and environment ministers of G7 countries in May 2022, which complements the Ocean Plastics Charter and sets out concrete actions to "end plastic pollution worldwide".[23]

B. Group of Twenty

34. The Group of Twenty (G20),[24] formally known as the Summit on Financial Markets and the World Economy, is an intergovernmental forum, started in 1999, that connects the world's major developed and emerging economies, which together represent more than 80 per cent of the world gross domestic product. At the G20 Summit held in 2019 under the Presidency of Japan, G20 leaders shared the Osaka Blue Ocean Vision through the G20 Osaka Leaders' Declaration, in which they stated an aim "to reduce additional pollution by marine plastic litter to zero by 2050 through a comprehensive life-cycle approach that includes reducing the discharge of mismanaged plastic litter by improved waste management and innovative solutions while recognizing the important role of plastics for society". The leaders also endorsed the G20 Implementation Framework for Actions on Marine Plastic Litter, in which they encouraged G20 members to take actions in line with the 2017 G20 Action Plan on Marine Litter.

C. Association of Southeast Asian Nations

35. The Association of Southeast Asian Nations (ASEAN) is an intergovernmental organization consisting of 10 Member States[25] established in 1967 to accelerate the economic growth, social progress and cultural development in the region, while promoting regional peace and stability. In 2019, ASEAN leaders adopted the Bangkok Declaration on Combating Marine Debris in the ASEAN Region to strengthen actions to prevent and significantly reduce marine debris. In that Declaration, they also encouraged States members to implement the ASEAN Framework of Action on Marine Debris, which subsequently informed the development of the ASEAN Regional Action Plan for Combating Marine Debris in the ASEAN Member States (2021-2025).

[20] Canada, France, Germany, Italy, Japan, United Kingdom of Great Britain and Northern Ireland and United States of America, with the European Union participating as a "non-enumerated" member.

[21] See website of the Presidency of Germany of the G7 (www.g7germany.de/g7-en/faq-g7).

[22] See www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/international-commitments/ocean-plastics-charter.html. As at July 2022, the Charter had been endorsed by 28 Governments, in addition to various businesses and civil-society organizations.

[23] G7 Ocean Deal.

[24] Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Republic of Korea, Russian Federation, Saudi Arabia, South Africa, Türkiye, United Kingdom, United States, European Union. Spain is also invited as a permanent guest.

[25] Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam.

D. Asia-Pacific Economic Cooperation forum

36. The Asia-Pacific Economic Cooperation forum is an intergovernmental forum of 21 member economies[26] established in 1989 to support sustainable economic growth and prosperity in the Asia-Pacific region. In 2019, member economies adopted the Asia-Pacific Economic Cooperation Road Map on Marine Debris to help guide the forum's work on tackling marine debris. The Road Map grew out of joint efforts to implement the Xiamen Declaration: Towards New Partnership through Ocean Cooperation in the Asia-Pacific Region, adopted by the forum's ocean-related ministers in 2014.

E. Alliance of Small Island States

37. The Alliance of Small Island States is an intergovernmental organization that has, since 1990, represented the interests of 39 small island and low-lying coastal developing States[27] in multilateral negotiations and processes related to climate change and sustainable development. In September 2021, Heads of State and Government of the Alliance endorsed the Leaders' Declaration, 2021, and called for the development of a legally binding global agreement on plastic pollution, stressing that marine plastic pollution in small island developing States was closely linked to the unsustainable and inadequate management of plastic waste. The Leaders' Declaration was preceded by the Ocean Day Plastic Pollution Declaration, launched in June 2021.

F. Caribbean Community

38. The Caribbean Community (CARICOM) is an intergovernmental organization established in 1973 to promote economic integration and cooperation and coordination on foreign policy, human and social development and security issues. As "the oldest surviving integration movement in the developing world",[28] CARICOM has 15 member States and five associated members.[29] In 2019, its Heads of Government adopted the St. John's Declaration aimed at addressing the damage to ecosystems caused by the unsustainable use and disposal of plastic products and highlighted the need for a global agreement to prevent further plastic pollution.

G. High Ambition Coalition to End Plastic Pollution*

39. Launched in August 2022 following the adoption of United Nations Environment Assembly resolution 5/14, the High Ambition Coalition to End Plastic Pollution consists of a group of like-minded countries that are committed to developing an ambitious international legally binding instrument based on a comprehensive and circular approach that ensures urgent action and effective interventions along the full life cycle of plastics. The common ambition is to end plastic pollution by 2040. Co-Chaired by Norway and Rwanda, the Coalition will help raise awareness and identify priorities for the negotiation sessions of the intergovernmental negotiating committee and undertake intersessional work on essential elements and issues to inform the negotiations.

H. Global Partnership on Marine Litter

40. The Global Partnership on Marine Litter is a multi-stakeholder partnership launched at the United Nations Conference on Sustainable Development in 2012 that is aimed at mobilizing all relevant stakeholders from around the world to prevent marine litter and plastic pollution. It was created in response to a request set out in the Manila Declaration on Furthering the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, adopted at the third session of the Intergovernmental Review Meeting on the

[26] Australia; Brunei Darussalam; Canada; Chile; China; Indonesia; Japan; Malaysia; Mexico; New Zealand; Papua New Guinea; Peru; Philippines; Republic of Korea; Russian Federation; Singapore; Thailand; United States; Viet Nam; Hong Kong, China; Taiwan Province of China.

[27] Antigua and Barbuda, Bahamas, Barbados, Belize, Cabo Verde, Comoros, Cook Islands, Cuba, Dominica, Dominican Republic, Fiji, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Mauritius, Micronesia (Federated States of), Nauru, Niue, Palau, Papua New Guinea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Singapore, Solomon Islands, Suriname, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu.

[28] https://caricom.org/our-community/who-we-are.

[29] Member States: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. Associated members: Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Turks and Caicos Islands.

Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. The Global Programme of Action is an intergovernmental mechanism created to address land-based pollution, adopted by 108 Governments and the European Commission in 1995. Comprising of over 500 members from some 80 countries, the Partnership works through five regional nodes,[30] which coordinate activities at the regional level in support of its objectives.

I. International Marine Debris Conference*

41. The International Marine Debris Conference is the longest-running conference series dedicated to understanding and promoting action on marine debris and plastic pollution; it was first convened in 1984 by the United States National Oceanic and Atmospheric Administration. Starting in 2011, UNEP began co-hosting the conference with the National Oceanic and Atmospheric Administration through close engagement through the Global Partnership on Marine Litter. At the fifth International Marine Debris Conference, held in 2011, participants contributed to the development of the Honolulu Strategy, a global framework for prevention and management of marine debris which sets out concrete goals, associated strategies and monitoring indicators to reduce the amount and impact of marine debris from land-based and sea-based sources and marine debris accumulation. In September 2022, the seventh International Marine Debris Conference will be held in Busan, Republic of Korea.

J. 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns*

42. The 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns is a universal multilateral cooperation framework, adopted through the United Nations Conference on Sustainable Development outcome document "The future we want"[31] in 2012. Serving as an implementation mechanism for Sustainable Development Goal 12 on sustainable consumption and production,[32] the Framework is implemented by the One Planet network of practitioners and experts, including over 140 official national focal points. In response to the request made by the United Nations Environment Assembly in its resolution 4/6 to develop guidelines for the use and production of plastics in order to inform consumers about standards and labels, the One Planet Network-Wide Plastics Initiative was formed to identify priorities and provide solutions, such as uniting the tourism sector against plastics pollution through the Global Tourism Plastics Initiative.

K. Circular economy approaches*

43. In deciding to develop an international legally binding instrument on plastic pollution, the United Nations Environment Assembly, in its resolution 5/14, emphasized the role of circular economy approaches.[33] This is in line with the growth of circular economy efforts and alliances globally, under the leadership of different regional groups and countries, that recognize the role of the circular economy in addressing the planetary crises and contributing to green recovery.

44. The Global Alliance on Circular Economy and Resource Efficiency,[34] launched on the margins of the first segment of the first part of the fifth session of the United Nations Environment Assembly in 2021, brings together Governments and relevant networks and organizations to work on and advocate for a global just circular economy transition and more sustainable management of natural resources at the political level and in multilateral forums.

45. At the regional level, there is the African Circular Economy Alliance,[35] a government-led coalition of African nations launched in 2017, with a mission to spur the transformation of Africa into a circular economy that delivers economic growth, jobs and positive environmental outcomes. The Alliance supports five industries that are seen to offer immediate opportunities for increased circularity, including packaging.

[30] Mediterranean, Northwest Pacific, Pacific, South Asia and wider Caribbean nodes.

[31] See General Assembly resolution 66/288, para. 226.

[32] Target 1 of Sustainable Development Goal 12 is to implement the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, all countries taking action, with developed countries taking the lead, taking into account the development and capabilities of developing countries.

[33] United Nations Environment Assembly resolution 5.14, paras. 3 (b) and 15.

[34] The members of the Alliance are Canada, Chile, Colombia, India, Japan, Kenya, Morocco, New Zealand, Nigeria, Norway, Peru, Republic of Korea, Rwanda, South Africa, Switzerland, European Union.

[35] Benin, Burkina Faso, Côte d'Ivoire, Ghana, Nigeria, Rwanda, South Africa, Sudan.

46. In 2020, the European Union launched its second Circular Economy Action Plan, in which it is recognized that a shift to a circular economy is instrumental to addressing both the economic crisis due to the COVID-19 pandemic and the environmental crisis stemming from climate change and the destruction of nature. The Action Plan provides a vision for a clean, competitive and resilient economy in which resources are kept in the economy for as long as possible

47. In 2021, the Circular Economy Coalition for Latin America and the Caribbean was launched at the twenty-second Forum of Ministers of the Environment of Latin America and the Caribbean as a platform to enhance interministerial, multisectoral and multi-stakeholder cooperation to transition to a circular economy. The Coalition has a working group on plastics that is expected to contribute to the objectives of the legally binding instrument.

L. Organisation for Economic Co-operation and Development*

48. The Organisation for Economic Co-operation and Development (OECD) is an international organization that works on establishing evidence-based international standards and finding solutions to a range of social, economic and environmental challenges. At the meeting of the Environment Policy Committee of OECD held in March 2022, ministers of the environment adopted the Declaration on a Resilient and Healthy Environment for All. The Declaration included a section on combating plastic pollution, under which ministers committed to "develop comprehensive and coherent life-cycle approaches to tackle plastic pollution, including in the marine environment, and promote cooperation with relevant initiatives internationally, where appropriate". This was followed by submissions from 30 countries on domestic visions, actions and plans combat plastic pollution. In June 2022, the OECD published the *Global Plastics Outlook: Policy Scenarios to 2060*, in which it reported that the amount of plastic waste produced globally was on track to almost triple by 2060, but set out how ambitious and globally coordinated policy intervention could significantly curb or eliminate plastic leakage into the environment.

M. World Customs Organization*

49. The World Customs Organization (WCO) is an independent intergovernmental body whose mission is to enhance the effectiveness and efficiency of customs administrations, focusing on trade facilitation, revenue collection and the protection of society. It represents 184 customs administrations across the globe that collectively process approximately 98 per cent of world trade. WCO has already been working with the secretariat of the Basel Convention[36] to include certain types of plastic waste in its Harmonized Commodity Description and Coding System, a multipurpose international product nomenclature that is used as a basis for customs tariffs. In 2021, WCO also joined with the United Nations Office on Drugs and Crime to launch a project to counter illegal shipments of plastic and hazardous waste in the cargo trade supply chain.

N. World Trade Organization*

50. The primary purpose of the World Trade Organization **(WTO)**[37] is "to open trade for the benefit of all". The Organization facilitates the negotiation of trade agreements and helps settle trade disputes among its 164 member nations. In 2020, seven WTO members[38] launched an open-ended informal dialogue on plastics pollution and environmentally sustainable plastics trade to discuss how the WTO could contribute to reducing plastics pollution and transitioning to a circular plastics trade. To date, 72 WTO members have joined the dialogue, representing more than 75 per cent of the global plastics trade. In 2021, 32 members[39] issued a ministerial statement on plastic pollution and environmentally sustainable plastics trade to intensify efforts, including through trade-related capacity-building and technical assistance.

[36] See Conference of the Parties to the Basel Convention decision BC-14/9, on cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System.

[37] The WTO has 164 members, which are responsible for 98 per cent of world trade.

[38] Australia, Barbados, Canada, China, Fiji, Jamaica, Morocco.

[39] Australia; Barbados; Cabo Verde; Cambodia; Cameroon; Canada; Central African Republic; Chad; China; Colombia; Costa Rica; Ecuador; Fiji; Gambia; Iceland; Jamaica; Japan; Kazakhstan; Morocco; New Zealand; Norway; Panama; Peru; Philippines; Russian Federation; Switzerland; Thailand; United Kingdom; Vanuatu; European Union; Hong Kong, China; Macao, China.

IV. Conclusion

51. A new instrument on plastic pollution could build on an extensive intergovernmental and whole-of-society effort in curbing the production, consumption and non-environmentally friendly disposal of plastics that already exist. It will be important to foster cooperation, coordination and complementarity between the secretariat of the instrument and those of other relevant conventions, instruments and organizations in order to achieve the instrument's agreed objectives and avoid duplication.

52. In General Assembly resolution 73/333, on follow-up to the report of the ad hoc open-ended working group established pursuant to Assembly resolution 72/277 (entitled "Towards a Global Pact for the Environment"), the Assembly invited the governing bodies and secretariats of multilateral environmental agreements to enhance cooperation and collaboration. The political declaration prepared pursuant to resolution 73/333 and adopted at the special session of the United Nations Environment Assembly to commemorate the fiftieth anniversary of the establishment of UNEP also included a call for strengthening collaboration between UNEP and those agreements. The intergovernmental negotiating committee may wish to consider whether the instrument could include provisions on deepening cooperation and collaboration with treaty bodies and organizations dealing with the economic and social repercussions of plastics. In addition to multilateral environmental agreements, the conventions adopted under the auspices of the International Labour Organization, such as the Chemicals Convention, 1990 (No. 170), in which it is noted that the protection of workers from the harmful effects of chemicals also enhances the protection of the environment, provide a potential entry point.

53. In the light of the information provided in the present document, the intergovernmental negotiating committee could consider the following non-exhaustive list of options for promoting cooperation and coordination at various levels:

(a) Harmonize monitoring and reporting on the full life cycle of plastics, taking into account plastics-related obligations under other conventions and existing multi-stakeholder initiatives such as the New Plastics Economy Global Commitment, through which over 500 business and government signatories have committed to specific actions and reporting on their progress annually (see document UNEP/PP/INC.1/7 8). The Plastics Management Index, which measures, compares and contrasts the efforts made by 25 countries, and the *Guidelines for the Monitoring and Assessment of Plastic Litter in the Ocean* of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection can also provide insights for the development of methodology for harmonized monitoring and reporting on plastic pollution and management. Different methodologies may be needed for economy-based indicators, as well as for land-based versus marine plastic pollution;

(b) Work with the Resident Coordinators in the context of the United Nations development system to mainstream the identification of plastic hotspots into common country analyses and plastics governance in cooperation frameworks, given that, from 2022, actions to implement the multilateral environmental agreements are being monitored in the cooperation frameworks through a dedicated indicator.[40] The committee may wish to consider how the secretariat of the instrument can strengthen cooperation with those of other such agreements to provide tailored country support;

(c) Work with regional governance mechanisms, such as the United Nations regional economic commissions, the regional development banks, the regional seas conventions and the regional fisheries management organizations, to develop region-specific plastics baseline assessments and corresponding action plans, including tailored funding mechanisms. The regional forums on sustainable development, organized annually by the regional economic commissions in the lead-up to the high-level political forum on sustainable development, could be leveraged to convene partners at the regional level, raise awareness about plastic pollution and pivot collective action to combat such pollution as an accelerator for achieving the Sustainable Development Goals;

(d) Work thematically with different conventions to draw on the resources offered by various funding mechanisms, such as Global Environment Facility, the Green Climate Fund, development banks and private-sector sources (see UNEP/PP/INC.1/9). For example, given the potential of trade in moderating the global supply and demand for plastics, the committee may wish to consider whether the instrument could promote close collaboration with trade-related organizations

[40] Quadrennial comprehensive policy review of operational activities for development of the United Nations system, monitoring framework for the period 2021-2024, indicator 2.3.2: percentage of cooperation frameworks developed in the last year that contain actions to implement (a) nationally determined contributions, (b) national biodiversity strategies and action plans and (c) other multilateral environment agreement implementation plans.

such as UNCTAD and WTO in the development of legal and policy guidance and capacity-building programmes for countries to gradually phase out the trade of certain types of plastics and plastic wastes, such as those specified under the Basel Convention.

54. Given the pervasive nature of plastics, which have become embedded in the fabric of the global economy and modern life in many parts of the world, and the fact that other secretariats of multilateral and regional agreements have already conducted work in this area, the challenge moving forward would be to address the nature and scope of cooperation between the secretariat of a new instrument and those of existing agreements. Plastics touch upon human and animal health, agriculture, food security, human rights, employment and trade, to name a few areas, and therefore harbour a wide range of possibilities for cooperation under multilateral and regional agreements, including in the implementation of decisions adopted by the governing bodies of these agreements. In this context, one of the institutional elements that the committee may wish to consider is whether a coordination mechanism established through the new instrument could engage the secretariats of relevant multilateral and regional agreements, United Nations system entities and other international organizations and stakeholders. Such a mechanism could offer the possibility of focusing plastics-related work at the international level and maximizing synergies, while reducing duplication and overlap.

Appendix to the annex

Conventions outlined in section II

Convention	*Adoption and entry into force*	*Parties*	*Secretariat*	*Depositary*
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal	22 March 1989 5 May 1992	189	UNEP	Secretary-General of the United Nations
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	10 September 1998 24 February 2004	165	FAO and UNEP	Secretary-General of the United Nations
Stockholm Convention on Persistent Organic Pollutants	22 May 2001 17 May 2004	185	UNEP	Secretary-General of the United Nations
United Nations Convention on the Law of the Sea	10 December 1982 16 November 1994	168	Division of Ocean Affairs and the Law of the Sea of the United Nations Secretariat	Secretary-General of the United Nations
International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended	2 November 1973 2 October 1983	160	IMO	Secretary-General of IMO
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter	29 December 1972 30 August 1975	87	IMO	Government of the United Kingdom
International Convention for the Regulation of Whaling	2 December 1946 10 November 1948	88	International Whaling Commission	Government of the United States
Convention on Biological Diversity	5 June 1992 29 December 1993	196	UNEP	Secretary-General of the United Nations
Convention on the Conservation of Migratory Species of Wild Animals	23 June 1979 1 November 1983	133	UNEP	Government of Germany
Agreement on the Conservation of African-Eurasian Migratory Waterbirds	16 June 1995 1 November 1999	82	UNEP	Government of the Netherlands
Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas	17 March 1992 29 March 1994	10	UNEP	Secretary-General of the United Nations
United Nations Framework Convention on Climate Change	9 May 1992 21 March 1994	198	Secretariat of the United Nations Framework Convention on Climate Change	Secretary-General of the United Nations

Note: Data as at 22 August 2022.

Abbreviations: FAO – Food and Agriculture Organization of the United Nations; IMO – International Maritime Organization; UNEP – United Nations Environment Programme.