



UNITED
NATIONS

ADVANCE UNEDITED VERSION

UNEP/EA.6/11



United Nations
Environment
Programme

Distr.: [Distribution]
[Date]

Original: English

United Nations Environment Assembly
of the United Nations Environment Programme
Sixth session
Nairobi, 26 February–1 March 2024
Item 5 of the provisional agenda*

International environmental policy and governance
issues

Progress in the implementation of resolution 5/14 on end plastic pollution: towards an international legally binding instrument

Report of the Executive Director

Introduction

1. In paragraph 1 of its resolution 5/14 entitled “End plastic pollution: towards an international legally binding instrument”, the United Nations Environment Assembly of the United Nations Environment Programme (UNEP) requested the Executive Director of UNEP to convene an intergovernmental negotiating committee (INC), to begin its work during the second half of 2022, with the ambition of completing its work by the end of 2024.
2. In paragraph 5 of resolution 5/14, the Environment Assembly requested the Executive Director to convene an ad hoc open-ended working group to hold one meeting during the first half of 2022 to prepare for the work of the intergovernmental negotiating committee and to discuss in particular the timetable and organization of the work of the committee, taking into account the provisions and elements identified in paragraphs 3 and 4 of the present resolution.
3. In paragraph 7 of resolution 5/14, the Environment Assembly requested the Executive Director, as a priority, to provide the necessary support to developing countries and countries with economies in transition to allow for their effective participation in the work of the ad hoc open-ended working group and of the intergovernmental negotiating committee.
4. In paragraph 8 of resolution 5/14, the Environment Assembly requested the Executive Director to ensure the necessary support by the secretariat of the United Nations Environment Programme to the ad hoc open-ended working group and the intergovernmental negotiating committee.
5. In paragraph 11 of resolution 5/14, the Environment Assembly requested the Executive Director to facilitate the participation of, and close cooperation and coordination with, relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee.
6. In paragraph 12 of resolution 5/14, the Environment Assembly requested the Executive Director to convene a diplomatic conference of plenipotentiaries upon completion of negotiations by

* UNEP/EA.6/1.

the intergovernmental negotiating committee, for the purpose of adopting the instrument and opening it for signature.

7. In paragraph 13 of resolution 5/14, the Environment Assembly requested the Executive Director to report on progress on the work of the intergovernmental negotiating committee to the Environmental Assembly at its sixth session.

8. In paragraph 14 of resolution 5/14, the Environment Assembly requested the Executive Director to continue to support and advance the work of the Global Partnership on Marine Litter, while strengthening scientific, technical and technological knowledge with regard to plastic pollution, including in the marine environment, on methodologies for monitoring, and sharing available scientific and other relevant data and information.

9. In paragraph 16 of resolution 5/14, the Environment Assembly requested the Executive Director, subject to the availability of financial resources, to convene, in conjunction with the first session of the intergovernmental negotiating committee and building upon existing initiatives, where appropriate, a forum that is open to all stakeholders for the exchange of information and activities related to plastic pollution.

10. The present report provides an update on progress made in the implementation of resolution 5/14 in terms of the requests in paragraphs 1, 5, 7, 8, 11, 12, 13, 14 and 16.

I. Progress in the implementation of resolution 5/14

11. Ad hoc open-ended working group organized. An ad hoc open-ended working group (OEWG) to prepare for the work of the INC was held from 30 May to 1 June 2022 in Dakar, Senegal¹, in hybrid format. The meeting focused on the Rules of Procedure of the INC and the proposed approach to the work of the INC. It was agreed in the draft Rules of Procedure on the arrangements of the Bureau: an 11-member Bureau, with two members from each UN region and one member from Small Island Developing States. The meeting also agreed on the number and frequency of the INC sessions and on a list of documents to be prepared by the secretariat for INC-1. Multi-stakeholder dialogues were also held from 29 May to 1 June in hybrid format. With speakers and panelists from governments, intergovernmental organizations, research institutions, NGOs, private companies and informal waste management sector, the dialogues covered technical, social and financial opportunities and challenges related to plastic pollution across the plastic life cycle.

12. INC-1 convened with Chair elected. The first session of the INC was convened from 28 November to 2 December 2022 in Punta del Este, Uruguay² in hybrid format. Ambassador Gustavo Meza-Cuadra from Peru was elected as Chair. One delegate per eligible country was provided funding support to join the session. Thirteen meeting documents were prepared to support the session. At its first session, the committee requested the secretariat to prepare, for consideration by the committee at its second session, a document with potential options for elements towards an international legally binding instrument, based on a comprehensive approach that addresses the full life cycle of plastics as called for by UNEA resolution 5/14, including identifying the objective, substantive provisions including core obligations, control measures, and voluntary approaches, implementation measures, and means of implementation.

13. Multi-stakeholder forum held back-to-back with INC-1. Pursuant to paragraph 16 of the resolution, a multi-stakeholder forum was convened on 26 November 2022, which brought together over 900 participants (500 in-person, 400 online). Five roundtables were organized focusing on: a. eliminating and designing for circularity; b. circularity in practice; c. closing the loop; d. waste minimization and remediation, and e. how to initiate a multi-stakeholder action agenda. A stakeholder dialogue was also organized on 29 November 2022 in hybrid format, to present the key messages of the multi-stakeholder Forum and facilitate an additional two-way dialogue between Member States and other stakeholders to allow the negotiations to benefit from a diversity of voices.

14. INC-2 mandated the development of the zero draft. The second session of the committee took place from 29 May to 2 June 2023 in Paris, France³. The session was fully in person. Up to two delegates per eligible country were funded to participate in the session. The committee elected Asha Challenger of Antigua and Barbuda, Luis Vayas Valdivieso of Ecuador, Kaupo Heinma of Estonia, Irma Gurguliani of Georgia, Mohammad Al-Khashashneh of Jordan, Hiroshi Ono of Japan, Juliet Kabera of Rwanda, Cheikh Ndiaye Sylla of Senegal, Johanna Lissiner-Peitz of Sweden, Larke

¹ More information available at <https://www.unep.org/inc-plastic-pollution/oewg>

² More information available at <https://www.unep.org/inc-plastic-pollution/session-1>

³ More information available at <https://www.unep.org/inc-plastic-pollution/session-2>

Williams of the United States of America were elected vice-chairs of the committee, Asha Challenger of Antigua and Barbuda was designated as Rapporteur. A full bureau was elected at this session. Substantive discussions focused on the document prepared by the secretariat in consultation with the Chair, mandated at INC-1, setting out 'Potential options for elements towards an international legally binding instrument, based on a comprehensive approach that addresses the full life cycle of plastics as called for by United Nations Environment Assembly resolution 5/14' (UNEP/PP/INC.2/4). The second session mandated the Chair, with support of the secretariat, to prepare a zero draft text of the international legally binding instrument for consideration at INC-3 as called by UNEA resolution 5/14. The draft would be guided by views expressed at INC-1 and INC-2. The Committee also decided to hold its third session in Nairobi, Kenya, in November 2023, its fourth session in Ottawa, Canada, in April 2024, and its fifth session in the Republic of Korea, in the second half of 2024. Twelve thematic side events also took place on the margins of the session.

15. INC-3 was convened 13-19 November, in Nairobi, Kenya, preceded by a preparatory day on 11 November and regional meetings on 12 November. INC-3 there was agreement on a starting point for negotiations at the fourth session (INC-4). As indicated at INC-1, H.E. Mr. Gustavo Adolfo Meza-Cuadra Velasquez stepped down from the position as the Chair of the committee at the end of INC-3, and Ambassador Valdivieso of Ecuador was elected by acclamation as INC Chair moving forward. The committee elected Mr. Harry Liiv of Estonia and Mr. Gustavo Meza-Cuadra of Peru as Vice-Chairs of the Committee. The committee also agreed on the dates of both INC-4, to take place in Ottawa, Canada, in April 2024, and INC-5, which is scheduled for November/December 2024 in the Republic of Korea. In addition, twelve thematic side events took place on the margins of the session.

16. The secretariat for the INC was established, with an Executive Secretary supported by 16 staff members including 3 Junior Professional Officers. The Secretariat received generous funding provided by the governments of Australia, Belgium, Canada, Denmark, European Commission, Finland, France, Germany, Ireland, Japan, Monaco, The Kingdom of the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, the United Kingdom, and the United States of America.

17. The secretariat provided the necessary support to participants to facilitate their participation at the OEWG and INCs.

18. Cooperation and coordination were undertaken to facilitate the participation of relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee. To increase meaningful participations of regions and different stakeholder groups, intersessional webinars, thematic side events and knowledge sharing meetings have been organized in the lead-up to and at INC-2 and INC-3 by the INC secretariat. Regional consultations were also organized prior to INC-3. Observes meetings with the Executive Director and Executive Secretary were also organized prior to INC-2 and during INC-3 to further enhance stakeholder engagement.

19. In addition, in decisions BC-16/20, RC-11/9 and SC-11/21, the conferences of the Parties to the Basel, Rotterdam and Stockholm (BRS) conventions requested the Executive Secretary to closely cooperate and coordinate with the Executive Director of the UNEP in the context of the INC's mandate and to participate in its work on issues relevant to the conventions, including persistent organic pollutants in plastic products. The third meeting of the Basel Convention's Plastic Waste Partnership was organized back-to-back with INC-2 in November 2023 and contributed to robust stakeholder engagement.

20. Furthermore, the BRS, Convention of Biological Diversity, Ozone and UNFCCC Secretariats have supported the INC secretariat by providing staff assistance for technical or logistical aspects of meeting organization.

21. The Global Partnership on Plastic Pollution and Marine Litter (GPML)⁴, with over 650 entities, continues to strengthen scientific, technical and technological knowledge by enabling multi-stakeholder coordination and cooperation. The GPML focuses efforts through five Action Tracks: 1) enhancing science-policy linkages; 2) enabling action through strategies/roadmaps/plans; 3) harmonizing data, standards and methodologies, 4) fostering sustainable and innovative financing; and 5) promoting access for all. Working on the development of roadmaps/strategies/plans. The GPML Digital Platform (DP)⁵ provides access to more than 2,500 resources with the current phase focusing on driving change through innovation.

⁴ <https://www.gpmarinelitter.org/>

⁵ <https://digital.gpmarinelitter.org/>

II. Lessons learned

22. There is significant global interest in the INC negotiations. Limitations on the size of venue for INC-2 presented challenges to the secretariat. For INC-2 a total of 2902 participants registered for the session, with a total of 1673 attending. Bigger venues are required in future. INC-3 had 1945 participants, and the UN premises in Nairobi was a well-equipped venue.

23. The INC process has benefited from the close cooperation and collaboration between the INC secretariat with existing MEA secretariats, providing substantive support to the INC sessions and also lessons and best practices.

III. Recommendations and suggested actions

24. To convene the fourth and fifth sessions in Canada and the Republic of Korea respectively, as decided at INC-2 and to complete the work of the INC by the end of 2024 as per UNEA resolution 5/14.

25. To decide at INC-4 on the venue for the diplomatic conference of plenipotentiaries and possible dates, for the purpose of adopting the instrument and opening it for signature.

26. To invite Member States and relevant stakeholders who have not yet done so to join the Global Partnership on Plastic Pollution and Marine Litter to advance efforts.

27. The Executive Director invites governments and other stakeholders in a position to do so to provide extra-budgetary resources to support the implementation of the resolution.
