

Contact Group 3 - Article 12

Status of work as of 07 August 2025 (23.00)

1. The text below reflects the status of work of Contact Group 3 on article 12, as of 07 August 2025.
2. As agreed by the Contact Group at its meeting of 07 August 2025 from 10.00 to 13.00, the text below has been prepared by the Co-Chairs upon the Group's request at that meeting and is proposed for further consideration by the Contact Group at its next meeting on article 12, on 08 August 2025 at 14.00.
3. The text of Article 12 shown below reflects the mandate given to the Co-Chairs to:
 1. revise paragraph 1 based on the suggested additions and deletions expressed during the meeting;
 2. show in tracked changes, edits suggested in member proposals uploaded on the INC portal for paragraphs 2 to 7 of the Chair's text.

Article 12 – **[International cooperation] [Cooperation in] Capacity building, technical assistance and technology transfer[, including international cooperation]**

1. _____[Developed country] Parties **[with the capacity to do so]** shall [cooperate to] provide **[effective]** timely and [appropriate] **[adequate]** capacity-building, **[knowledge sharing on fair and equitable terms]** technical assistance **[affordable and environmentally safe]** and [safe] **[environmentally sound]** **[voluntary]** **[promote]** technology transfer **[guided by a life-cycle approach to plastics]** **[relevant to] addressing plastic pollution** **[on a grant basis, and]** [including on concessional and preferential] **[as appropriate]** **[on mutually agreed]** terms [as mutually agreed], to **[Parties most in need]** **[developing countries]** to developing country] Parties], [in particular] **[including] [those with significant capacity constraints], [In particular recognizing the special circumstances of LDCs and SIDS.] [such as] LDCs and SIDS [as well as countries with economies in transition],** to assist them [in implementing] **[in fulfilling the objectives of this instrument]** their obligations under this instrument. Capacity-building **[shall be demand driven, transparent]** [should be country-driven], based on, and responsive to, nationally determined needs and priorities. **[The unilateral measures especially those with coercive nature shall not impede Parties in particular developing countries to access capacity building support and technology transfer.]**

Co-chairs' proposal:

Parties are encouraged to cooperate to fulfil the objectives of this Convention. Developed country Parties shall [take the lead in providing] [provide] effective, timely and appropriate capacity building, technical assistance and environmentally sound technology transfer[, including on concessional and preferential terms where mutually agreed][on voluntary and mutually agreed terms], to assist developing country Parties and countries with economies in transition in implementing their obligations under this Convention. Cooperation and provisions shall be transparent and based on nationally determined needs and priorities of recipient country Parties, taking into account the special circumstances of LDCs and SIDS.

2. Capacity building, technical assistance and technology transfer pursuant to paragraph 1 may be delivered through regional, subregional and national arrangements [including existing regional and subregional and national centres, through] other multilateral and bilateral means, [and through partnerships], including north-south, south-south [and triangular cooperation]. -This cooperation should promote, among others and as appropriate, [and those involving] [partnerships involving] the private sector [or other stakeholders, [as well as]] Indigenous Peoples [and] [as well as] local communities, [and through collaboration with] [and] local and subnational governments [as appropriate].

3. [Developed country] [Parties [shall] [must] [cooperate to] promote and facilitate [working with the private sector and other relevant stakeholders, as appropriate,] [the] development, transfer, [and] diffusion of and access to [up-to-date environmentally sound] [environmentally sound] technologies [including on a grant basis,] [addressing plastic pollution in an environmentally sound manner, including those related to collecting, sorting, processing and recycling of plastic waste,] [relevant to addressing plastic pollution] [on voluntary and mutually agreed terms] [including on concessional and preferential terms [as mutually agreed]] [including the waiving of intellectual property rights], [to developing [countries.]]] [to parties most in need] [country Parties, in particular the least developed countries and small island developing states, to strengthen their capacity to effectively implement this [instrument] [Convention.]] In implementing this [provision] [article], [developed country] Parties shall promote and facilitate research, innovation, [and investment in developing country Parties as well as] technical and scientific cooperation [as well as]-[and investment] in pursuit of new and innovative environmentally sound technologies and solutions].

3bis. [Each Party shall ensure freedom of trade and technology transfer in the areas related to the implementation of the Convention. In particular, no prohibition or restriction shall be instituted or maintained on trade in equipment and transfer of technologies related to combating plastic pollution, enhancing waste management and plastic waste recycling, as well as any other activities covered by the Convention]

4. [Parties shall promote] cooperation with relevant intergovernmental organizations and other entities, including relevant scientific organisations and bodies and private sector entities, as appropriate, to support the effective implementation of [this article.] [the Convention and the achievement of its objective, while avoiding any duplication of efforts.]]

5. [In order to implement paragraphs 1, 2, 3 and 4 above, a] [A] Cooperation Mechanism [on capacity building, technical assistance and technology transfer] is hereby established.]

[5. Alt. A Mechanism for International Cooperation is hereby established, under the authority of the Conference of the Parties, to facilitate the implementation of the instrument by supporting developing country Parties, as referred to in paragraphs 1, 2, 3 and 4, including through, inter alia:

- a) Capacity-building, technical assistance, knowledge-sharing and technology transfer, including through initiatives of governments, the private sector, academia, and international organizations;
- b) Keeping a reference basket of evidence-based programmes and policy instruments, based on transparent inclusion criteria, to support developing country Parties, in particular through their national action plans;
- c) Identifying and recommending initiatives to promote the facilitated access to and transfer of environmentally sound technologies;
- d) Promoting synergies with existing initiatives and supporting the mobilization of resources complementary to those provided under Article 11;
- e) Monitoring progress in international cooperation efforts to inform the periodic review of the implementation of the instrument.]

[5. Bis. The Mechanism for International Cooperation shall be cost-effective and administered by a lean team of the Secretariat. A Board of Advisors, composed of senior experts elected by the Conference of the Parties upon nomination by Parties as well as observer organizations and

institutions engaged in providing capacity-building and technology support to developing country Parties, shall provide recommendations to the Conference of the Parties, inter alia, on the transparent inclusion criteria referred to in paragraph 5, “b”).]

6. The Conference of the Parties, at its first meeting, shall make recommendations on how capacity building, technical assistance and [safe] technology transfer could be further enhanced under this Article [, [and develop] [[including] the terms of reference and modalities of the [Mechanism for International Cooperation [Mechanism]]].

7. [In implementing this Article, [developed country] Parties [shall] [recognize the] [should take into account to the specific needs and-] [give full recognition to the] [special] [requirements] [circumstances] of [developing country] [Parties most in need], in particular [the least developed countries[,] [and] small island developing States[, [landlocked developing countries], [geographically disadvantaged States], [coastal African States], [archipelagic States], [developing middle-income countries] [and countries with economies in transition]] [those with significant capacity constraints, such as LDCs and SIDS]]].

7 Bis. [International cooperation requires a fair and open international trade system conducive to economic growth in developing country Parties. Developed country Parties shall refrain from implementing unilateral trade measures related to plastic pollution and shall submit biennially a report on their compliance with this legally binding obligation.]