

Contact Group 1 - Article 5

Status of work as of 8 August 2025 (12:10)

1. The text below reflects the outcomes of the informal held under Contact Group 1 on article 5, as discussed on 8 August, 10:15 – 12:10.

5. Plastic product design

1. Each Party [shall] [should][may], ~~according to~~ [taking into account] its national circumstances [and], [needs], ~~challenges~~ [and priorities] ~~and priorities~~ [and capabilities], ~~culture and tradition~~, take appropriate [administrative, legal, technical, and/or other [incentive]] measures [necessary] [in a non-discriminative manner] to:
 - (a) ~~improve~~~~promote~~ plastic product design, in pursuit of [resource efficiency and][circularity] [circular economy approaches], [supported by finance and by available, accessible and affordable technology transfer for design and alternatives] [while maintaining quality and performance][in order to][such as those measures which]:
 - i. [contribute to [[sustainable production and consumption] of plastics [by reducing the use of primary plastic and chemicals of concern] by increasing [resource efficiency][or establishing toxic free] [resource efficiency,] [increase]] reuse [refill and repair systems] [and recycling of plastic[s]] [products [that reduce the use of single use and short lived plastic products], if applicable]], including, as appropriate, through [reuse and recycled content [targets]] [and promoting product simplicity to facilitate toxic free recycling] [, and by promoting [a transition to the] reuse and [refill] recycle systems]] [elimination of toxic chemicals and additives];
 - ii. improve the [safety [for the protection of the environment and human health],] durability, [reusability,] refillability, refurbishability, remanufacturability, repairability and recyclability of plastic products [and packaging], [[and [promote][ensure] the use of safe and sustainable [additives] [chemicals];]]
 - iii. [[ensure][enhance] ~~the management of~~- [recycling and]] [where [reuse,] recycling is not possible,] disposal] [enhance the capacity] of plastic [products at the end of their lifecycle][waste][to be managed] in an environmentally sound manner [in accordance with the waste hierarchy [and Basel Convention technical guidelines on plastic waste management];] and

[iii Bis. Promote systems for collection, reuse, repair and recycling;]
 - iv. [[minimize] [decrease] releases [and emissions][and leakages] of plastic [waste] [[and plastic products], [including microplastics and nanoplastics,] [during the product life cycle]]].
 - v. [To ensure [transparency] the availability of information on plastic products, [chemicals][materials] in plastic products and on products containing plastic along the various value chains, and [try to] ensure [the traceability] [inclusion of the information on the material] [of prioritized chemicals] used in plastic products, taking into account sustainability criteria and global standards to be adopted by the Conference of the Parties at its second meeting.]
- [v. Bbis. To promote safe reuse systems and practices in order to reduce reliance on short-lived and single use plastic products.]
- [iv Bis. Improve the availability and accessibility of relevant product information for increasing circularity.]

- [(a) *Bis.* improve the availability of relevant information [where] [if] appropriate, including information on [safe and sustainable] use, maintenance, repair, and [reuse of plastic products] [instructions] on [methods of] disposal, recycling and [waste] management of plastic [products] [waste], [to support the management of [plastic] products effectively at all stages of the life cycle.]]**
- (b) [foster][facilitate] research, [strategies to accelerate][promote investment in recycling and] innovation, [and] [traceability in] development [of circular] [in plastic product design] [and use of] [sustainable and safer][environmentally preferable] alternatives [and] [non-plastic substitutes][plastic products and products made from alternative materials], including [products,]] technologies and services, [including toxic free reuse, repair, and other reduction enabling systems] [with emphasis on the design of products to enhance their recyclability] [in order to improve their design and ensure relevant technology transfer] [ensuring technological neutrality and non-discrimination between raw materials] taking into account environmental, economic, social [and human health] aspects and their potential for waste reduction and reuse, [as well as availability, accessibility and affordability, based on [[transparent] [life cycle assessments]] and [best available] science, [and, [where relevant,] [the knowledges, sciences and practices of Indigenous Peoples,] traditional knowledge, [knowledge of Indigenous Peoples] and [local communities] [local knowledge systems]]].**

[1. *Bis.* A subsidiary body under this instrument to assess and facilitate the provision of financial and technical assistance including technology transfer to developing country parties on voluntary and mutually agreed terms in line with the principles of Rio Declaration on environment and development to support the implementation of paragraph 1. of this article.]

2. [The Conference of the Parties **[at its first meeting]** shall establish a process and schedule of work **[based on strong scientific evidences]** [for the development of **[[sector and product specific design and performance criteria]** [including systems practices and infrastructures to promote the safe and sustainable reuse, refill, and repair products and reduce the demand for plastics] [and/or requirements] **as relevant, and shall [as soon as practicable] adopt an annex** [no later than by COP3] **in accordance with Article 24, relating to sector and product specific design and performance criteria. Each Party shall [strive to] ensure that the design of plastic products is [and the development of systems, practices and infrastructures] in accordance with the design and performance criteria [and/or requirements][, if any,] set out in the annex.]]** specific [guidance][sustainability criteria [and/or requirements] **and globally harmonized standard]** for [priority] plastic products **[prioritized chemicals in plastic products and products containing plastic],[subject to the availability [, accessibility and affordability] of [relevant technologies as well as availability of] resources provided by the financial mechanism as referred to in Article 11] [through a [sectoral [or application based] approach] [which may include product group or sectoral approaches] ,]]** **[ensuring technological and material neutrality and non-discrimination]]** to assist Parties in their implementation of this Article. [The Conference of the Parties shall adopt and review, and update, as appropriate, such guidance, [within a reasonable timeframe] **[such guidance must be adopted or be voluntary in nature] [by the second COP].]**

[2 *Bis.* The Conference of the Parties shall adopt and review, and update, as appropriate, such guidance, within a reasonable timeframe. Within a reasonable time frame in implementation of this article, the COP shall, as appropriate, shall draw on scientific and technical information, [the knowledge's, sciences and practices of Indigenous Peoples,] traditional knowledge, [knowledge of Indigenous Peoples], [and] local [communities][knowledge systems] to support the implementation of this Article, including such information or knowledge provided by subsidiary bodies established under Article 20.]

3. [In implementing [paragraph 1 of] this Article, Parties [should] **[shall]** take into account relevant international [rules,] standards, and guide[s][lines] **[and recommendations]**. Parties are encouraged to cooperate with relevant international organizations towards the development of relevant international [rules,] standards, and guide[s][lines] **[and recommendations]** at the multilateral level to support the implementation of this Article.]

[3 *Alt.* In implementing paragraph 1 of this article, Parties should consider the following criteria, taking into account the product necessity for health, food, water security, and safety:

- (a) Likelihood of being leaked into the environment**
- (b) Determination by the Party of an unacceptable level of risk to the environment from the product when it is mismanaged**
- (c) Difficulty to reuse or recycle**
- (d) Containing intentionally added microplastics that the Party has identified pose a risk to the environment due to the difficulty of recycling and reusing**
- (e) Technical and economic feasibility of alternative products**

(f) Availability and affordability of proven safe alternative products with lower environmental impacts]

[3. *Alt 2.* In implementing paragraph 1 of this Article, Parties should take into account relevant international standards. Parties are encouraged to participate in the development of international standards. Where appropriate each Party is encourage positive participation to non-government and certification schemes for plastic product design and performance.]

4. [Each Party shall ensure [that measures taken to implement this Article [do not create unnecessary obstacles to international trade[.] [and] are not applied]] **[Any [unilateral] measures established [by a Party] under this Article shall not be applied]** in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade.] **[Any such measure shall not impede parties in particular developing countries to access financial support, investment and technology transfer to implement paragraph 1.]**

[4 *Bis.* In implementing paragraph 1, each Party [shall] [should] report on measures taken in accordance with Article 15. Reporting.]

[4 *Ter.* Each Party, subject to the prior informed consent procedure, shall take measures to only accept plastic products and materials that meet toxic free, circularity design standards.]